

RESOLUTION NO. 2015-09

RESOLUTION APPROVING SECOND AMENDMENT TO  
LANDOWNER AGREEMENT RELATING TO  
THE TRACY LAKE GROUNDWATER RECHARGE PROJECT

WHEREAS, the Board of Directors of the North San Joaquin Water Conservation District entered as of November 17, 2011, into that certain Landowner Agreement for the Tracy Lake Groundwater Recharge Project (Project), which was amended as of January 24, 2014, by the First Amendment to the Landowner Agreement; and

WHEREAS, on January 26, 2015, the Board of Directors awarded the contract for the construction of the Project in the amount of \$1,546,125.00 to Ford Construction Company, Inc., of Lodi, California upon the recommendation of the District Contracting Officer and the approval of the Tracy Lake Improvement District Committee; and

WHEREAS, construction of the Project is nearing completion and the total cost of the Project and Landowners' share of the total Project costs has increased; and

WHEREAS, a Second Amendment to the Landowner Agreement has been prepared and presented to the Board of Directors setting forth the Landowners' new cost share of the total Project costs and other related matters; and

NOW, BE IT HEREBY RESOLVED by the Board of Directors of the North San Joaquin Water Conservation District that it is in the best interests of the District and of the Tracy Lake Improvement District to approve the Second Amendment to the Landowner Agreement and that the Second Amendment is hereby approved.

Moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, that the foregoing resolution be adopted.

Upon roll call, the following vote was had:

Ayes:

Noes:

Absent:

The President declared the resolution adopted.

I, David Simpson, Secretary of the Board of Directors of the NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT, do hereby CERTIFY that the foregoing is a full, true, and correct copy of a resolution duly adopted at a regular meeting of the Board of Directors held the 31<sup>st</sup> day of August, 2015.