

**THIRD AMENDMENT TO AMENDED JOINT POWERS AUTHORITY AGREEMENT
ORANGE COUNTY FIRE AUTHORITY**

This Third Amendment ("Third Amendment") to the Amended Joint Powers Authority Agreement is made and entered into by and between the following public entities (collectively referred to as "members"): Aliso Viejo, Buena Park, Cypress, Dana Point, Irvine, La Palma, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Los Alamitos, Mission Viejo, Placentia, Rancho Santa Margarita, San Clemente, San Juan Capistrano, Santa Ana, Seal Beach, Stanton, Tustin, Villa Park, Westminster, and Yorba Linda (collectively referred to as "Cities" and individually as "City") and the County of Orange (referred to as the "County"), each of whom is a member of the Joint Powers Authority, Orange County Fire Authority ("the Authority").

RECITALS

WHEREAS, the Authority presently provides fire protection, prevention and suppression services and related and incidental services (collectively, "Fire Services") to Cities as well as to the unincorporated area of the County and State Responsibility Areas ("SRA"); and

WHEREAS, the County and several of the Cities entered into a Joint Powers Authority Agreement to form the Authority as of February 3, 1995 pursuant to the provisions of Article 1, Chapter 5, Division 7, Title I (commencing with Section 6500) of the Government Code of the State of California ("Joint Powers Statutes"); and

WHEREAS, pursuant to the Joint Powers Statutes the members are authorized to jointly provide for the methods of the provision of Fire Services, including the method of financing the provision of Fire Services; and

WHEREAS, on September 23, 1999, the members entered into an amended Joint Powers Authority Agreement ("1999 Amended Agreement") which superseded all prior agreements between the members and is incorporated herein by reference; and

WHEREAS, on July 1, 2010, the members entered into a First Amendment to the Amended Joint Powers Agreement (“First Amendment”) which amended several provisions of the 1999 Amended Agreement; and

WHEREAS, on April 20, 2012, the City of Santa Ana joined the Authority and became a party to the 1999 Amended Agreement and the First Amendment; and

WHEREAS, on November 18, 2013, the members entered into the Second Amendment to the Amended Joint Powers Agreement (“Second Amendment”) which amended several provisions of the 1999 Amended Agreement. Litigation has been filed by the County challenging the validity of the Second Amendment, and the litigation remains unresolved as of the date of this Third Amendment;

WHEREAS, the parties wish to adopt this Third Amendment to eliminate alternative Board directors;

NOW THEREFORE, the members agree to amend the 1999 Amended Agreement as follows:

AGREEMENT

1. *Article II, Section 2 of the 1999 Amended Agreement shall be amended to read as follows:*

2. **Designation of Directors.** Each member by resolution of its governing body shall designate and appoint one representative to act as its Director on the Authority Board of Directors (the “Board”), except the County whose Board of Supervisors shall appoint two representatives to act as its Directors. Each representative shall be a current elected member of the governing body. Each Director shall hold office until the selection of a successor by the appointing body. ~~Each member shall also appoint an alternate to act in each Director’s absence. Each alternate shall be a current elected representative of the governing board of the member. Each Director and alternate shall serve at the pleasure of his or her appointing body and may be removed at any time, with or without cause, at the sole discretion of that appointing body. Any vacancy shall be filled in the same manner as the original appointment of a Director and/or alternate. With approval of the Board, a Director or alternate~~

may be reimbursed for reasonable expenses incurred in the conduct of the business of the Authority.

2. *Article II, Section 5 of the 1999 Amended Agreement shall be amended to read as follows:*

5. **Quorum; Voting.** A majority of the Directors shall constitute a quorum for the purpose of the transaction of business relating to the Authority. Each Director, ~~or alternate in the absence of any voting Director,~~ shall be entitled to one vote. Unless otherwise provided herein, a vote of the majority of those present and qualified to vote shall be sufficient for the adoption of any motion, resolution or order and to take any other action deemed appropriate to carry forward the objectives of the Authority.

3. **Effective Date.** *This Third Amendment requires the approval of at least two thirds of the members to go into effect, and it shall be effective on the date of approval by a sixteenth member.*

COUNTY OF ORANGE, a political
subdivision of the State of California

Dated: _____

By: _____
Chairman of its Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN
DELIVERED TO THE CHAIRMAN OF THE
BOARD

Clerk of the Board of Supervisors
County of Orange, California

NOTICE TO COUNTY OF ORANGE TO BE
GIVEN TO:

County Executive Officer
10 Civic Center Plaza
Santa Ana, CA 92701

APPROVED AS TO FORM:

By: _____
County Counsel


Dated: _____

[Signatures Continued on Page 5]

The County of Orange considered
the amendment on 07/21/15
and took a position of opposition.

