

**RESOLUTION 23/24-33**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
BEAR VALLEY COMMUNITY SERVICES DISTRICT  
APPROVING A FIRST AMENDMENT TO THE AGREEMENT WITH BEAR VALLEY  
SPRINGS ASSOCIATION FOR THE USE OF RECYCLED WATER**

**WHEREAS**, the District and Bear Valley Springs Association entered into an agreement for the use of the District's recycled water on September 14, 2023; and

**WHEREAS**, the District and Bear Valley Springs Association desire to amend that agreement to changes a variety of terms and to clarify certain rights and obligations of the parties; and

**WHEREAS**, the First Amendment to the agreement clarifies the nature and notice periods associated with the month-to-month term of the agreement; and

**WHEREAS**, the First Amendment revises Paragraph 5 of the agreement to clarify the obligations for use of Recycled Water; and

**WHEREAS**, the First Amendment adds language to Paragraph 11 to provide options for Bear Valley Springs Association to terminate the agreement upon certain conditions being met; and

**WHEREAS**, the First Amendment revises the indemnity obligations of the parties with respect to claims arising from the agreement; and

**WHEREAS**, staff recommends that the Board of Directors approve the First Amendment to the Agreement.

**NOW, THEREFORE, BE IT RESOLVED THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT** approves a First Amendment to the agreement with Bear Valley Springs Association for the use of recycled water.


**PASSED, APPROVED AND ADOPTED** on December 14, 2023 by the following vote:

AYES: Cagle, Frevert, Jensen, Hernandez, Grace

NOES:


ABSENT:

ABSTAIN:

  
\_\_\_\_\_  
John Grace, President  
Bear Valley Community Services District

ATTEST:

I hereby certify that the above Resolution No. 23/24-33 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on December 14, 2023.

  
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Denise Jelleschitz,  
Secretary of the Board of Directors

