

**AMENDMENT NO. 5 TO THE JOINT POWERS AGREEMENT CREATING THE
MARIN EMERGENCY RADIO AUTHORITY**

E.C. Meeting: 3/14/12 Agenda Item B-2

1. The following is added to the end of the first paragraph of Section 2.1:

“The Authority is formed in accordance with, and shall be subject to, the Joint Exercise of Powers Act, Section 6500, *et seq.*, of the California Government Code.”

2. Section 1.H is deleted in its entirety and replaced by the following:

“‘Executive Board’ shall mean the body described in Section 7.3 of the Agreement.

In addition, any references to “Executive Committee” in the Agreement shall be deemed to refer to the Executive Board.

3. Section 7.3, Executive Committee, is deleted in its entirety and replaced by the following:

“7.3 Executive Board.

“a. The Executive Board shall be responsible for implementing the approved budget of the Authority and managing the work plan of the Authority within the budget approved by the Board of Directors. Individual Executive Board members shall report on Authority matters to, and consult regularly with, the entity or entities that they represent.

“b. The Executive Board shall be comprised of members representing the following:

County of Marin – 1 member, selected by the Board of Supervisors.

Marin County Sheriff – 1 member, who shall be the Marin County Sheriff or his or her designee.

City of San Rafael – 1 member, selected by the San Rafael City Council.

City of Novato – 1 member, selected by the Novato City Council.

Fire Services – 1 member selected by the fire chiefs of MERA Members that are not already represented on the Executive Board by a City Council-designated member.

Police Departments – 1 member selected by the police chiefs of MERA Members that are not already represented on the Executive Board by a City Council-designated member.

Ross Valley - 1 member selected by the City/Town Managers of the participating Ross Valley Cities and Towns (Corte Madera, Fairfax, Larkspur, Ross and San Anselmo).

Southern Marin Cities and Towns – 1 member selected by the City/Town Managers of the participating Southern Marin Cities and Towns (Belvedere, Mill Valley, Sausalito and Tiburon).

Special Districts – 1 member selected by the MERA Board of Directors members of the participating special districts that are not fire service or police departments (such as Inverness Public Utilities District, Marin Community College District, Marin County Transit District, Marin Municipal Water District and Marinwood Community Services District, along with other special districts that may become MERA Members in the future).

“c. Five members of the Executive Board shall constitute a quorum for the transaction of business. No action shall be taken by the Executive Board except upon a majority affirmative vote of the quorum.

“d. The members of the Executive Board, with the exception for the Sheriff, shall be appointed for two-year terms. Members shall be eligible for reappointment at the discretion of the appointing authority.

“e. The Executive Board shall have the authority to approve expenditures, including but not limited to contracts, contract amendments, purchase orders and change orders to existing contracts, provided that such expenditures are consistent with the adopted annual budget.

“f. The Executive Board shall select a Chairperson and may select a Vice Chairperson and other officers as it deems necessary.”

4. Section 8.1 b. is deleted in its entirety and replaced by the following:

“Special meetings of the Board may be called by the President or by written request of any three (3) Board Members, and shall be subject to the provisions of Section 54956 of the California Government Code.”

5. Section 8.2 b. is deleted in its entirety and replaced by the following:

“Special meetings of the Executive Board may be called by the Chairperson or by written request of any two (2) Executive Board Members, and shall be subject to the provisions of Section 54956 of the California Government Code.”