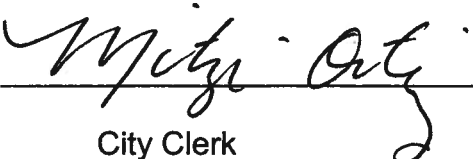
CITY OF ALISO VIEJO

Dated: 8/5/15

By: 

Mayor

ATTEST:



City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Aliso Viejo
12 Journey, Suite 100
Aliso Viejo, CA 92656-5335

Phone: (949) 425-2500
Fax: (949) 425-3899

APPROVED AS TO FORM:

By: 
City Attorney

Dated: 8/11/15

[Signatures Continued on Page 6]

CITY OF BUENA PARK

Dated: 7/14/15

By: Arthur C. Brown

Mayor

ATTEST:

Shalin Jure

City Clerk



NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Buena Park
6650 Beach Blvd.
Buena Park, CA 90620

Phone: (714) 562-3500

Fax: (714) 562-3599

APPROVED AS TO FORM:

By: Shalin Jure


City Attorney

Dated: _____

[Signatures Continued on Page 7]

CITY OF CYPRESS

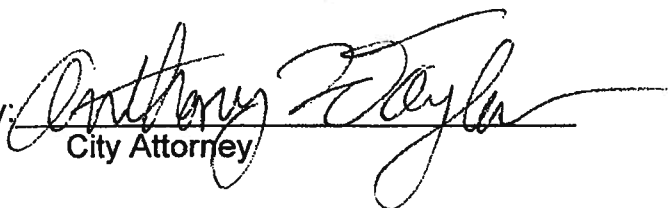
Dated: 7/22/15

By: 
Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:

By: 
City Attorney

Dated: 7-8-15

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Cypress
5275 Orange Avenue
Cypress, CA 90630

Phone: (714) 229-6688
Fax: (714) 229-6682

CITY OF DANA POINT

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Dana Point
33282 Golden Lantern
Dana Point, CA 92629

Phone: (949) 248-9890

Fax: (949) 248-9920

APPROVED AS TO FORM:

By: _____

City Attorney

Dated: _____

[Signatures Continued on Page 9]

The City of Dana Point considered
the amendment on 09/15/15
and took a position of opposition.

CITY OF IRVINE

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Irvine
One Civic Center Plaza
Irvine, CA 92606-5208

Phone: (949) 724-6249

Fax: (949) 724-6045

APPROVED AS TO FORM:

By: _____

City Attorney

Dated: _____

[Signatures Continued on Page 10]

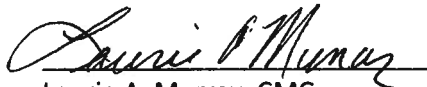
The City of Irvine opted to not schedule the item for its consideration, since the amendment had already passed by the required number of votes.

CITY OF LA PALMA

Dated: July 7, 2015

By: 
Peter L. Kim
Mayor

ATTEST:

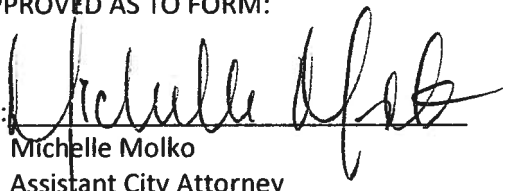

Laurie A. Murray, CMC
City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of La Palma
7822 Walker Street
La Palma, CA 90623

Phone: (714) 690-3333
Fax: (714) 523-7351


APPROVED AS TO FORM:

By: 
Michelle Molko
Assistant City Attorney

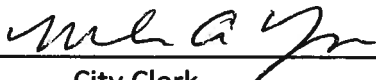
Dated: July 7, 2015

CITY OF LAGUNA HILLS

Dated: 7/14/15

By: 
Mayor

ATTEST:



City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Laguna Hills
24035 El Toro Road
Laguna Hills, CA 92653

Phone: (949) 707-2600
Fax: (949) 707-2614

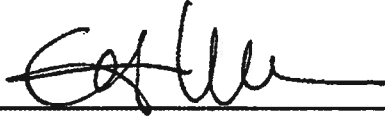
APPROVED AS TO FORM:

By: 
City Attorney

Dated: 7/14/15

CITY OF LAGUNA NIGUEL

Dated: 12/15/15

By: 

Mayor

ATTEST:


City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Laguna Niguel
30111 Crown Valley Parkway
Laguna Niguel, CA 92677

Phone: (949) 362-4380

Fax: (949) 362-4340

APPROVED AS TO FORM:

By: 
City Attorney

Dated: 12/15/15

[Signatures Continued on Page 13]

Dated: 7-8-15

By: Cynthia S. Conners
Cynthia S. Conners
Mayor

ATTEST:

Yolie Trippy
Yolie Trippy
Deputy City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Laguna Woods
24264 El Toro Road
Laguna Woods, CA 92637

