

JEPA Amendment No. 9

**AMENDMENT NO. 9
TO
AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT
BETWEEN THE
DEPARTMENT OF WATER RESOURCES, STATE OF CALIFORNIA
AND THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION
JOINT POWERS AUTHORITY**

This Amendment No. 9 to the October 26, 2018, Amended and Restated Joint Exercise of Powers Agreement Between the Department of Water Resources of the State of California (“DWR”), and the Delta Conveyance Design and Construction Joint Powers Authority (“Authority”), as previously amended, is entered into and effective as of the last date set forth on a signature page hereto.

RECITALS

WHEREAS, in May 2018 DWR and the Authority (collectively “the Parties”) entered into a Joint Exercise of Powers Agreement and in October 2018 into an Amended and Restated Joint Exercise of Powers Agreement, whereby the Authority agreed to manage the design and construction of California WaterFix under DWR’s ultimate control and oversight;

WHEREAS, the State subsequently set a new water policy for California and on May 2, 2019, DWR withdrew its approval of the California WaterFix project;

WHEREAS, the Parties entered into that Amendment No. 1 to the Amended and Restated Joint Exercise of Powers Agreement (“Amendment No. 1”) to outline the initial planning and engineering services that the Authority will provide to DWR during its consideration of a different potential Delta conveyance project;

JEPA Amendment No. 9

WHEREAS, the Parties entered into those further Amendments No. 2-8 to the Amended and Restated Joint Exercise of Powers Agreement (collectively, the “Agreement”) to make certain changes;

WHEREAS, Government Code section 6504 permits parties to a joint exercise of powers agreement to contribute funds, personnel and services, subject to repayment as set forth in such agreement;

WHEREAS, the Agreement provides that the reimbursement date for the Initial DWR Contribution, as defined in the Agreement, of \$43.2 million is January 10, 2025;

WHEREAS, consistent with section 6504 and applicable law, the Parties desire to amend the Agreement to extend the reimbursement date of the Initial DWR Contribution, as defined in the Agreement; and

WHEREAS, the Parties further wish to extend the term of the Agreement.

NOW THEREFORE, in consideration of the mutual covenants contained in the Agreement and this Amendment No. 9, the Parties hereby agree to amend the Agreement as follows.

AMENDMENT

A. Section 14 “Term” is amended to read in full as follows:

“14. Term.

The term of this Agreement shall be from the date first above written until DWR’s final acceptance of the Conveyance Project; provided that this Agreement shall not become effective until approved by the Department of General Services.”

JEPA Amendment No. 9

- B. The reimbursement date of the Initial DWR Contribution set forth in paragraph A of Amendment No. 5 is hereby changed to June 30, 2027.
- C. Except as hereby amended, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto affixed their names as of the day and year hereinafter written.

**STATE OF CALIFORNIA
DEPARTMENT OF WATER
RESOURCES**

**DESIGN AND CONSTRUCTION
AUTHORITY**

By: Thomas Gibson
 Title: Lead Deputy Director
 Date: 12/27/2024

DocuSigned by:
Martin Milobar
 CC3A6697DF1F4B7...
 By: _____
 Title: Board president
 Date: 12/23/2024

Approved as to legal form and consistency

Approved as to legal form and consistency

By: Ann K. B. Carroll 12/27/2024
 General Counsel

Signed by:
Joshua Nelson 12/23/2024
 SE92EC0E46A345B...
 By: _____
 General Counsel

Certificate Of Completion

Envelope Id: 8A527E38-CBD6-4282-810C-5391EFE143DF

Status: Completed

Subject: Complete with Docusign: JEPA 9 Docusigned by DCA Ready for DWR Signatures 27DEC24.pdf

FormID:

Optional 1:

Source Envelope:

Document Pages: 3

Signatures: 2

Envelope Originator:

Certificate Pages: 2

Initials: 0

William Hanley

AutoNav: Enabled

715 P Street

Envelopeld Stamping: Enabled

Sacramento, CA 95814

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

William.Hanley@water.ca.gov

IP Address: 136.200.53.20

Record Tracking

Status: Original

Holder: William Hanley

Location: DocuSign

December 27, 2024 | 10:23

William.Hanley@water.ca.gov

Security Appliance Status: Connected

Pool: StateLocal

Storage Appliance Status: Connected

Pool: Department of Water Resources

Location: DocuSign

Signer Events

Signature

Timestamp

Ann K. B. Carroll

Ann.Carroll@water.ca.gov

General Counsel

Security Level: Email, Account Authentication (None)

Signature Adoption: Pre-selected Style

Using IP Address: 136.200.53.22

Sent: December 27, 2024 | 10:38

Viewed: December 27, 2024 | 10:46

Signed: December 27, 2024 | 10:46

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Thomas Gibson

Thomas.Gibson@water.ca.gov

Lead Deputy Director

Executive

Security Level: Email, Account Authentication (None)

Signature Adoption: Pre-selected Style

Using IP Address: 68.127.162.178

Sent: December 27, 2024 | 10:46

Viewed: December 27, 2024 | 14:00

Signed: December 27, 2024 | 14:01

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Carolyn Buckman

Carolyn.Buckman@water.ca.gov

CEA

Department of Water Resources

Security Level: Email, Account Authentication (None)

Sent: December 27, 2024 | 14:01

Carbon Copy Events	Status	Timestamp
---------------------------	---------------	------------------

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Witness Events	Signature	Timestamp
-----------------------	------------------	------------------

Notary Events	Signature	Timestamp
----------------------	------------------	------------------

Envelope Summary Events	Status	Timestamps
--------------------------------	---------------	-------------------

Envelope Sent	Hashed/Encrypted	December 27, 2024 10:38
Certified Delivered	Security Checked	December 27, 2024 14:00
Signing Complete	Security Checked	December 27, 2024 14:01
Completed	Security Checked	December 27, 2024 14:01

Payment Events	Status	Timestamps
-----------------------	---------------	-------------------