

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY**

DEPT: Chief Executive Office

BOARD AGENDA: 5.B.14
AGENDA DATE: October 14, 2025

SUBJECT:

Approval of the Fifth Amendment to the Agreement Related to the Acquisition, Development, and Operation of the Tuolumne River Regional Park

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2025-0530

On motion of Supervisor Chiesa Seconded by Supervisor Grewal
and approved by the following vote,
Ayes: Supervisors: Chiesa, Withrow, Grewal, C. Condit, and Chairman B. Condit
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:



ATTEST: NOEMI LEON, Interim Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA:5.B.14
AGENDA DATE: October 14, 2025

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of the Fifth Amendment to the Agreement Related to the Acquisition, Development, and Operation of the Tuolumne River Regional Park

STAFF RECOMMENDATION:

1. Approve the Fifth Amendment to the Agreement Related to the Acquisition, Development, and Operation of the Tuolumne River Regional Park with the City of Modesto.
2. Authorize the Chief Executive Officer to sign and execute the Fifth Amendment to the Agreement Related to the Acquisition, Development, and Operation of the Tuolumne River Regional Park.

DISCUSSION:

In 1972, Stanislaus County (County) and the cities of Ceres and Modesto entered into a Joint Powers Authority (JPA) Agreement (Agreement) for the acquisition, development, and operation of the Tuolumne River Regional Park (TRRP). The park spans nearly seven miles from Mitchell Road to the east just past Carpenter Road on the west, in the Modesto area. The City of Modesto is responsible for the management of the Tuolumne River Regional Park, with funds contributed by each of the three agencies. The County's Fiscal Year 2026 contribution is set at \$355,644 and is funded by the General Fund.

The Agreement was previously amended in 1977, 1978, 1983, and 1996. The 1977 and 1978 amendments were related to expanding the TRRP's boundaries. The 1983 and 1996 amendments are related to how the TRRP will be funded by the participating jurisdictions.

On June 26, 2024, the City of Ceres notified the City of Modesto and the County in writing that it was withdrawing from the JPA, effective June 30, 2025, pursuant to Section 18 of the Agreement (Attachment 2). City of Modesto and County staff have discussed and determined it is desirable for the JPA to remain in effect. To achieve this, a Fifth amendment is necessary to continue the JPA as currently described without involvement from the City of Ceres.

With the City of Ceres withdrawing from the JPA, there are land ownership and other obligations that require resolution, which includes addressing Ceres' TRRP contribution deficit of \$279,472. Discussions regarding these matters are ongoing and will result in defining the terms and conditions of Ceres' withdrawal. Additionally, the County and City of Modesto will begin working toward a new and updated Agreement for the TRRP,

which is anticipated to take up to two years to complete.

On August 28, 2025, the TRRP JPA Commission recommended approval of the Fifth Amendment to the Agreement with the City of Modesto and County of Stanislaus. The Modesto City Council will consider the amendment at its October 14, 2025, meeting.

POLICY ISSUE:

The Agreement was executed pursuant to Title 1, Division 7, Chapter 5, Article 1 (section 6500, et seq.) of the California Government Code. Amendments to the Agreement require approval by the legislative bodies of the member agencies.

FISCAL IMPACT:

There is no direct fiscal impact with approval of the Fifth Amendment. The Tuolumne River Regional Park's Fiscal Year 2026 budget is set at \$906,691. The County's contribution of \$355,644, is included in the 2026 Adopted Budget, and is funded by Net County Cost. The City of Modesto will contribute \$310,682 with the remaining expenses covered by a combination of lease/rental revenue and fund balance.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions support the Board's priority of *Enhancing Community Infrastructure* by continuing the Agreement which supports the operation, maintenance, and development of the TRRP.

STAFFING IMPACT:

Existing staff from the Parks and Recreation Department and Chief Executive Office will continue to work with the City of Modesto on implementation of the Agreement.

CONTACT PERSON:

Tina Rocha, Assistant Executive Officer	(209) 525-6333
Tera Chumley, Director of Parks and Recreation	(209) 525-6750

ATTACHMENT(S):

1. Fifth Amendment
2. City of Ceres TRRP Withdrawal Letter

**FIFTH AMENDMENT TO AGREEMENT RELATED TO THE ACQUISITION,
DEVELOPMENT, AND OPERATION OF THE TUOLUMNE RIVER REGIONAL
PARK**

This Fifth Amendment to the Agreement Related to the Acquisition, Development, and Operation of the Tuolumne River Regional Park (this “**Fifth Amendment**”) is entered into as of _____, 2025 (the “Effective Date”), between the CITY OF MODESTO, a charter city (“**City**”) and COUNTY OF STANISLAUS, a general law county (“**County**”), each individually referred to as a “Party” and collectively referred to as the “Parties”.

