



RESOLUTION No. 14-383

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**RESOLUTION AUTHORIZING EXECUTION OF A FIRST
AMENDMENT TO GRANT AGREEMENT BETWEEN COUNTY OF
NEVADA AND OAK TREE PARK AND RECREATION DISTRICT**

WHEREAS, on June 11, 2013, the Board of Supervisors approved a grant agreement with the Oak Tree Park and Recreation District to allocate \$45,900 in Recreation Mitigation Funding to the Oak Tree Community Park Pavilion project per Resolution 13-199; and

WHEREAS, the expiration date for the Oak Tree Community Park Pavilion project grant agreement is on August 12, 2014; and

WHEREAS, the Park District needs additional time to submit an application and obtain approval for a Use Permit to develop new use areas at Oak Tree Community Park prior to commencing construction of the pavilion project; and

WHEREAS, the Park District is requesting an additional eighteen months beyond the expiration date of August 12, 2014 to complete the pavilion project; and

WHEREAS, there is sufficient budget available to complete this project in budget code 1628-70101-325-1000/532200.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that the grant agreement between County of Nevada and Oak Tree Park and Recreation District dated June 11, 2013, be amended to extend the expiration date to February 12, 2016.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 12th day of August, 2014, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Terry Lamphier, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

DONNA LANDI
Clerk of the Board of Supervisors

By: _____

Donna Landi

Nathan H. Beason, Chair

08/12/2014 cc: Planning*
AC* (hold)

8/19/2014 cc: Planning*
OTP&RD
AC*(release)

**FIRST AMENDMENT TO GRANT AGREEMENT BETWEEN COUNTY OF NEVADA
AND OAK TREE PARK AND RECREATION DISTRICT**

THIS AMENDMENT is executed this 12th day of August, 2014 by and between OAK TREE PARK AND RECREATION DISTRICT, hereinafter referred to as "Park District" and COUNTY OF NEVADA, hereinafter referred to as "County". Said Amendment will amend the prior agreement between the parties entitled Park and Recreation Mitigation Fees FY 2012/13 Grant Agreement executed on June 11, 2013 by Resolution No. 13-199.

WHEREAS, Park District needs additional time to submit an application and obtain approval for a Use Permit to develop new use areas at Oak Tree Community Park prior to commencing construction of the pavilion project; the specific use area authorized in the grant agreement executed by Resolution No. 13-199. Due to limited resources, Park District is utilizing volunteers to prepare the application materials for the required Use Permit. In addition, due to the costs associated with a Use Permit process, Park District is planning for future use areas as part of the current Use Permit application to maximize the limited resources available and to make allowance for future opportunities. The use of volunteers and planning for future use areas at Oak Tree Community Park has necessarily extended the implementation schedule for the pavilion project. Therefore, Park District is requesting an additional eighteen months beyond the expiration date of August 12, 2014 to complete the pavilion project which requires a contract amendment; and

WHEREAS, the parties desire to amend their agreement to provide an additional eighteen months for the Park District to complete the Oak Tree Community Park Pavilion project; and

NOW, THEREFORE, the parties hereto agree as follows:

1. This amendment shall be effective as of August 12, 2014.
2. That paragraph 2 shall be changed to the following: ORGANIZATION shall obtain all approvals for and shall execute the Project so that within thirty-six (36) months after the Effective Date of this Agreement, or by February 12, 2016, the Project shall be completed to the satisfaction of, and accepted by, the COUNTY and the ORGANIZATION, and shall be ready and available for public use; provided, however, that said timeframe may be extended by mutual written agreement of the parties. Any funds not utilized by ORGANIZATION within this timeframe shall be retained by COUNTY and may be reallocated to other qualifying projects.
3. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

APPROVED AS TO FORM:
COUNTY COUNSEL

By: *Alison Barratt*

COUNTY OF NEVADA

By: *[Signature]*
Chair of the Board
of Supervisors

ATTEST:

By: *Donna Landi*

Donna Landi
Clerk of the Board of Supervisors

OAK TREE PARK AND RECREATION
DISTRICT:

By: *Michael Traven*