

**AMENDMENT NO. 2 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. 2 (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, as amended by Amendment No. 1 dated April 6, 2018 between SANTA CLARA VALLEY WATER DISTRICT (District) and the COUNTY OF SANTA CLARA, (Grantee), collectively, the "Parties."

**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, the North Shore Trail and the Oak Cove Trail, as described in the Agreement, Appendix A, Project Scope; and

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

**WHEREAS**, since the North Shore Trail would not be available for public recreation during construction of the District's seismic retrofit of its Calero Dam facilities, the Parties desire to amend the Agreement to revise the Project Scope funded by the Grant to remove the North Shore Trail; and

**WHEREAS**, since the Oak Cove Trail alignment has changed from the original design intent in order to reduce potential impacts to water quality and to locate it farther from Calero Reservoir, the Parties desire to amend the Agreement to revise the Project Scope; and

**WHEREAS**, due to the modifications to the Project Scope, the Parties desire to amend the Agreement to provide for a reduction in the grant award amount from \$200,000 to \$125,980 to match the reduced Project Scope; and

**WHEREAS**, the Agreement, as amended in Amendment No. 1, expires on June 30, 2019, at which time, the modified Project will not be completed; and

**WHEREAS**, the Parties desire to amend the Agreement to revise the Grantee's Project Scope, Project Budget, and Project Schedule, and to extend the term of Agreement to provide adequate time for Grantee to accomplish the Project, which is in the public's best interest.

**NOW, THEREFORE**, in consideration of the mutual promises and agreements stated herein and notwithstanding anything to the contrary in the Agreement or Amendment No. 1, Grantee and District hereby agree to amend the Agreement as follows:

1. RECITALS. F., is amended to revise the Project Grant Amount to \$125,980.00.
2. Section 2. General Provisions. H. Agreement Term., Paragraph 1., is amended by replacing the current expiration date of "June 30, 2019" as stated in Amendment No. 1, with "December 31, 2019."

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3. Appendix A to the Agreement, Project Scope, is amended to revise the Project Scope as set forth in Revised Appendix A, Project Scope, attached hereto and incorporated herein by this reference.
4. Appendix B to the Agreement, Project Schedule, is amended to revise the Project Schedule as set forth in Revised Appendix B, Project Schedule, attached hereto and incorporated herein by this reference.
5. Appendix C to the Agreement, Project Budget, is amended to revise the Project Budget as set forth in Revised Appendix C, Project Budget, attached hereto and incorporated herein by this reference.
6. Section 3. Financial Provisions, J. Notices is revised to state as follows:

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:	Rick Callender Chief of External Affairs Santa Clara Valley Water District 5750 Almaden Expressway San Jose, CA 95118-3686 Phone: (408) 630-2017 Email: <a href="mailto:rcallender@valleywater.org">rcallender@valleywater.org</a>	To Grantee:	Don Rocha, Parks Director County of Santa Clara Parks & Recreation Department 298 Garden Hill Drive Los Gatos, CA 95032 E-mail: <a href="mailto:Don.Rocha@prk.sccgov.org">Don.Rocha@prk.sccgov.org</a>
Contact:	Sherilyn Tran, 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:	Christian Elliott, Management Analyst County of Santa Clara Parks & 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>

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7. All other terms and conditions of the Agreement and Amendment No. 1 not revised as stated herein remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 2 to Agreement No. A3860R and agree its term commences on the date signed below.

**COUNTY OF SANTA CLARA**

“Grantee”

\_\_\_\_\_  
Don Rocha  
Director, Parks and Recreation Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sylvia Gallegos  
Deputy County Executive

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Tony LoPresti  
Deputy County Counsel

\_\_\_\_\_  
Date

**SANTA CLARA VALLEY WATER DISTRICT**

“District”

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

\_\_\_\_\_  
Date

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**REVISED APPENDIX A**

**PROJECT SCOPE OF WORK**

Project Description

The new Project Scope of Work is limited to construction of the Oak Cove Trail. The original scope of work for the Grant was the construction of the Oak Cove and North Shore Trails. These trails are part of the Calero County Park Trails Master Plan (Trails Master Plan), which was approved in 2013. The Trails Master Plan expanded the existing trail system at Calero County Park from 20 miles to 36 miles, including the creation and conversion of several trails to multi-use to allow mountain biking. The Trails Master Plan also included staging areas and trails for the Rancho San Vicente property, which was purchased in 2009, to allow the property to be opened to the public.

