

AMENDMENT II TO AGREEMENT

THIS AMENDMENT II TO AGREEMENT, ("Amendment II"), is made this 9th day of December, 2025 ("Effective Date"), by and between the County of Fresno, a political subdivision of the State of California ("County"), and the City of Selma ("City").

WITNESSETH

WHEREAS, the County has been designated as the sponsoring agency to administer and implement the Community Development Block Grant (CDBG) Program activities of the County, and its participating cities, in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and the laws of the State of California; and

WHEREAS, on September 10, 2024, the County and the City entered into Agreement 24-496 ("Agreement"), whereby \$232,796 in CDBG funds were made available to the City for the Selma Sidewalk Connectivity, Phase III, Project No. 24651 ("Project"); and

WHEREAS, on July 8, 2025, the County and the City entered into Amendment I to the Agreement, ("Amendment I"), whereby an additional \$68,461 in CDBG funds were made available to the City for the Project; and

WHEREAS, the City informed the County that the total estimated cost of the Project has increased from \$301,257 to \$530,560 due to increased construction costs; and

WHEREAS, the City needs \$229,303 in CDBG funding to complete the Project; and

WHEREAS, there are \$229,303 in CDBG funds that may be made available to the City for the Project this fiscal year.

NOW THEREFORE, in consideration of their mutual promises as hereinafter set forth, the County and City agree to further amend the Agreement as follows:

1. Page 1, Lines 14-20, as previously amended by Amendment I, are further amended to read:

"WHEREAS, the City has estimated that the total cost of the Project is \$530,560, and the City has requested the sum of \$530,560 from the County's allocation of CDBG funds; and

WHEREAS, the County Board of Supervisors, at a public hearing conducted on June 18, 2024, approved as part of the County's 2024-2025 Annual Action Plan, the usage of \$232,796 in

CDBG funds for the Project, as requested by the City; and

WHEREAS, \$68,461 in additional CDBG funds from the City's allocation were made available to the City for the Project in Fiscal Year 2025-26 due to savings on a previously completed project; and

WHEREAS, the County Board of Supervisors, at a public hearing conducted on August 5, 2025, approved as part of the County's 2025-2026 Annual Action Plan the usage of \$229,303 in additional CDBG funds from the City's 2025-2026 allocation for the Selma Sidewalk Connectivity, Phase IV Project, and these funds are being reallocated to the Project through a minor amendment to the Annual Action Plan, as requested by the City; and

WHEREAS, the Project is consistent with the Fresno County Consolidated Plan, including the 2024-25 and 2025-26 Annual Action Plans."

2. The proposed Project budget on Page 2, Lines 20 through 22, as previously amended by Amendment I, is further amended to read:

"Construction	\$459,764
Design & Construction Engineering	49,500
Contingency, Permits & Misc.	<u>21,296</u>
Total	\$530,560"

3. The proposed funding summary for the Project on Page 3, Lines 1-2, as previously amended by Amendment I, is further amended to read:

"CDBG	\$530,560
Local Financial Contribution	<u>0</u>
Total	\$530,560"

4. The dollar figure set forth on Page 2, Line 25; Page 3, Line 15; and Page 5, Line 1, of the Agreement, as previously amended by Amendment I, is further amended in each such place to read "\$530,560."

5. Electronic Signatures. The parties agree that this Amendment II may be executed by electronic signature as provided in this section.

(A) An "electronic signature" means any symbol or process intended by an individual signing this Amendment II to represent their signature, including but not limited to (1) a digital signature; (2) a faxed version of an original handwritten signature; or (3) an electronically scanned

1 and transmitted (for example by PDF document) version of an original handwritten signature.

2 (B) Each electronic signature affixed or attached to this Amendment II (1) is deemed
3 equivalent to a valid original handwritten signature of the person signing this Agreement for all
4 purposes, including but not limited to evidentiary proof in any administrative or judicial proceeding,
5 and (2) has the same force and effect as the valid original handwritten signature of that person.

6 (C) The provisions of this section satisfy the requirements of Civil Code section 1633.5,
7 subdivision (b), in the Uniform Electronic Transaction Act (Civil Code, Division 3, Part 2, Title 2.5,
8 beginning with section 1633.1).

9 (D) Each party using a digital signature represents that it has undertaken and satisfied
10 the requirements of Government Code section 16.5, subdivision (a), paragraphs (1) through (5),
11 and agrees that each other party may rely upon that representation.

12 (E) This Amendment II is not conditioned upon the parties conducting the transactions
13 under it by electronic means and either party may sign this Amendment II with an original
14 handwritten signature.

15 6. Counterparts. This Amendment II may be signed in counterparts, each of which is
16 an original, and all of which together constitute this Amendment II.

17 County and City agree that this Amendment II is sufficient to amend the Agreement, and
18 that upon execution of this Amendment II, the Agreement, Amendment I and this Amendment II
19 together shall be considered the Agreement.

20 The Agreement, as previously amended, is ratified and continued. All remaining provisions,
21 terms, covenants, conditions, and promises contained in the Agreement and not amended by this
22 Amendment II shall remain in full force and effect.

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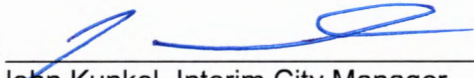
27 ///

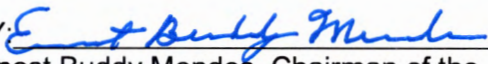
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1 IN WITNESS WHEREOF, the parties have executed this Amendment II as of the day and year
2 first hereinabove written.

3
4 CITY OF SELMA

COUNTY OF FRESNO

5
6 BY: 
7 John Kunkel, Interim City Manager

BY: 
Ernest Buddy Mendes, Chairman of the
Board of Supervisors of the
County of Fresno

8
9 Date: 11/6/25

Date: 12/9/25

10
11 ATTEST:
12 Bernice E. Seidel
13 Clerk of the Board of Supervisors
14 County of Fresno, State of California

15 BY: 
16 Deputy

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19
20 FUND NO: 0001
21 SUBCLASS NO: 10000
22 ORG NO: 7205
23 ACCOUNT NO: 7885
24 PROJECT NO: N24651
25 ACTIVITY CODE: 7219

REMIT TO:

City of Selma
Attn: John Kunkel, Interim City Manager
1710 Tucker Street
Selma, CA 93662
Telephone: (559) 891-2200

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27 G:\7205ComDev\Agendas-Agreements\2025\1209 Amend II to Selma Sidewalk Connectivity Phase III 24651_AGT.docx
28 September 30, 2025