

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

This Fourth Amendment ("Fourth 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"). This Fourth Amendment requires the approval of two thirds of the members to go into effect, and it shall be effective when approved by a sixteenth member.

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23, 1999, the members entered into an amended Joint Powers Authority Agreement ("1999 Amended Agreement") which superseded all prior agreements between the members and is incorporated herein by reference; and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, pursuant to the 1999 Amended Agreement the members provided for the provision of Fire Services and the joint financing of Fire Services; and

WHEREAS, on July 1, 2010, the members entered into the 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 required number of member agencies approved the Second Amendment to the Amended Joint Powers Agreement (“Second Amendment”) which amended several provisions of the 1999 Amended Agreement. However, a final court judgment subsequently invalidated the Second Amendment, so the Second Amendment became, and remains, inoperative; and

WHEREAS, on July 14, 2015, the required number of member agencies approved the Third Amendment to the Amended Joint Powers Agreement (“Third Amendment”) to eliminate alternative Board Directors;

WHEREAS, the Amended Joint Powers Agreement, as amended by the First Amendment and Third Amendment, is referred to herein as the “Amended Joint Powers Agreement And Its Operative Amendments”;

WHEREAS, the members wish to adopt this Fourth Amendment to the Amended Joint Powers Agreement And Its Operative Amendments to formalize the OCFA’s commitment to its “snowball” accelerated pension liability paydown plan on the terms and conditions set forth herein.

NOW THEREFORE, the members agree to amend the Amended Joint Powers Agreement And Its Operative Amendments as follows:

AGREEMENT

1. *Article IV of the Amended Joint Powers Authority Agreement And Its Operative Amendments is amended to add Section 7, to read as follows:*

7. Payments to Reduce Unfunded Pension Liability.
 - A. Except as provided in subsection C, the OCFA Board shall appropriate funds in its budget annually consistent with, or greater than, the budgetary payments called for in the “snowball” accelerated pension liability paydown plan approved by the OCFA Board of Directors on September 26, 2013, and amended on November 19, 2015, November 17, 2016, and March 23, 2017.

 - B. Payments will be greater than those appropriated in the OCFA’s budget annually when triggered by a Net General Fund Surplus (per the Financial Stability Budget Policy). Payments from the “Net General Fund Surplus” are hereby deemed as derived from revenues received by overfunded structural fire fund cities as determined by the equity calculation required under Article IV, Section 4 – Equity.

 - C. Appropriations and payments required by subsection A and B may be reduced to the extent the Board determines, by vote approved by two-thirds of the Board, is necessary to address a fiscal hardship.
 - 1) For purposes of this section, “fiscal hardship” shall refer to a substantial reduction in OCFA anticipated revenue and/or a significant increase in anticipated expenses that are beyond the reasonable control of the OCFA Board.

2. *This Fourth Amendment amends the 1999 Amended Agreement And Its Operative Amendments, and except as specifically amended herein, the 1999 Amended Agreement And its Operative Amendments shall remain in full force and effect.*

[SIGNATURES ON FOLLOWING PAGES]

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]

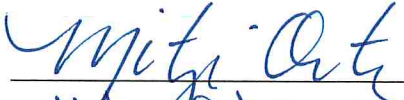
Memo dated 04/17/19 to the Clerk of the Board of Supervisors from County Executive Officer Frank Kim requested deletion of 04/23/19 Agenda Item No. #39 – Fourth Amendment to the Orange County Fire Authority Joint Powers Agreement commenting that the Fourth Amendment to the Orange County Fire Authority (OCFA) Joint Powers Agreement took effect following approval by at least 2/3 of OCFA members. Thus, approval of the Fourth Amendment by the County of Orange is no longer necessary and the County Executive Office is deleting the item.

CITY OF ALISO VIEJO

Dated: 11/7/18

By: 
David C. Harrington
Mayor

ATTEST:

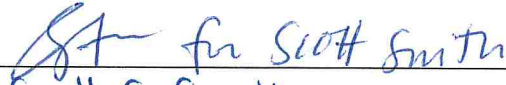

Mitzie Ortiz, CMG
City Clerk

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: 
Scott C. Smith
City Attorney

Dated: 11/7/18

[Signatures Continued on Page 6]

CITY OF BUENA PARK

Dated: 02-07-2019

By: Arthur C. Brown

Arthur C. Brown
Mayor

ATTEST:

Adria M. Jimenez

Adria M. Jimenez, MMC
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: Christopher G. Cardinale

Christopher G. Cardinale
City Attorney

Dated: 1.22.19

[Signatures Continued on Page 7]

CITY OF CYPRESS

Dated: February 11, 2019

By: Stacy Berry

Mayor

ATTEST:

Denise Pasham

City Clerk

NOTICE TO CITY TO BE GIVEN TO:

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

Phone: (714) 229-6688

Fax: (714) 229-0154

APPROVED AS TO FORM:

By: Anthony Taylor
City Attorney

Dated: 2/11/19

[Signatures Continued on Page 8]

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]

