

AMENDMENT NO. 3: MEMORANDUM OF UNDERSTANDING
(REVISED ON DECEMBER 4, 2014, FEBRUARY 2, 2017, AND NOVEMBER 5, 2021)
BETWEEN CITY OF MALIBU
AND
REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION
AND STATE WATER RESOURCES CONTROL BOARD
REGARDING
PHASED IMPLEMENTATION OF BASIN PLAN AMENDMENT PROHIBITING ON-SITE WASTEWATER
DISPOSAL SYSTEMS IN THE MALIBU CIVIC CENTER AREA

On August 19, 2011, the CITY OF MALIBU (City) on the one hand and the REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION (Los Angeles Water Board), and the STATE WATER RESOURCES CONTROL BOARD (State Water Board) on the other hand (together, the Water Boards), hereafter referred to collectively as the Parties, entered into a Memorandum of Understanding (MOU). The purpose of the MOU is to coordinate in the implementation of a wastewater treatment plan in the Malibu Civic Center Area, as defined in an amendment to the Los Angeles Water Board's Basin Plan (Resolution No. R4-2009-007), that employs both a plan and a schedule to construct one or more state-of-the-art centralized wastewater treatment facilities in the Malibu Civic Center Area and a comprehensive regulatory program with respect to on-site wastewater disposal systems (OWDS). The MOU was subsequently revised on December 4, 2014 (First Amended MOU) and then on February 2, 2017 (Second Amended MOU). The Second Amended MOU is attached hereto as **Exhibit A**.

WHEREAS, On September 2, 2021, the Los Angeles Water Board received a letter (Letter) from the City, requesting an extension of the November 5, 2021 MOU deadline to complete the formation of an assessment district for the Phase Two area based on additional time needed to include parcels located in the unincorporated portion of the County of Los Angeles and based on lessons learned during Phase One about the utility of obtaining construction bids prior to the formation of assessment districts. After considering the Letter, the Los Angeles Water Board determined that good cause exists to extend the deadline described in Phase Two, as set forth in **Article II, paragraph B.5**, to complete the formation of an assessment district for all properties within the Malibu Civic Center Area Phase Two (as defined in **Exhibit A**) from **November 5, 2021 to June 30, 2022**. This amendment to the Second Amended MOU shall be known as **Amendment No. 3**.

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

1. **Article II, paragraph B.5**: Article II, paragraph B.5 shall be revised and superseded as follows: By **June 30, 2022**, complete the formation of an assessment district for all properties within Malibu Civic Center Area Phase Two and provide that information to the Water Boards.
2. **No other deadlines extended**: The revision to Article II, paragraph B. 5 shall not operate to extend any of the other deadlines set forth in the Second Amended MOU, including but not limited to the deadlines set forth in Article II, paragraphs B.6-B.8.
3. **Signatures and Effective Date**: Amendment No. 3 may be signed digitally by all Parties, provided that the digital signature can be verified. **Amendment No. 3** will be effective as of the date of the latest signature of the Parties.
4. All other terms of the Second Amended MOU remain in effect and are enforceable.

IN WITNESS WHEREOF, the Parties to this MOU have caused this Amendment No. 3 to the MOU to be executed on their behalf as of the date specified below, respectively, as follows:

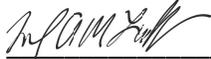
FOR THE STATE WATER RESOURCES CONTROL BOARD:

Dated: Nov 3, 2021

Eileen Sobeck
Executive Director
State Water Resources Control Board



APPROVED AS TO FORM:
Michael A. M. Lauffer
Chief Counsel
State Water Resources Control Board



FOR THE REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION:

Dated: Nov 3, 2021

Renee Purdy
Executive Officer
Regional Water Quality Control Board,
Los Angeles Region



Renee Purdy (Nov 3, 2021 18:26 PDT)

APPROVED AS TO FORM:

Sophie N. Froelich
Attorney IV
State Water Resources Control Board



Sophie Froelich (Nov 3, 2021 15:03 PDT)

FOR THE CITY OF MALIBU:

Dated: 12/17/2021 _____

Paul Grisanti
Mayor
City of Malibu

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Paul Grisanti
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APPROVED AS TO FORM:

John Cotti
Interim City Attorney
City of Malibu

DocuSigned by:
John Cotti
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