



SUBMITTAL TO THE BOARD OF DIRECTORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Regional Park & Open-Space District

SUBMITTAL DATE: 1/6/2011

SUBJECT: Approval of Amendment No.1 to the Grant Agreement with the California Coastal Conservancy

RECOMMENDED MOTION: That the Board of Directors approves and:

- 1. Authorizes Amendment No.1 to the Grant Agreement No.08-026 between the California Coastal Conservancy (Conservancy) and the Riverside County Regional Park and Open-Space District (District) extending the expiration date of the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84) funds;
2. Authorizes the Chairperson to execute five (5) copies of the Amendment;
3. Authorizes the General Manager, or designee, to execute future ministerial amendments to this Agreement; and
4. Directs the Clerk of the Board to return the five (5) copies of the Amendment to the District for transmittal and approval from the Conservancy.

BACKGROUND: (continued on page 2)

2011-016D-JT

Scott Bangle, General Manager

FINANCIAL DATA

Current F.Y. Total Cost: \$
Current F.Y. Net County Cost: \$
Annual Net County Cost: \$
In Current Year Budget:
Budget Adjustment:
For Fiscal Year:

N/A

SOURCE OF FUNDS:

Positions To Be Deleted Per A-30
Requires 4/5 Vote

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY: Alex Gann

MINUTES OF THE REGIONAL PARK AND OPEN SPACE DISTRICT

On motion of Commissioner Stone, seconded by Commissioner Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: January 25, 2011
xc: Parks

Kecia Harper-Ihem
Clerk of the Board
By: [Signature]
Deputy

Prev. Agn. Ref.: 7/1/08, M.O. 134 | District: III | Agenda Number:

13.2

FORM APPROVED COUNTY COUNSEL BY [Signature] 1/7/11 DEPARTMENTAL CONCURRENCE

Dep't Recomm.: Policy [X] Consent [ ] Per Exec. Ofc.: Policy [X] Consent [ ]

**SUBJECT:** Approval of Amendment No.1 to the Grant Agreement with the California Coastal Conservancy

**BACKGROUND:** On July 1, 2008, M.O. 13.4, your honorable Board approved the Proposition 84 Grant Agreement between the Conservancy and the District for work towards the completion of the Santa Ana River Trail (SART) as part of a larger joint effort to complete the SART encompassing segments from the San Bernardino Mountains to the coast through the counties of Riverside, Orange, and San Bernardino. Riverside County's portion of the funds will be distributed to the District in five allotments as the project progresses and funding availability allows.

Approval of Amendment No. 1 will extend the expiration date of the first allotment of funds allowing for the completion of the project's first portion including the alignment planning, environmental impact analysis, detailed engineering and permit applications towards completion of twenty-two and one-half miles of varying segments of the SART.

STATE OF CALIFORNIA  
**STANDARD AGREEMENT**  
 (Grant - Rev 09/06)

WHEN DOCUMENT IS FULLY EXECUTED RETURN  
**CLERK'S COPY**  
 to Riverside County Clerk of the Board, Stop 1010  
 Post Office Box 1147, Riverside, Ca 92502-1147  
 Thank you.

AGREEMENT NUMBER 08-026	AM. NO. 1
TAXPAYERS FEDERAL EMPLOYER IDENTIFICATION NO. 95-6000930	

THIS AGREEMENT, made and entered into this 2<sup>nd</sup> day of May, 2011 9.11.  
 in the State of California, by and between State of California, through its duly elected or appointed, qualified and acting

1019-00(4)

TITLE OF OFFICER ACTING FOR STATE Executive Officer	AGENCY State Coastal Conservancy	, hereafter called the Conservancy, and
GRANTEE'S NAME Riverside County Regional Park and Open-Space District		, hereafter called the Grantee.

The Grantee, for and in consideration of the covenants, conditions, agreements, and stipulations of the Conservancy hereinafter expressed, does hereby agree as follows:

The State Coastal Conservancy ("the Conservancy") and the Riverside County Regional Park and Open Space District ("the grantee") agree to amend their existing Agreement No. 08-026 as follows:

**TERM OF AGREEMENT**

The term of the agreement is extended to December 31, 2011.

The completion date is extended to September 30, 2011.

(Continued on next page)

ATTEST:  
 KECIA HARPER-JHEM, Clerk  
 By [Signature]  
 DEPUTY

The provisions on the following pages constitute a part of this agreement.  
 IN WITNESS WHEREOF, this agreement has been executed by the parties hereto, upon the date first above written.

STATE OF CALIFORNIA	GRANTEE (GG)
AGENCY State Coastal Conservancy	GRANTEE (If other than an individual, state whether a corporation, partnership, etc.) Riverside County Regional Park and Open-Space District
BY (Authorized Signature) <u>[Signature]</u>	BY (Authorized Signature) <u>[Signature]</u>
PRINTED NAME AND TITLE OF PERSON SIGNING Samuel Schuchat, Executive Officer	PRINTED NAME AND TITLE OF PERSON SIGNING Chair, Board of Directors, <b>JOHN J. BENNETT</b>
ADDRESS & PHONE NUMBER 1330 Broadway, 13 <sup>th</sup> Floor Oakland, CA 9461 Phone: (510) 286-1015	ADDRESS & PHONE NUMBER 4600 Crestmore Road Riverside, CA 92509 Phone: (951) 955-4398

AMOUNT ENCUMBERED BY THIS DOCUMENT \$-0-	PROGRAM/CATEGORY (CODE AND TITLE) Capital Outlay	FUND TITLE Safe Drinking Water, Water Quality And Supply, ....
PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT \$1,950,000.00 ✓	(OPTIONAL USE) Santa Ana River Parkway	
TOTAL AMOUNT ENCUMBERED TO DATE \$1,950,000.00	OBJECT OF EXPENDITURE (CODE AND TITLE) Access	

ITEM	CHAPTER	STATUTE	FISCAL YEAR
3760-301-6051(2)(C) = \$1,800,000.00	171	2007	07/08
3760-301-6051(2)(A) = \$150,000.00	171	2007	07/08

I certify that this agreement is exempt from Department of General Services' approval.

[Signature]

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.

SIGNATURE OF ACCOUNTING OFFICER <u>[Signature]</u>	DATE 05/02/11
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GRANTEE  ACCOUNTING  PROJECT MANAGER  CONTROLLER  STATE AGENCY

JAN 25 2011 13:2

FORWARDED COUNTY COUNSEL  
 BY [Signature] 1/7/11

**EARLY TERMINATION AND FAILURE TO PERFORM**

This section is renamed: "EARLY TERMINATION, SUSPENSION AND FAILURE TO PERFORM."

The second paragraph of this section is amended to read as follows:

During the term, the Conservancy may terminate or suspend the agreement before the project is complete. In either case, the grantee shall immediately stop all work under the agreement and take all reasonable measures to prevent further costs to the Conservancy. The Conservancy shall be responsible for any reasonable and non-cancelable obligations incurred by the grantee in the performance of this agreement prior to the date of the notice to terminate or suspend, but only up to the undisbursed balance of funding authorized in this agreement. Any notice suspending work under this agreement shall remain in effect until further written notice from the Conservancy authorizes work to resume.

A new fourth paragraph is added to this section to read as follows:

The grantee shall include in any agreement with any contractor retained for work under this agreement a provision that entitles the grantee to suspend or terminate the agreement with the contractor for any reason on written notice and on the same terms and conditions specified in this section.

All other terms and conditions of the existing agreement shall remain in effect.