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: _____

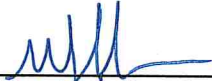
City Attorney

Dated: _____

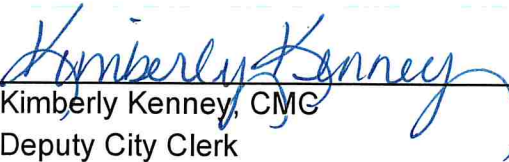
[Signatures Continued on Page 10]

CITY OF LA PALMA

Dated: December 18, 2018

By: 
Marshall Goodman
Mayor

ATTEST:



Kimberly Kenney, CMG
Deputy 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: 
Joel Kuperberg
City Attorney

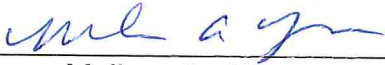
Dated: 12/18/18

CITY OF LAGUNA HILLS

Dated: _____

By:  _____
Melody Carruth
Mayor

ATTEST:

 _____
Melissa Au-Yeung
City Clerk

NOTICE TO CITY TO BE GIVEN TO:

Donald J. White
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: _____
Gregory E. Simonian
City Attorney

Dated: _____

[Signatures Continued on Page 12]

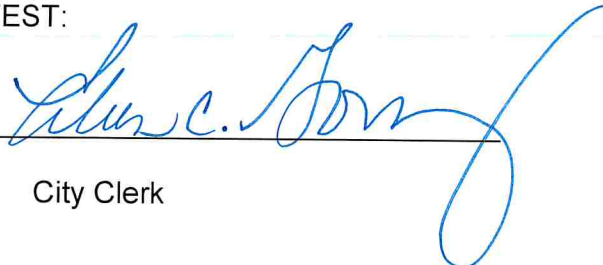
CITY OF LAGUNA NIGUEL

Dated: 3-19-19

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

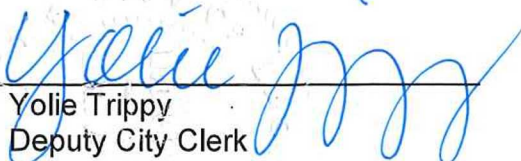
Dated: 3/13/19

[Signatures Continued on Page 13]

CITY OF LAGUNA WOODS

Dated: December 19, 2018 By: 
Carol Moore
Mayor

ATTEST:


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
City Attorney

Dated: 12.19.18

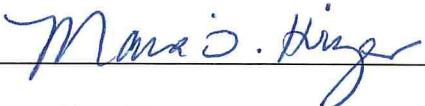
[Signatures Continued on Page 14]

CITY OF LAKE FOREST

Dated: 3/28/2019

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: 3/28/13

[Signatures Continued on Page 15]

CITY OF LOS ALAMITOS

Dated: 1/22/19

By: 
Warren Kusumoto, Mayor

ATTEST:


Windmera Quintanar, MMC, City Clerk

NOTICE TO CITY TO BE GIVEN TO:

Bret M. Plumlee, 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: 
Michael S. Daudt, City Attorney

Dated: 1-22-19

[Signatures Continued on Page 16]

CITY OF MISSION VIEJO

Dated: 11-13-18

By: 

Mayor

ATTEST:



City Clerk

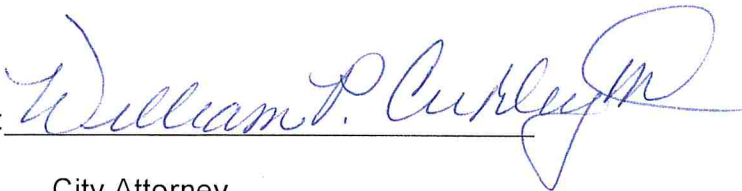
NOTICE TO CITY TO BE GIVEN TO:

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: 

City Attorney

Dated: Nov. 13, 2018

[Signatures Continued on Page 17]

CITY OF PLACENTIA

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

NOTICE TO CITY TO BE GIVEN TO:

City Manager
City of Placentia
401 E. Chapman
Placentia, CA 92870

Phone: (714) 993-8117

Fax: (714) 961-0283

APPROVED AS TO FORM:

By: _____


City Attorney

Dated: _____

[Signatures Continued on Page 18]

CITY OF RANCHO SANTA MARGARITA

Dated: January 9, 2019

By: 
Jerry Holloway
Mayor

ATTEST:


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
City Attorney

Dated: January 9, 2019

[Signatures Continued on Page 19]

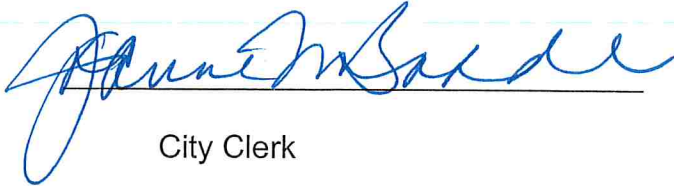
CITY OF SAN CLEMENTE

Dated: 2-19-19

By: 