RECITALS

WHEREAS, the City, County, and the City of Ceres (“Ceres”) previously entered into that Agreement Related to the Acquisition, Development, and Operation of the Tuolumne River Regional Park in 1972 (the “Agreement”); and

WHEREAS, the purpose of the agreement was to acquire property for and develop, maintain, and operate a regional park along the Tuolumne River to be known as the “Tuolumne River Regional Park”; and

WHEREAS, the Agreement was previously amended in 1977, 1978, 1983 and 1996; and

WHEREAS, on June 26, 2024 Ceres notified the City and County in writing that it was withdrawing and terminating the Agreement pursuant to Section 18 of the Agreement, effective June 30, 2025; and

WHEREAS, the City and County desire for the Agreement to remain in effect until such time as the City and County enter into a new agreement for management and operation of the Tuolumne River Regional Park.

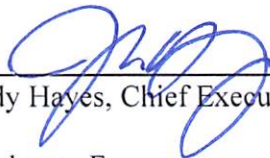
NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

- 1. Recitals.** The above recitals are true, correct, and incorporated herein by reference.
- 2. Continuation of Agreement.** The City and County agree that the Agreement shall remain in full force and effect, and shall be binding upon both Parties. The Parties acknowledge that Ceres is no longer a party to the Agreement, and has no rights, duties, or obligations under the Agreement after June 30, 2025. All references in the Agreement to “Parties” shall now be references to the City and County only.
- 3. Obligations of Ceres.** Nothing in this Fifth Amendment shall modify, eliminate, or otherwise change the duties, rights, and obligations of Ceres under the Agreement which accrued on or before June 30, 2025.

4. **Effect.** Except as explicitly provided for otherwise herein, all terms and condition of the Agreement, as previously amended, shall remain in full force and effect.
5. **Counterparts.** This Fifth Amendment may be executed in one or more counterparts, each of which shall constitute an original, but all of which together shall constitute one and the same MOU.

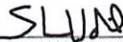
IN WITNESS WHEREOF, the Parties hereto have caused this Fifth Amendment to be executed as of the day and year first written above.

COUNTY OF STANISLAUS,
a political subdivision of the State of California

By: 

Jody Hayes, Chief Executive Officer

Approved as to Form:
Thomas E. Boze, County Counsel

By: 

Shaun Wahid (Sep 4, 2025 12:15:34 PDT)
Shaun Wahid, Deputy County Counsel

CITY OF MODESTO,
a charter city in the State of California

By: _____
Joseph P. Lopez, City Manager

Attest:

By: _____
Dianne Nayares-Perez, City Clerk

Approved as to Form:

By: _____
Jose M. Sanchez, City Attorney

June 26, 2024

VIA EMAIL AND U.S. MAIL

Nathan Houx
Parks Planning and Development Manager
City of Modesto –Parks, Recreation & Neighborhoods Department
P.O. Box 642
Modesto, CA 95353
Email: nhoux@modestogov.com

Stanislaus County Parks and Recreation
3800 Cornucopia Way
Suite D
Modesto, CA 95358

Notice of Withdrawal and Termination

Dear Mr. Houx and the Stanislaus County Parks and Recreation,

Please accept this notice that the City of Ceres (“Ceres”) is hereby withdrawing from and terminating the Agreement Between County of Stanislaus, City of Modesto and City of Ceres Relating to the Acquisition, Development and Operation of the Tuolumne River Regional Park (“Agreement”) dated February 22, 1972.

Ceres is withdrawing from and terminating the Agreement pursuant to section 18. Section 18 of the Agreement provides:

Any party may terminate this agreement by giving written notice to the other parties at least one year prior to the close of the fiscal year, and the agreement shall terminate at the close of such fiscal year.

Section 10 of the Agreement specifies that the fiscal year commences on July 1st. Therefore, Ceres is withdrawing from and terminating the Agreement at the end of the fiscal year on June 30, 2025, with the expectation that the remaining commonly owned assets will be disposed of and distributed as outlined in section 19 of the Agreement.

Best regards,

White Brenner LLP



Nubia I. Goldstein