



Santa Clara Valley Water District

File No.: 19-0013

Agenda Date: 2/26/2019

Item No.: 3.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Amendment No. 2 to Grant Agreement No. A3861R, with the Santa Clara County Open Space Authority, Now Known as the Santa Clara Valley Open Space Authority, for the Outdoor Learning Center and Creekside Valley Loop Trail Project, Project No. 26061007 (San Jose) (District 1).

RECOMMENDATION:

Approve Amendment No. 2 to Grant Agreement A3861R between the Santa Clara Valley Water District and the Santa Clara County Open Space Authority, now known as the Santa Clara Valley Open Space Authority.

SUMMARY:

On February 24, 2015, the Santa Clara Valley Water District (District) Board of Directors approved a grant award to Santa Clara Valley Open Space Authority (Grantee) in an amount not-to-exceed \$200,000 to support the Grantee's development of its Coyote Valley Open Space Preserve Outdoor Learning Center and Creekside Valley Loop Trail (Project). The Board also authorized the CEO to execute no-cost extensions and amendments for Agreement A3861R (Agreement).

The purpose of the Project is to construct a 3.2 mile, multi-use loop trail in conjunction with an outdoor learning center that will serve as an event venue, outdoor classroom, and a central meeting location for educational and interpretive programs highlighting the riparian and watershed features.

The Grantee began the design process for the outdoor learning center and developed conceptual design for the adjacent accessible trail. In 2017, the Grantee learned through consultations with local biological experts and the Santa Clara Valley Habitat Agency (SCVHA) that the site for the outdoor learning center is prime habitat for the western burrowing owl. To preserve this habitat, the Grantee decided not to construct the outdoor learning center. In May of 2018, prior to understanding how long Project completion would take, the grantee submitted a request for an interim extension through June 30, 2019, as well as a change of scope, which the District approved (Amendment No. 1). The grantee has now confirmed the project timeline for completion, which necessitates an extension to the Agreement until June 2021.

The Project itself will be completed in Fall/Winter 2020. Due to the fact that the Project requires coordination with SCVHA, as well as the construction being weather- dependent, the construction could be delayed beyond the 2020 calendar year, which is why the Grantee is requesting an

extension until June 2021 in case of any unforeseen delays.

The recommended Amendment No. 2 also implements the Grantee's formal name change resulting from a statutory revision effective in 2015 from the "Santa Clara County Open Space Authority" to the "Santa Clara Valley Open Space Authority."

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment. The Project being funded by the recommended action has undergone CEQA review or shall undergo CEQA review prior to the construction and/or implementation of projects as appropriate by the grantee organizations.

ATTACHMENTS:

- Attachment 1: Agreement A3861R
- Attachment 2: Amendment No. 1 to Agreement A3861R
- Attachment 3: Letter from the Grantee Requesting Extension
- Attachment 4: Amendment No. 2 to Agreement A3861R

UNCLASSIFIED MANAGER:

Rick L. Callender, 408-630-2017