

COUNCIL AGENDA: NOVEMBER 5, 2013

SUBJECT: FIRST AMENDMENT TO THE AGREEMENT FOR TRANSIT SERVICE BETWEEN THE CITY OF PORTERVILLE AND THE TULARE COUNTY ASSOCIATION OF GOVERNMENTS

SOURCE: Public Works Department - Transit

COMMENT: On July 19, 2011, the City and Tulare County Association of Governments (TCAG) entered into an Agreement for the purpose of establishing the administrative responsibilities of the Tulare County regional monthly transit pass (T-Pass). The T-Pass is a regional monthly transit pass valid on all fixed route services in Tulare County. The T-Pass fosters continued support of passenger transfer activity between the various transit systems in the County.

Since the original agreement, the T-Pass purchase price was set at \$45 and provided no guidance or authority to change the T-Pass purchase price in the future. TCAG is recommending amending existing agreements with transit providers to clarify that the T-Pass price setting will be under the authority of, and approved by, the TCAG Board. TCAG staff will evaluate the price of the T-Pass no less than every three years.

RECOMMENDATION: That the City Council:

1. Approve the attached First Amendment to the Agreement for Transit Service between Tulare County Association of Governments and the City of Porterville; and
2. Authorize the Mayor and City Attorney to execute the attached Agreement.

ATTACHMENT: First Amendment to the Agreement for Transit Service between the Tulare County Association of Governments and the City of Porterville.

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Item No. 6

**FIRST AMENDMENT TO AGREEMENT
FOR TRANSIT SERVICES
BETWEEN THE TULARE COUNTY ASSOCIATION OF
GOVERNMENTS (TCAG)
AND THE CITY OF
PORTERVILLE**

This is an amendment to the agreement entered into on July 19, 2011, between the City of Porterville, hereinafter referred to as "AGENCY," and the Tulare County Association of Governments, hereinafter referred to as "TCAG," regarding a regional monthly pass for unlimited fixed route rides on transit systems in Tulare County.

WHEREAS, TCAG and AGENCY entered into an Agreement on July 19, 2011, for the purpose of establishing the administrative responsibilities of the Tulare County Regional Transit Pass (T-Pass); and

WHEREAS, at its Board meeting on July 22, 2013, TCAG identified the need to increase the price of the T-PASS to cover the rising costs of providing the unlimited fixed route rides on transit systems in Tulare County; and

WHEREAS, TCAG and AGENCY acknowledge the need to amend the Agreement to reflect the price increase;

ACCORDINGLY, IT IS AGREED:

I. Recital Number Three (3) is hereby amended to read as follows:

WHEREAS, the T-Pass is available for purchase for \$50.00 at agency outlets throughout the County; and

II. The following recital is inserted following the above recital:

WHEREAS, the price of the T-Pass may be increased in the future by resolution of the Board of TCAG, following a public hearing regarding the same.

III. Paragraph 1 entitled "**TERM**" is hereby amended to read as follows:

The Term of the Agreement shall be effective from October 1, 2013, through October 1, 2014, and continue until terminated or succeeded. The Agreement will be renewable for similar or different terms and conditions upon mutual agreement between TCAG and AGENCY. The terms of this Agreement may be terminated upon 60 day advance written notice by either party. Upon terminating the terms of this Agreement, AGENCY is also terminating participation in the T-Pass program.

III. Except as provided above, all other terms and conditions of Agreement for Transit Services shall remain in full force and effect.