Phone: (949) 639-0500
Fax: (949) 639-0591

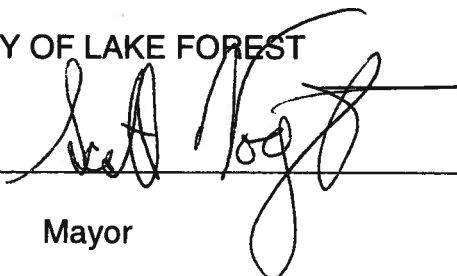
APPROVED AS TO FORM:

By: David B. Cosgrove
David B. Cosgrove
City Attorney

Dated: 7-8-15


CITY OF LAKE FOREST

Dated: 11-18-2015

By: 

Mayor

ATTEST:



City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Lake Forest
23161 Lake Center Drive, Suite 100
Lake Forest, CA 92630

Phone: (949) 461-3400

Fax: (949) 461-3511

APPROVED AS TO FORM:

By: 

City Attorney

Dated: 11/18/15

[Signatures Continued on Page 15]

CITY OF LOS ALAMITOS

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

Phone: (562) 431-3538

Fax: (562) 493-1255

APPROVED AS TO FORM:

By: _____

City Attorney

Dated: _____

[Signatures Continued on Page 16]

While scheduled for consideration at its 07/21/15 meeting, the City of Los Alamitos took no action on this amendment.

CITY OF MISSION VIEJO

Dated: July 7, 2015

By: Cathy Schlicht

Cathy Schlicht, Mayor

ATTEST:

Karen Hamman
Karen Hamman, City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Mission Viejo
25909 Pala, Suite 150
Mission Viejo, CA 92691

Phone: (949) 470-3000
Fax: (949) 859-1386

APPROVED AS TO FORM:

By: William P. Curley


William P. Curley, City Attorney

Dated: July 15, 2015

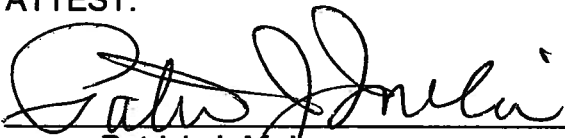
[Signatures Continued on Page 17]

CITY OF PLACENTIA

Dated: 07/07/15

By: 
Chad P. Wanke
Mayor

ATTEST:

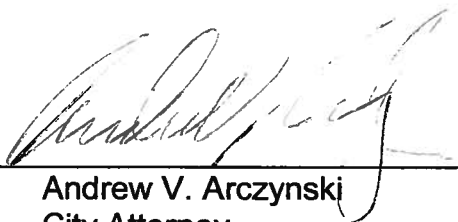

Patrick J. Meha
City Clerk

NOTICE TO CITY TO BE GIVEN TO:

Acting City Administrator
City of Placentia
401 E. Chapman
Placentia, CA 92870

Phone: (714) 993-8117
Fax: (714) 961-0283

APPROVED AS TO FORM:

By: 
Andrew V. Arczynski
City Attorney

Dated: _____

CITY OF RANCHO SANTA MARGARITA

By: _____

Bradley J. McGirr
Mayor

Dated: July 8, 2015

ATTEST:

Amy Diaz
Amy Diaz
City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Rancho Santa Margarita
22112 El Paseo
Rancho Santa Margarita, CA 92688

Phone: (949) 635-1800

Fax: (949) 635-1840

APPROVED AS TO FORM:

Woodruff, Spradlin & Smart

By: Greg Simonian
Greg Simonian
City Attorney

Dated: July 8, 2015

[Signatures Continued on Page 19]

CITY OF SAN CLEMENTE

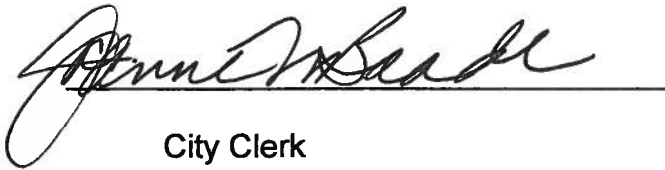


Dated: 7-7-15

By: _____

CHRIS HAMM
Mayor
CITY OF SAN CLEMENTE

ATTEST:


City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of San Clemente
100 Avenida Presidio
San Clemente, CA 92672

Phone: (949) 361-8322

Fax: (949) 361-8283

APPROVED AS TO FORM:

By:  _____

City Attorney

Dated: 7/28/15

THIRD AMENDMENT TO AMENDED JOINT POWERS AUTHORITY AGREEMENT
ORANGE COUNTY FIRE AUTHORITY

CITY OF SAN JUAN CAPISTRANO

Dated: October 10, 2015

By: Derek Reeve

Mayor

ATTEST:

[Signature]
City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

Phone: (949) 443-6315

Fax: (949) 493-1053

APPROVED AS TO FORM:

By: [Signature]


