

**AMENDMENT NO. 2 TO  
THE CLEAN, SAFE CREEKS AND NATURAL FLOOD PROTECTION PROGRAM  
AGREEMENT NO. A3710R  
BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT  
AND THE CITY OF GILROY**

This Amendment No. 2 (Amendment), effective as of the date it is fully executed by the Parties, amends the terms and conditions of the 2013 Clean, Safe Creeks and Natural Flood Protection Program Comprehensive Stewardship Grant Program Agreement—No. A3710R (Agreement) dated January 29, 2014 by and between the SANTA CLARA VALLEY WATER DISTRICT (District) and CITY OF GILROY (Grantee), collectively, the “Parties”.

**RECITALS**

**WHEREAS**, the Agreement provides for the Grantee to receive up to \$190,000 in 2013 Comprehensive Stewardship Grant Program funding for the Ronan Channel Interim Trail Project – Phase I (Project); and

**WHEREAS**, the Grantee has not yet invoiced or received any of the Project Grant Amount; and

**WHEREAS**, per Amendment 1, the Agreement’s expiration date was extended from June 30, 2016 to December 31, 2017; however, despite Grantee’s good faith efforts to complete the project on time, circumstances beyond its control will not allow it to do so; and

**WHEREAS**, the Parties now desire to extend the term of Agreement for an additional twelve months with a revised Agreement expiration date of December 31, 2018; and

**WHEREAS**, the Parties agree an Agreement expiration date of December 31, 2018, is necessary in order to provide Grantee with sufficient time to complete the Project and it is in the public’s best interest that the Project be completed.

**NOW, THEREFORE**, in consideration of the mutual promises and agreements contained herein and notwithstanding anything to the contrary in the Agreement, Grantee and District hereby agree as follows:

1. Section 2. General Provisions H. Agreement Term. is hereby revised to replace the current expiration date of December 31, 2017, with a revised expiration date of December 31, 2018.
2. Appendix B to the Agreement, Project Schedule, is amended to revise the schedule as set forth in Revised Appendix B, Project Schedule, attached hereto and incorporated herein by this reference.

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3. Section 4. Miscellaneous Provisions B. Notices

All notices and other communication required or permitted to be given under this Agreement shall be in writing and shall be personally serviced or mailed, postage prepaid and return receipt requested, addressed to the respective parties as follows:

To SCVWD:	Norma Camacho, Chief Executive Officer Santa Clara Valley Water District 5750 Almaden Expressway San Jose, CA 95118-3686 E-mail: <a href="mailto:grants@valleywater.org">grants@valleywater.org</a>	To Grantee:	Gabriel Gonzalez City Administrator City of Gilroy 7351 Rosanna Street Gilroy, CA 95020 Phone: (408) 846-0203
Contact:	Sherilyn Tran Interim Supervising Program Administrator Santa Clara Valley Water District 5750 Almaden Expressway San Jose, CA 95118 Phone: (408) 630-2772 E-mail: <a href="mailto:grants@valleywater.org">grants@valleywater.org</a>	Grantee Contact:	David Stubchaer Interim City Engineer City of Gilroy 7351 Rosanna Street Gilroy, CA 95020 Phone: (408) 846-0275 Email: <a href="mailto:David.Stubchaer@ci.gilroy.ca.us">David.Stubchaer@ci.gilroy.ca.us</a>

4. All other terms and conditions of the Agreement not revised as stated herein remain in full force and effect.

*(SIGNATURES FOLLOW ON NEXT PAGE)*

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IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 to Agreement No. A3710R and agree its term commences on date signed below.

**CITY OF GILROY**

APPROVED AS TO FORM:

\_\_\_\_\_  
GABRIEL CONZALEZ  
City Administrator

\_\_\_\_\_  
CITY ATTORNEY  
Legal Counsel

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**SANTA CLARA VALLEY WATER DISTRICT**

\_\_\_\_\_  
NORMA J. CAMACHO  
Chief Executive Officer

Dated: \_\_\_\_\_

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**REVISED APPENDIX B**

**PROJECT SCHEDULE**

**Ronan Channel Interim Trail Project –Phase I**

<b>Item</b>	<b>Start Date</b>	<b>Duration</b>	<b>End Date</b>
Task 1 - Design	-	-	Completed 6/30/16
Task 2 - Bid/Award	8/28/17	3.5 months	12/4/17
Task 3 - Construction	3/15/18	5 months	8/15/18
Task 4 - Close out	8/15/18	2.5 months	12/31/18