

**AMENDMENT NO. 1 TO THE INTERAGENCY AGREEMENT
BETWEEN THE CITY OF SANTA ANA, ORANGE COUNTY WATER DISTRICT, AND
MOULTON NIGUEL WATER DISTRICT
PROJECT: EMERGENCY INTERCONNECTION BETWEEN THE CITY OF SANTA ANA
EAST STATION AND EAST ORANGE COUNTY FEEDER #2**

This Amendment No. 1 (“**Amendment**”) is entered into and effective as of April 16, 2025, amending the Interagency Agreement dated May 24, 2022 (“**Agreement**”), by and between the City of Santa Ana (“**CITY**”), Orange County Water District (“**OCWD**”), and Moulton Niguel Water District (“**MNWD**”), collectively herein referred to as the **PARTIES**. Any capitalized terms used but not defined herein shall have the meaning assigned to them in the Agreement.

RECITALS

- A. WHEREAS, on May 24, 2022, the PARTIES entered into the Agreement to work collaboratively to further evaluate the feasibility of a potential emergency interconnection (“**INTERCONNECTION**”) by completing a preliminary design study and environmental analysis.
- B. WHEREAS, the Agreement terminates on May 24, 2025.
- C. WHEREAS, the PARTIES desire to amend the Agreement’s Scope of Work to be performed by the PARTIES under this Agreement and extend the term of the Agreement until June 30, 2028.

NOW, THEREFORE, in consideration of these recitals and the mutual covenants contained herein, the PARTIES agree as follows:

- 1. The term of the Agreement is hereby extended through June 30, 2028.
- 2. The Work to be performed by the PARTIES under this Agreement shall be revised to include the Work for MNWD to prepare a final design of the proposed infrastructure based on the preliminary design analysis. Final design shall commence following acceptance of the preliminary design report by all PARTIES.
- 3. Anticipated deliverables under this Agreement shall be revised to include final design documents (construction plans and specifications) prepared by MNWD for review and approval by all PARTIES. Multiple final design submittals are anticipated. The PARTIES shall be provided with an opportunity to review each final design submittal.
- 4. MNWD will develop a Request for Proposals (“**RFP**”) in collaboration with the other PARTIES for the work described in paragraph 2 above. The PARTIES will review the proposals and develop a joint recommendation, should they agree, for consideration of award of a professional service contract. If collectively agreed to by the PARTIES, the work described in paragraph 2 above may be combined with an environmental review and preparation of CEQA documents as described in the Agreement into a single RFP and professional service contract.

- 5. MNWD agrees to provide all funding required to perform the scope of work and related RFPs identified as part of the Agreement and this Amendment. MNWD agrees to reimburse CITY and OCWD for reasonable staff time, consultant fees, and legal counsel expenses associated with reviewing the scope of work deliverables and related RFPs identified as part of the Agreement and this Amendment.
- 6. All other provisions of the Agreement will remain in full force and effect. In the event of any conflict or inconsistency between the Agreement and this Amendment, the terms of this Amendment shall control.

ORANGE COUNTY WATER DISTRICT

DocuSigned by:
 By: Denis Bilodeau Date: 4/22/2025
 Denis R. Bilodeau, President
 for Orange County Water District

Signed by:
 By: John Kennedy Date: 4/22/2025
 John Kennedy, General Manager
 for Orange County Water District

DocuSigned by:
Jeremy Jungreis General Counsel
 CITY OF SANTA ANA

By: _____ Date: _____
 Valerie Amezcua, Mayor
 for City of Santa Ana

ATTEST:

By: _____ Date: _____
 Alvaro Nuñez, City Manager
 for City of Santa Ana

By: _____ Date: _____
 Jennifer L. Hall, Clerk of the Council
 for City of Santa Ana

APPROVED AS TO FORM:

Sonia R. Carvalho
 City Attorney

By: Kyle Nellesen Date: 2/27/25
 Kyle Nellesen
 Assistant City Attorney

RECOMMENDED FOR APPROVAL:

By: Nabil Saba Date: 04/24/25
 Nabil Saba, P.E., Executive Director
 Public Works Agency

MOULTON NIGUEL WATER DISTRICT

By: Duane D. Cave Date: 3/13/25
 Duane Cave, President
 for Moulton Niguel Water District

APPROVED AS TO FORM:

By: Ruben A. Smith Date: 3/3/25
 Ruben A. Smith, Special Counsel
 to Moulton Niguel Water District

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Final Audit Report

2025-04-24

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