The original scope of work for the grant included approximately 5 miles of new trail, 6 free-span, multi-use trail bridges, and 5 rock crossings. The alignments submitted for the grant were taken from the Trails Master Plan, which were designed to be trail corridors with changes based on terrain, soils, and sensitive resources. The portion of the North Shore Trail included in the grant connected the Calero Reservoir Boat Launch to the trail system below Calero Dam. The Oak Cove Trail started at the existing Cottle Trail at the western end of the Calero Reservoir, traversed along the southern edge, and ended at the County Park office on the eastern end. Portions of both trails were located on District property.

Since the Trails Master Plan was approved and the grant was awarded to Parks, there have been changes to site conditions and trail alignments. The District is planning a seismic retrofit of the Calero Dam facilities in the next few years to address seismic stability issues. The project will require use of access roads below Calero Dam to transport materials and equipment, as well as staging for those materials and equipment. Due to the high level of traffic on and around the proposed North Shore Trail, it is likely that the North Shore Trail would need to be closed for the duration of the project for public safety. There is also potential for damage to the trail during the seismic retrofit project from vehicles and equipment and possible realignment of the trail depending on dam retrofit infrastructure. Since the North Shore Trail would not be usable for public recreation for the duration of the seismic retrofit, Parks has requested that the North Shore Trail be removed from the grant.

The Oak Cove Trail alignment has changed from the original proposal to reduce potential impacts to water quality and locate it further from Calero Reservoir. The original alignment was close to the shoreline, which resulted in crossing streams that were substantially incised. Parks revised the alignment to be located higher up in the watershed to reduce the number of bridges over incised channels and decrease potential for erosion by crossing drainages higher in the watershed. This realignment also resulted in a smaller percentage of the trail being located on District property.

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**REVISED APPENDIX A**

**PROJECT SCOPE OF WORK**

The new scope of work for the grant would be limited to the construction of the Oak Cove Trail. The Oak Cove Trail will be approximately 4.6 miles with 24 drainage crossings. The drainage crossings will consist of 22 rock fords, 1 culvert, and 1 free-span bridge (see attached map). The width of the trail will be approximately 5 feet, while the impacted area, including the trail, brush clearing, trail cutting, and limited sidecast, will be approximately 10 feet in width.

Rock fords will be armored with large rocks at the base to make up the keystone/foundation and smaller rocks and soil will make up the tread for multi-use passage and energy dissipation. Rocks will be sourced from nearby on County Parks' property, if possible, or from a local quarry. No mortar will be used during construction, and construction will only occur in dry stream channels. The drainages being crossed are minor and do not flow frequently; any flow occurs primarily during peak storm periods for short duration. The trail has been located to avoid removal of vegetation and trees to the extent practicable. The vegetation to be removed is primarily poison oak and chaparral.

The culvert at Crossing OC#19 will be installed according to State of California Parks (State Parks) trail construction, with approval from California Department of Fish and Wildlife under a Lake and Streambed Alteration Agreement. The culvert will be constructed of using ~15 feet of a 24-inch corrugated, polyethylene pipe. The culvert will be placed perpendicular to the trail and will not alter the current flow direction of the watercourse. Material will be removed using an excavator and the culvert will be placed close to stream grade at the stream width, to the maximum extent practicable, to avoid a perched outlet and erosion on the outfall. Backfill material will consist of native material removed during excavation, and the culvert will be buried at least 6 inches below the trail tread surface. The inlet will have a headwall composed of large rocks, and the outlet will have rock protection and energy dissipation.

The bridge at Crossing OC#22 will be constructed according to State Parks trail construction standards, with approval by California Department of Fish and Wildlife under a Lake and Streambed Alteration Agreement. The bridge will be approximately 20 feet long and 7 feet wide, with a 5-foot user width that matches the trail width. The bridge will be constructed using pressure treated wood materials that will serve as abutments for the bridge. The bridge abutments will be placed outside of the active stream channel and consist of a mud sill (contact with the ground) and soil dam (to prevent soil from sloughing onto mud sill) using pressure treated wood. The bridge stringer will be a steel I-beam, while the decking, cross bracing, and hand rails will be cedar wood. The metal I-beam stinger may be replaced with cedar wood if OHV vehicles are unable to access the site due to the significant weight of the steel I-beam. Metal braces and hardware will be used to secure the wooden components together.

