

**AMENDMENT NO. 1 TO AGREEMENT A3860R  
2015 SAFE, CLEAN WATER PRIORITY D3 GRANT  
PROGRAM BETWEEN  
THE SANTA CLARA VALLEY WATER DISTRICT AND  
THE COUNTY OF SANTA CLARA**

This Amendment No. 1 (Amendment), effective as of the date it is fully executed by the Parties, amends the terms and conditions of the 2015 Safe, Clean Water Priority D Grant Program Agreement A3860R (Agreement) dated June 12, 2015, between SANTA CLARA VALLEY WATER DISTRICT, a special district operating under the laws of the state of California ("District" or "Grantor") and the COUNTY OF SANTA CLARA, a political subdivision of the state of California ("County" or "Grantee"). Collectively, the Grantor and Grantee are the "Parties" and each is a "Party" to this Amendment.

**RECITALS**

**WHEREAS**, the Agreement provides for the Grantee to receive a grant amount of \$200,000.00 from the 2015 Safe, Clean Water Priority D Grant Program to construct multi-use trails adjacent to Calero Reservoir at Calero County Park, described in the Appendix A of the Agreement; and,

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

**WHEREAS**, the initial term of Agreement expires on June 30, 2018, at which time the Project will not be completed; and,

**WHEREAS**, the Project has been delayed due to permitting and staffing challenges. The Grantee's Lake and Streambed Alteration Agreement (LSAA) permit restricted work in ephemeral drainages during the wet season from November 2016 to March 2017. Storm damage during winter 2016-2017 diverted already limited staff time to perform inspections and conduct repairs to recently constructed trails; and,

**WHEREAS**, the Grantee has the dedicated human and financial resources to advance the Project, and the Grantee and the District now seek to extend the term of the Agreement by an additional 12 months; and,

**WHEREAS**, the District seeks to update its contact information in the Agreement.

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

1. Section 2. General Provisions. H. Agreement Term., Paragraph 1, is amended by replacing the current expiration date of "June 30, 2018", with "June 30, 2019".

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.
3. Section 4. Miscellaneous Provisions. B. Notices, is deleted in its entirety and replaced with the following:

**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:

<p>To SCVWD: Rick Callender Chief of External Affairs Santa Clara Valley Water District 5750 Almaden Expressway San Jose, CA 95118-3686</p>	<p>To Grantee: Robb Courtney, Parks Director County of Santa Clara Parks &amp; Recreation Department 298 Garden Hill Drive Los Gatos, CA 95032 E-mail: <a href="mailto:Robb.Courtney@prk.sccgov.org">Robb.Courtney@prk.sccgov.org</a></p>
<p>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></p>	<p>Grantee Contact: Christian Elliott, Management Analyst County of Santa Clara Parks &amp; Recreation Department 298 Garden Hill Drive Los Gatos, CA 95032 Phone: (408) 355-2291 E-mail: <a href="mailto:Christian.Elliott@prk.sccgov.org">Christian.Elliott@prk.sccgov.org</a></p>

4. All other terms and conditions of Agreement No. A3860R, not amended as stated herein, remain in full force and effect.

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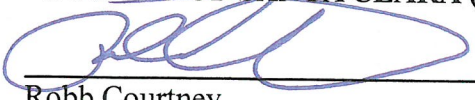
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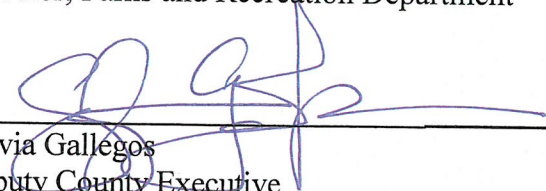
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IN WITNESS WHEREOF, THE PARTIES HAVE SET FORTH BELOW THEIR  
CONSENT TO THE TERMS AND CONDITIONS OF THIS AMENDMENT NO. 1 TO  
AGREEMENT NO. A3860R THROUGH THE SIGNATURES OF THEIR DULY  
AUTHORIZED REPRESENTATIVES.

**COUNTY OF SANTA CLARA (Grantee):**

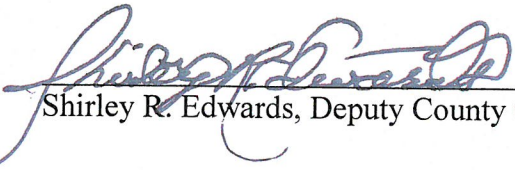
  
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Robb Courtney  
Director, Parks and Recreation Department

3/12/18  
\_\_\_\_\_  
Date

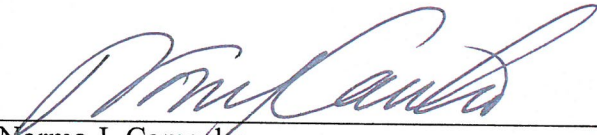
  
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Sylvia Gallegos  
Deputy County Executive

03-16-2018  
\_\_\_\_\_  
Date

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Shirley R. Edwards, Deputy County Counsel

**SANTA CLARA VALLEY WATER DISTRICT (District)**

  
\_\_\_\_\_  
Norma J. Camacho  
Chief Executive Officer

4/6/18  
\_\_\_\_\_  
Date

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Name:  
Title:

## REVISED APPENDIX B

### PROJECT SCHEDULE

#### Tasks:

1. Finalize Layout and Design/District Review/Initiate Permits: November 2017- April 2018
2. Trail Construction: April 2018- August 2018
3. Rehabilitation of Disturbed Areas: September 2018- October 2018
4. Over Winter Maintenance: November 2018- March 2019
5. Trail Closeout/Open Trail to Public: April 2019
6. Final Report and Reimbursement Request to the District: June 2019

#### Additional Notes:

- A. Adjustments to the Project Schedule must be reported in the Project Status report and will be considered "minor" provided the Project remains on schedule for completion before the Agreement expiration date specified in Section 2. General Provisions, H. Agreement Term.
- B. If the Grantee anticipates the Project not being completed by the Agreement expiration date and additional time is necessary to finish the work, the District will consider the Grantee's Agreement extension request submitted in compliance with Section 4. Miscellaneous Provisions, A. Miscellaneous Provisions, paragraph #7, as stated herein.

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