Mayor

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: 3/20/19

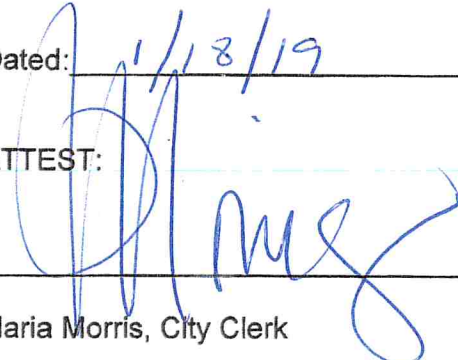
[Signatures Continued on Page 20]

CITY OF SAN JUAN CAPISTRANO

Dated: 1/18/19

By: 

Brian L. Maryott, Mayor

ATTEST: 

Maria Morris, 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: 

Jeffrey Ballinger, City Attorney

Dated: Jan. 17, 2019

[Signatures Continued on Page 21]

CITY OF SANTA ANA

Dated: _____

By: _____

Mayor

ATTEST:

City Clerk

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:

By: _____

City Attorney

Dated: _____

[Signatures Continued on Page 22]

CITY OF SEAL BEACH

Dated: 2/13/19

By: Thomas Moore

ATTEST:

[Signature]

City Clerk



Mayor

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) 434-4067 493-9857

APPROVED AS TO FORM:

By: [Signature]

City Attorney

Dated: _____

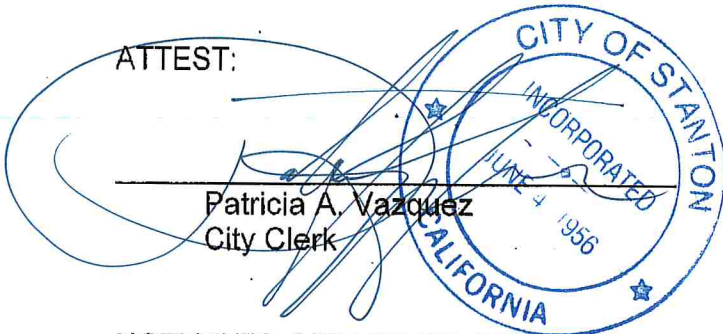
ORIGINAL

CITY OF STANTON

Dated: 11/27/2018

By: David J. Shawver
David J. Shawver
Mayor

ATTEST:



Patricia A. Vazquez
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: Matthew E. Richardson
Matthew E. Richardson
City Attorney

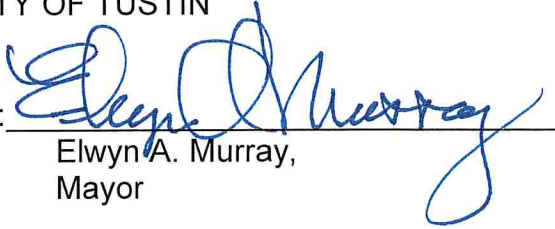
Dated: 11/28/18

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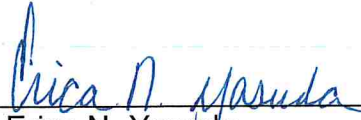


CITY OF TUSTIN

Dated: 11/20/18

By: 
Elwyn A. Murray,
Mayor

ATTEST:


Erica N. Yasuda,
City Clerk

NOTICE TO CITY TO BE GIVEN TO:

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

Phone: (714) 573-3010
Fax: (714) 832-0825

APPROVED AS TO FORM:

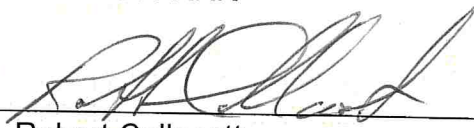
By: 
David E. Kendig,
City Attorney

Dated: 11/20/18


[Signatures Continued on Page 25]

CITY OF VILLA PARK

Dated: March 26, 2019

By: 
Robert Collacott
Mayor

ATTEST:


Steve Franks
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 Litfin
City Attorney

Dated: 3/26/19

[Signatures Continued on Page 26]

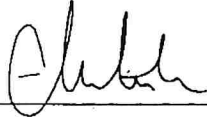
CITY OF WESTMINSTER

Dated: 4/5/19

By: TRENUTA

Mayor

ATTEST:



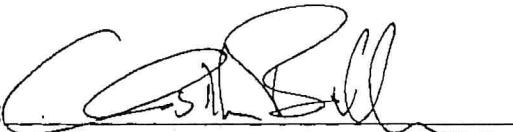
City Clerk

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: 

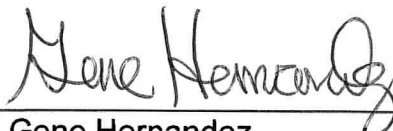
for City Attorney

Dated: 6/3/19

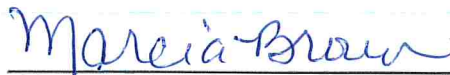
[Signatures Continued on Page 27]

CITY OF YORBA LINDA

Dated: November 20, 2018

By: 
Gene Hernandez
Mayor

ATTEST:


Marcia Brown
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: 
Todd Litfin
City Attorney

Dated: 11/20/18