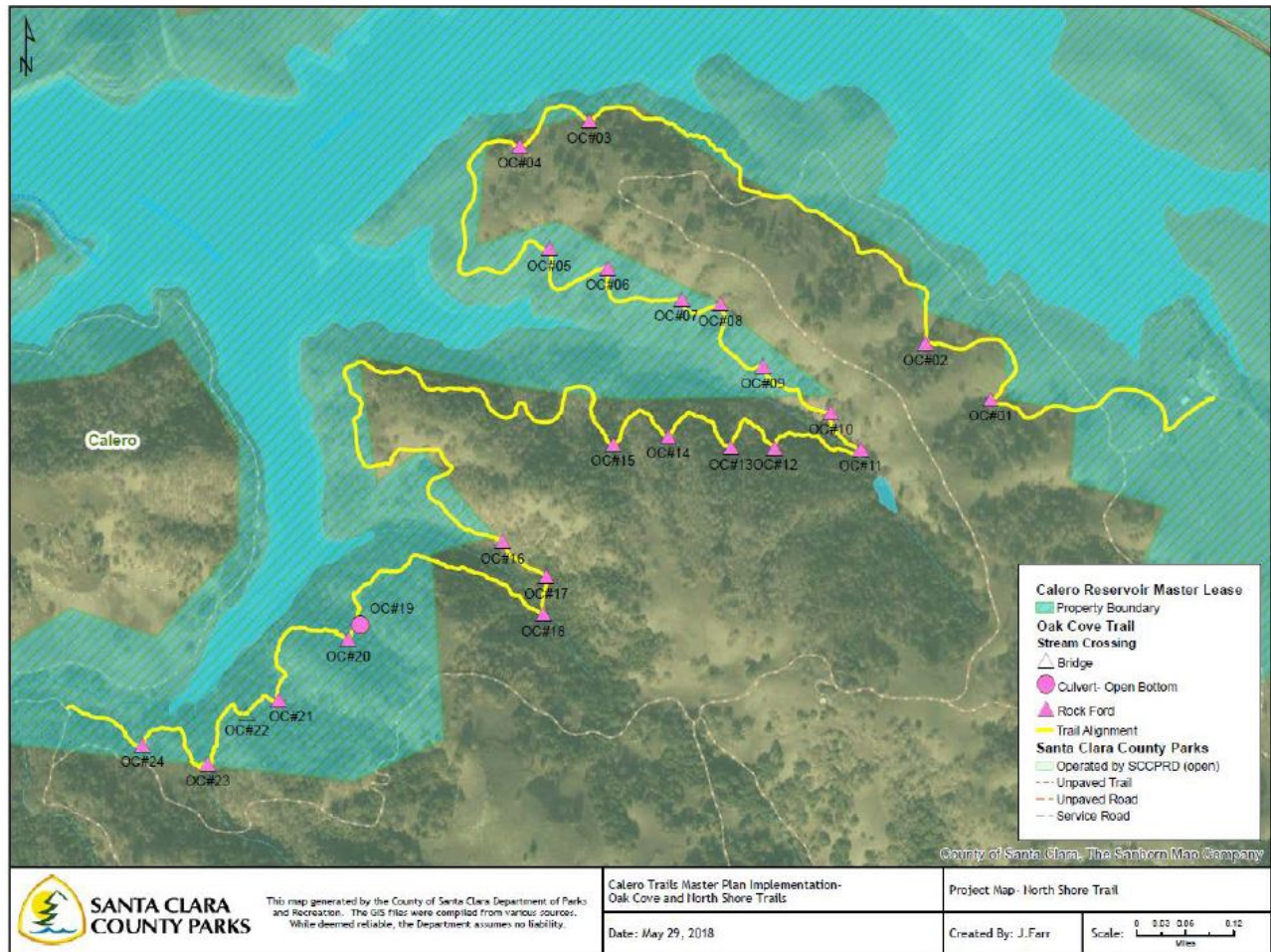
The Stormwater Pollution Prevention Plan has been prepared for the Trails Master Plan implementation, and an amendment will be prepared specific to the conditions of the Oak Cove

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**REVISED APPENDIX A**

**PROJECT SCOPE OF WORK**

and North Shore Trails. The project is a covered activity under the Santa Clara Valley Habitat Conservation Plan and has been evaluated for temporary and permanent impacts. A Streambed Alteration Agreement notification is currently being reviewed by California Department of Fish and Wildlife.



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**REVISED APPENDIX B**

**PROJECT SCHEDULE BY TASK**

1. Finalize Layout and Design/District Review/Initiate Permits: January 2019 – March 2019
2. Trail Construction: April 2019 – August 2019
3. Rehabilitation of Disturbed Areas: September 2019 – October 2019
4. Trail Closeout/Open Trail to Public: November 2019
5. Final Report and Reimbursement Request to the District: December 2019

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**REVISED APPENDIX C**

**PROJECT BUDGET**

Task 1	\$3,000.00
Task 2	\$85,658.20
Task 3	\$30,640.40
Task 4	\$4,700.00
Task 5	\$1,981.40
<b>TOTAL Project Costs</b>	<b>\$125,980.00</b>