

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM**  
3.4  
(ID # 4788)

**MEETING DATE:**

Tuesday, December 12, 2017

**FROM :** EXECUTIVE OFFICE:

**SUBJECT:** EXECUTIVE OFFICE: Southwest Communities Financing Authority (SCFA) Animal Shelter - First Amendment to the Third Amended and Restated Joint Powers Authority (JPA) Agreement Between the County of Riverside and The City of Canyon Lake, The City of Lake Elsinore, The City of Murrieta, The City of Temecula; and the City of Wildomar - Term of Chair and Vice-Chair

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the First Amendment to the Third Amended and Restated Southwest Communities Financing Authority (SCFA) Joint Powers Agreement, Section 8(a), changing the terms of service of the Chairperson and Vice-Chairperson from one (1) year to two (2) years.

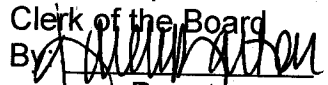
**ACTION:** Policy

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Perez and Ashley  
Nays: None  
Absent: Washington  
Date: December 12, 2017  
xc: EO

Kecia Harper-Ihem  
Clerk of the Board  
By   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost:</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	17/18

**C.E.O. RECOMMENDATION:** [CEO use]

**BACKGROUND:**

**Summary**

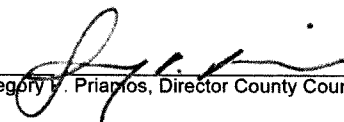
The Southwest Communities Financing Authorities (SCFA) Joint Powers Agreement (JPA), dated November 30, 2004 joined together the interests of the Cities of Canyon Lake, Lake Elsinore, Murrieta, Temecula, Wildomar and the County of Riverside to construct and operate an animal shelter. The animal shelter is located within the geographic area common to all parties. SCFA was established as a public entity, separate and apart from the parties as a JPA to provide for the animal shelter needs to eligible residents.

This First Amendment to the Third and Restated Joint Powers Agreement amends the term of the Chairperson and Vice Chairperson of the JPA Board of Directors, as identified in Section 8(a), from annual to bi-annual.

**Impact on Residents and Businesses**

The purpose of the SCFA Joint Powers Agreement is to exercise the common powers of the parties/cities involved in the housing and operation of the animal shelter in order to serve the residents of that area. The JPA Board of Directors can better serve its residents and conduct the management and operation of the shelter with bi-annual membership terms of the chairperson and vice-chairperson.

**ATTACHMENTS:** First Amendment to the Third Amended and Restated Joint Powers Agreement Between the County of Riverside and the Cities of Canyon Lake, Lake Elsinore, Murrieta, Temecula, Wildomar.

  
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 Gregory V. Priamos, Director County Counsel      12/1/2017

**First Amendment to the Third Amended and Restated  
Joint Powers Agreement Between the County of Riverside and  
The City of Canyon Lake;  
The City of Lake Elsinore;  
The City of Murrieta;  
The City of Temecula; and  
The City of Wildomar;  
Creating the Southwest Communities Financing Authority  
(Animal Shelter)**

This 1<sup>st</sup> Amendment to the Third Amended and Restated Joint Powers Agreement ("Agreement") is made and entered into as of December 12 2017, by and between the members of the Southwest Communities Financing Authority ("SCFA")  
RECITALS

SCFA, a California joint powers authority, entered into the Third Amended and Restated Agreement on November 2, 2010. The Agreement is amended as follows:

1. Section 8. Officers and Employees subsection a, is deleted in its entirety and replaced with the following language:

(a) Chairperson and Vice Chairperson. The Board may select a chairperson and a vice chairperson from among its members at its first meeting. The term of the Chairperson and Vice Chairperson, when selected in this manner, shall be for two (2) years.

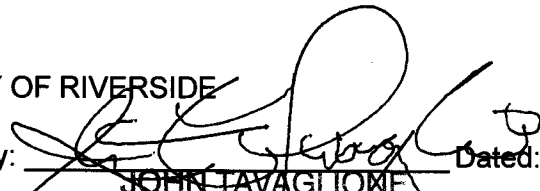
In the event that the Chairperson or Vice Chairperson so elected resigns from such office or ceases to be a member of the Board, the resulting vacancy shall be filled at the next regular meeting of the Board. In the absence or inability of the Chairperson to act, the Vice Chairperson shall act as Chairperson. The Chairperson, or in the Chairperson's absence, the Vice Chairperson, shall preside at and conduct all meetings of the Board.

