

**AMENDMENT TO THE WEST ORANGE COUNTY WATER BOARD
JOINT POWERS AGREEMENT**

THIS AGREEMENT is entered into this ___ day of _____, 2018, by and among the CITY OF GARDEN GROVE, the CITY OF HUNTINGTON BEACH, the CITY OF SEAL BEACH, and the CITY OF WESTMINSTER, collectively hereinafter sometimes referred to as the "Contracting Public Agencies" or the "Parties," all of which are municipal corporations formed under and existing pursuant to the laws of the State of California.

WITNESSETH

WHEREAS, the Parties hereto are all of the parties to that certain Joint Powers Agreement, executed on October 25, 1967, entitled "West Orange County Water Board Joint Powers Agreement" ("JPA"); and

WHEREAS, the JPA provided for the manner in which the West Orange County Water Board ("Water Board"), of which each of the Contracting Public Agencies is a member, exercises its powers; and

WHEREAS, on July 15, 1994, the Parties amended the JPA to specifically designate the period of the Water Board's fiscal year to be from October 1st through September 30th ("1994 Amendment"); and

WHEREAS, Section 8 of the JPA provides that the terms and provisions of the JPA may be altered or amended from time to time with the unanimous consent of the governing body of each Contracting Public Agency; and

WHEREAS, the Parties hereto desire to revise and amend Section 4 of the JPA and the 1994 Amendment in order to specifically designate the period of the Water Board's fiscal year.

NOW, THEREFORE, the Parties hereby do agree as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The Parties hereto are authorized by law to contract with each other for the joint exercise of common powers under Article 1, Chapter 5, Division 7, Title 1 of the Government Code of the State of California, and are authorized to amend the aforesaid JPA, pursuant to Section 8 thereof, by the unanimous consent of the governing body of each of the Parties.

Section 3. Section 4 of the JPA is hereby amended to read as follows:

Section 4. The Board shall designate a location for the office of the West Orange County Water Board and designate a date, time and place for the regular meeting of the Board. The Board shall also establish a means for giving notice to each party to this agreement of any special meeting of the Board except to the extent that said notice may be waived by the provisions of the Government Code

or other laws of the State of California. A quorum for the transaction of business of the West Orange County Water Board shall require the presence of a majority of its members. Any action of the Board shall require an affirmative vote by a majority of the members present at the meeting. All meetings of the Board shall be open to the public and the Board shall cause its Secretary to keep true and accurate minutes of all meetings which are public documents and shall be available for inspection at the office of the Secretary, by any interested person or concern.

In accomplishing the purposes herein specified and exercising the powers granted to the West Orange County Water Board hereunder, the Board shall act in accordance with such requirements as specified by law for a general law city of the State of California.

The Board shall establish such accounts and bookkeeping procedures as are necessary to carry out the purpose of this agreement. All funds shall be strictly accounted for and all receipts and disbursements shall be duly recorded. The financial records and transactions shall be audited by an independent Certified Public Accountant at least once each year. The audit, provided for herein, shall be completed and available to the parties hereto at the earliest possible date, following the end of the particular fiscal year and in no event shall the audit be completed and made available to the parties later than nine months following the end of the fiscal year in question. The fiscal year of the Board shall be from July 1 through June 30."

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed the day and year first hereinabove written.

(Remainder of page intentionally left blank)

Approved as to form: Atkinson, Andelson, Loya, Ruud & Romo, general counsel to West Orange County Water Board:

Robert E. Anslow, Partner

ATTEST:

City of Garden Grove

City Clerk,
City of Garden Grove

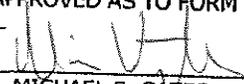
By _____
Mayor

ATTEST:

City of Huntington Beach

City Clerk,
City of Huntington Beach

By _____
Mayor

APPROVED AS TO FORM
By: 
For MICHAEL E. GATES
CITY ATTORNEY
CITY OF HUNTINGTON BEACH

ATTEST:

City of Seal Beach

City Clerk,
City of Seal Beach

By _____
Mayor

ATTEST:

City of Westminster

City Clerk,
City of Westminster

By _____
Mayor