

**FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING
AND
JOINT USE AGREEMENT BETWEEN
WOODLAND JOINT UNIFIED SCHOOL DISTRICT
AND
THE COUNTY OF YOLO
FOR THE CONSTRUCTION AND USE OF RECREATION CENTER FACILITIES**

THIS FIRST AMENDMENT is made and entered into this 9th day of January, 2024, by and between the Woodland Joint Unified School District (“School District”), a California public school district, and the County of Yolo (“County”), a California community services district.

RECITALS

WHEREAS, the County and School District entered into the Memorandum of Understanding and Joint Use Agreement between the District and County for the Construction and Use of Recreation Center Facilities dated July 1, 2022 (Yolo County Agreement No. 22-130) (“Recreation Center MOU”) pursuant to which the County will construct Recreation Center Facilities as more fully described in the Recreation Center MOU on certain land owned by the School District and defined therein to meet the needs of the community and the School District;

WHEREAS, at the time the Parties entered into the MOU, the County’s financing for the Recreation Center Facilities was uncertain and the County contemplated constructing the Recreation Center Facilities in three phases;

WHEREAS, the County has obtained California Department of Parks and Recreation for a grant to develop and construct the Recreation Center Facilities and has allocated additional funding to allow for all three phases of the Community Recreation Facilities, which will allow for all three phases of the Recreation Center Facilities to be constructed in 2024;

WHEREAS, the County’s Board of Supervisors has approved the Plans and Specifications for the Recreation Center Facilities on July 25, 2023 and the parties have been working collaboratively on construction timing and have further completed a Joint Use Agreement for the Recreation Center Facilities to include as Attachment “C” to the Recreation Center MOU;

WHEREAS, the Parties desire to amend the Recreation Center MOU to clarify the Effective Date and 30-year Term of the Recreation Center MOU;

NOW, THEREFORE, in consideration of the foregoing recitals and of the mutual promises of the covenants hereinafter contained, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

1. Amendment to Section 7 (Term)

Section 7 of the Recreation Center MOU is amended and replaced in its entirety as follows:

7. TERM OF THIS AGREEMENT.

- a. Effective Date. The School District hereby grants a license to

County use the Land described in Attachment “A” for purposes of construction and operating Phases I-III of the Recreation Center Facilities as described herein pursuant to the terms of this Agreement effective as of July 1, 2023 (“Effective Date”).

b. Original Term. The term of this Agreement shall be for a period of thirty (30) years and shall commence on July 1, 2023.

c. Option to Renew. The Parties may extend this Agreement by mutual agreement for an additional term of up to five (5) years.

2. Attachment “C” – Joint Use Terms and Conditions

The Parties have completed negotiation of the Joint Use Terms and Conditions agreement required by the Recreation Center MOU, which Joint Use Terms and Conditions agreement is attached hereto and incorporated by reference as Attachment “C” to the Recreation Center MOU.

3. Recreation Center MOU Remains in Effect

Except as expressly amended in this First Amendment, the Recreation Center MOU remains in effect according to its terms.

[Signatures on Following Page]

IN WITNESS WHEREOF the Parties hereto have executed this First Amendment to the Recreation Center MOU as of the date first written above.

SCHOOL DISTRICT:

WOODLAND JOINT UNIFIED SCHOOL DISTRICT

By: _____
Elodia Ortega-Lampkin,
Superintendent

Approved as to Form:

Lisa R. Allred, District Counsel

ATTEST: Deputy Clerk of the Board
Board of Trustees

By: _____

COUNTY:

COUNTY OF YOLO

By: _____
Lucas Frerichs, Chair
Yolo County Board of Supervisors

ATTEST: Julie Dachtler, Senior Deputy Clerk
Board of Supervisors

By: _____
Deputy (Seal)

APPROVED AS TO FORM
Philip J. Pogledich, County Counsel

Kimberly E. Hood

Digitally signed by Kimberly E. Hood
DN: cn=Kimberly E. Hood, o=County of Yolo, ou=Office of
the County Counsel, Ass. County Counsel,
email=kimberly.hood@yolocounty.org, c=US
Date: 2023.12.21 18:05:05 -0800

Kimberly E. Hood, Asst. County Counsel

ATTACHMENT “C”
JOINT USE TERMS AND CONDITIONS
(To Be Attached)