2. Except as set for in this Amendment, the Contract is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of the First Amendment will prevail.
3. If any of this 1<sup>st</sup> Amendment or the Contract is declared invalid, illegal or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

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FIRST AMENDMENT TO THE THIRD AMENDED AND RESTATED JOINT POWERS AGREE CREATING  
THE SOUTHWEST COMMUNITIES FINANCING AUTHORITY

COUNTY OF RIVERSIDE

By:  Dated: DEC 12 2017

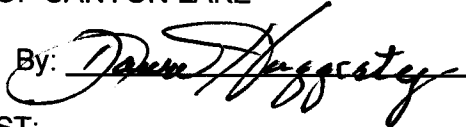
ATTEST:  
Kecia Harper- Item, Clerk of the Board

By:  Dated: DEC 12 2017  
Deputy


Approved as to form

By:   
Deputy County Counsel

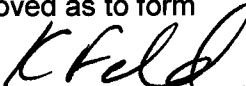
CITY OF CANYON LAKE

By:  Dated: 7/6/17

ATTEST:

By:  Dated: 7/6/17  
Deputy

Approved as to form

By:   
City Attorney

CITY OF LAKE ELSINORE

By: \_\_\_\_\_ Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy

Approved as to form

By: \_\_\_\_\_  
City Attorney

COUNTY OF RIVERSIDE

By: \_\_\_\_\_ Dated: \_\_\_\_\_

ATTEST:  
Kecia Harper- Ithem, Clerk of the Board

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy

Approved as to form

By:  12/17  
Deputy County Counsel

CITY OF CANYON LAKE

By: \_\_\_\_\_ Dated: \_\_\_\_\_

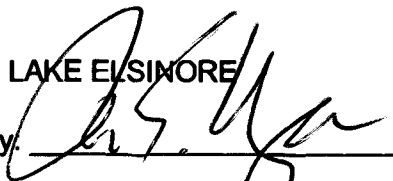
ATTEST:

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy


Approved as to form

By: \_\_\_\_\_  
City Attorney


CITY OF LAKE ELSINORE

By:  Dated: 9/12/2017

ATTEST:

By:  Dated: 9/19/17  
City Clerk

Approved as to form

By:   
City Attorney

CITY OF MURRIETA

By: Rick Hill Dated: 7/3/17

ATTEST:

By: [Signature] Dated: 7/3/17  
Deputy

Approved as to form

By: [Signature]  
City Attorney

CITY OF TEMECULA

By: \_\_\_\_\_ Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy

Approved as to form

By: \_\_\_\_\_  
City Attorney

CITY OF WILDOMAR

By: \_\_\_\_\_ Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy

Approved as to form

By: \_\_\_\_\_  
City Attorney

CITY OF MURRIETA

By: \_\_\_\_\_ Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy

Approved as to form

By: \_\_\_\_\_  
City Attorney

CITY OF TEMECULA

By: Maryann Edwards Dated: \_\_\_\_\_  
Maryann Edwards, Mayor

ATTEST:

By: Randi Johl Dated: \_\_\_\_\_  
Randi Johl, City Clerk

Approved as to form

By: Peter Thorson  
Peter Thorson, City Attorney

CITY OF WILDOMAR

By: \_\_\_\_\_ Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy

Approved as to form

By: \_\_\_\_\_  
City Attorney

CITY OF MURRIETA

By: \_\_\_\_\_ Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy

Approved as to form

By: \_\_\_\_\_  
City Attorney

CITY OF TEMECULA

By: \_\_\_\_\_ Dated: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Deputy

Approved as to form

By: \_\_\_\_\_  
City Attorney

CITY OF WILDOMAR

By: [Signature] Dated: 03-08-17

ATTEST:

By: [Signature] Dated: 03-08-17  
~~Deputy~~  
City Clerk

Approved as to form

By: [Signature]  
City Attorney