

## AMENDMENT I TO AGREEMENT

THIS AMENDMENT I TO AGREEMENT, ("Amendment I"), is made this 8th day of October, 2019 ("Effective Date"), by and between the COUNTY OF FRESNO, a political subdivision of the State of California, ("County"), and the CITY OF KERMAN, ("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 25, 2018, the County and the City entered into Agreement 18-561, ("Agreement"), whereby \$419,292 in CDBG funds were made available to the City for the Kerman Stanislaus Avenue Park Development, Project No. 17371 ("Project"); and

WHEREAS, the City informed the County that the total estimated cost of the Project has increased from \$450,000 to \$592,404 due to increased construction costs; and

WHEREAS, the City is in need of \$146,752 in CDBG funding to complete the Project; and

WHEREAS, the City now has an additional \$146,752 from its allocation of CDBG funds that may be made available to the Project to accommodate the increased construction costs under the Agreement; and

WHEREAS, the City has requested these additional CDBG funds in the amount of \$146,752 be made available to the Project for the purposes of this Agreement.

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

1. Page 1, Lines 15-20, is amended to read:

"WHEREAS, the City has estimated that total cost of the Project is \$592,404, and the City has committed local funds to the Project in the amount of \$26,360, and is in need of \$566,044 in CDBG funding to complete the Project; and

WHEREAS, the County can provide \$566,044 in CDBG funds needed for the Project from the City's 2017-2018 CDBG allocation (\$267,469), from the City's 2018-2019 CDBG allocation

( \$105,827), from the City's 2019-2020 CDBG allocation (\$137,989), and from the City's remaining balance of CDBG funds (\$54,759); and"

2. The proposed Project budget on Page 2, Lines 21 through 23, is amended to read:

"Construction	\$442,800
Design & Construction Engineering	73,200
Contingency, Permits & Misc.	<u>76,404</u>
Total	\$592,404"

3. The proposed funding summary for the Project on Page 3, Lines 3 and 4, is amended to read:

"CDBG	\$566,044
Local Financial Contribution	<u>26,360</u>
Total	\$592,404"

4. That the amount set forth on Page 2, Line 26, Page 3, Line 18, and Page 4, Line 22, is amended in each such place to read "\$566,044".

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

The Agreement, as hereby amended, is ratified and continued. All remaining provisions, terms, covenants, conditions, and promises contained in the Agreement shall remain in full force and effect.

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

CITY OF KERMAN

COUNTY OF FRESNO

By: 

City Manager

  
Nathan Magsig, Chairman of the  
Board of Supervisors of the  
County of Fresno

Date: 8/14/19

Date: 10/8/2019

ATTEST:

ATTEST:

Bernice E. Seidel  
Clerk of the Board of Supervisors  
County of Fresno, State of California

  
City Clerk, City of Kerman

By: 

APPROVED AS TO LEGAL FORM:

  
City Attorney

REMIT TO:

FUND NO: 0001  
SUBCLASS NO: 10000  
ORG NO: 7205  
ACCOUNT NO: 7885  
PROJECT NO: N17371  
ACTIVITY CODE: 7219

City of Kerman  
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