City Attorney

Dated: Oct. 10, 2015

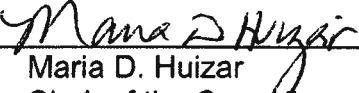
[Signatures Continued on Page 21]

CITY OF SANTA ANA

Dated: AUG 19 2015

By: 
David Cavazos
City Manager

ATTEST:


Maria D. Huizar
Clerk of the Council

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92701

Phone: (714) 647-5200
Fax: (714) 647-6956

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: 
John M. Funk
Assistant City Attorney

Dated: 7-2-15

[Signatures Continued on Page 22]

CITY OF SEAL BEACH

Dated: 7/30/2015

By: *Jerry Deaton*

Mayor

ATTEST:

Tina Krapp

City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Seal Beach
211 8th Street
Seal Beach, CA 90740

Phone: (562) 431-2527
Fax: (562) ~~431-4067~~ 493-9857

APPROVED AS TO FORM:

By: *[Signature]*


City Attorney

Dated: 8/3/15

[Signatures Continued on Page 23]

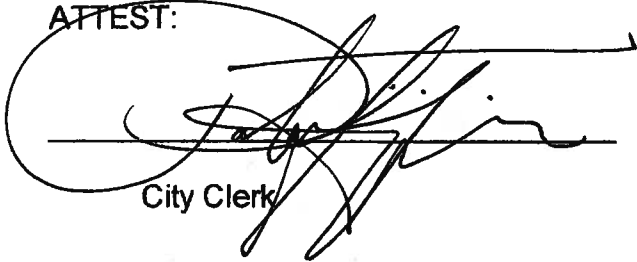
CITY OF STANTON

Dated: 07/14/2015

By: 

Mayor

ATTEST:



City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Stanton
7800 Katella Avenue
Stanton, CA 90680

Phone: (714) 379-9222

Fax: (714) 890-1443

APPROVED AS TO FORM:

By: 

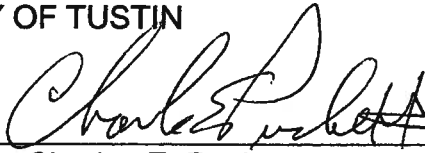
City Attorney

Dated: 07/15/2015


[Signatures Continued on Page 24]

CITY OF TUSTIN

Dated: 7/7/15

By: 
Charles E. Puckett
Mayor

ATTEST:

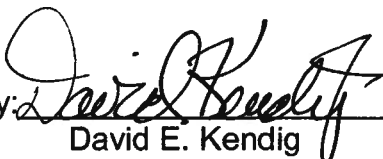

Jeffrey C. Parker
City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Tustin
300 Centennial Way
Tustin, CA 92780

Phone: (714) 544-8890
Fax: (714) 832-0825

APPROVED AS TO FORM:

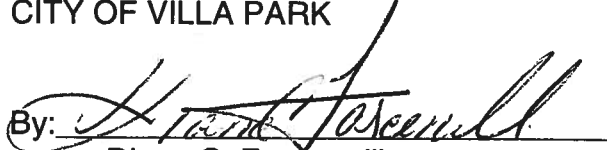
By: 
David E. Kendig
City Attorney

Dated: 7/7/15

[Signatures Continued on Page 25]

CITY OF VILLA PARK

Dated: 7/6/2015

By: 
Diana C. Fascenelli
Mayor

ATTEST:


Jarad L. Hildenbrand
City Clerk


NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Villa Park
17855 Santiago Blvd.
Villa Park, CA 92861

Phone: (714) 998-1500

Fax: (714) 998-1508

APPROVED AS TO FORM:

By: 
Todd O. Ltifin
City Attorney

Dated: 7.28.15

[Signatures Continued on Page 26]

CITY OF WESTMINSTER

Dated: 10/2/15

By: TRUQUETA

Mayor

ATTEST:

Amanda Jensen

City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Westminster
8200 Westminster Boulevard
Westminster, CA 92683

Phone: (714) 898-3311
Fax: (714) 373-4684

APPROVED AS TO FORM:

By: [Signature]

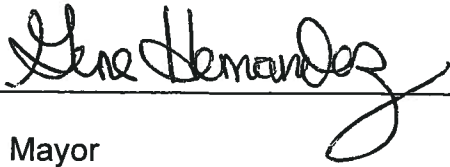
City Attorney

Dated: 10/2/15

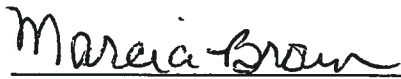
[Signatures Continued on Page 27]

CITY OF YORBA LINDA

Dated: 10/5/15

By: 
Mayor

ATTEST:



City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Yorba Linda
4845 Casa Loma Avenue
Yorba Linda, CA 92885-8714

Phone: (714) 961-7100
Fax: (714) 993-7530

APPROVED AS TO FORM:

By: 

City Attorney

Dated: 9/30/15