

## AMENDMENT I TO AGREEMENT

THIS AMENDMENT I TO AGREEMENT, ("Amendment I"), is made this 19th day of November, 2019 ("Effective Date"), by and between the COUNTY OF FRESNO, a political subdivision of the State of California, ("County"), and the CITY OF REEDLEY, ("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 August 21, 2018, the County and the City entered into Agreement 18-500, ("Agreement"), whereby \$149,385 in CDBG funds were made available to the City for the Reedley City Street Improvement, Phase IX, Project No. 18571 ("Project"); and

WHEREAS, the City informed the County that the total estimated cost of the Project has increased from \$149,385 to \$762,519 due to increased construction costs associated with a change to the scope of the Project; and

WHEREAS, the City is in need of \$262,330 in CDBG funding to complete the Project; and

WHEREAS, the City now has an additional \$262,330 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 \$262,330 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 14-17, is amended to read:

"WHEREAS, the City has estimated that total cost of the Project is \$762,519, and the City has committed local funds to the Project in the amount of \$350,804, and is in need of \$411,715 in CDBG funding to complete the Project; and

WHEREAS, the County can provide \$411,715 in CDBG funds needed for the Project from

the City's 2018-2019 CDBG allocation (\$149,385), from the City's 2019-2020 CDBG allocation (\$246,452), and from the City's remaining balance of CDBG funds (\$15,878); and"

2. The proposed Project budget on Page 2, Lines 17 through 19, is amended to read:

"Construction	\$605,174
Design & Construction Engineering	96,828
Contingency, Permits & Misc.	<u>60,517</u>
Total	\$762,519"

3. The proposed funding summary for the Project on Page 2, Lines 25 and 26, is amended to read:

"CDBG	\$411,715
Local Financial Contribution	<u>350,804</u>
Total	\$762,519"

4. That the amount set forth on Page 2, Line 22, Page 3, Line 14, and Page 4, Line 18, is amended in each such place to read "\$411,715".

5. That the Environmental Assessment number set forth on Page 6, Line 20, is amended to read "7653".

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

3  
4 CITY OF REEDLEY

COUNTY OF FRESNO

5  
6 By:   
City Manager


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

7  
8 Date: 10/1/19

Date: 11/20/19

9  
10 ATTEST:

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

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12   
City Clerk, City of Reedley

By: 

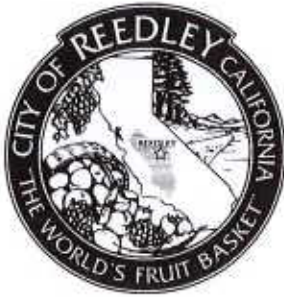
13  
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15 APPROVED AS TO LEGAL FORM:

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17   
City Attorney

REMIT TO:

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20  
21 FUND NO: 0001  
22 SUBCLASS NO: 10000  
23 ORG NO: 7205  
24 ACCOUNTNO: 7885  
PROJECT NO: N18571  
ACTIVITY CODE: 7219

City of Reedley  
Attn: Nicole Zieba, City Manager  
1717 9th Street  
Reedley, CA 93654  
Telephone: (559) 637-4200



## **REEDLEY CITY COUNCIL**

- ☒ **Consent**
- ☐ **Regular Item**
- ☐ **Workshop**
- ☐ **Closed Session**
- ☐ **Public Hearing**

ITEM NO: 8

**DATE:** September 24, 2019

**TITLE:** ADOPT RESOLUTION NO. 2019-080 AUTHORIZING THE EXECUTION OF AMENDMENT No. 1 TO CITY-COUNTY AGREEMENT 18-500 FOR CDBG PROJECT NO. 18571.

**PREPARED BY:** Linda Thao *LT*  
Senior Engineering Assistant

**SUBMITTED:** John S. Robertson, P.E. *JSR*  
City Engineer

**APPROVED:** Nicole Zieba *NZ*  
City Manager

### **RECOMMENDATION**

Staff recommends that the City Council take the following action:

Adopt Resolution No. 2019-080 authorizing the execution of three (3) original sets of the Amendment No. 1 to City-County Agreement 18-500 for CDBG Project No. 18571.

### **BACKGROUND**

On August 21, 2018 the City and County entered into Agreement 18-500 for Reedley Street Improvements Project (Phase IX) Project No. 18571 (Project) for the widening of Myrtle Avenue from Cedar and Buttonwillow Avenue, whereby \$149,385 in CDBG allocated funds were made available to fund this project.

On May 28, 2019, the Engineering Department took a consent item to City Council to reject all bids received for the Project bid opening held on April 18, 2019 and to modify the scope of work from Myrtle Avenue widening to Buttonwillow Avenue widening from Myrtle to North Avenue.

Due to change in the scope of work, the project total has increased to \$762,519, whereby \$411,715 is to be provided by the County from a combination of the City's remaining balance of CDBG funds, and the City's 2018-2019 and 2019-2020 CDBG allocation. The local funds will come from a variety of sources including Measure C, Vehicle Impact Fees, Development Impact Fee and Water Enterprise Funds.

Amendment No. 1 to Agreement 18-500 will revise the CDBG funds from \$149,385 to \$411,715. The proposed funding summary in the City-County Agreement for CDBG Project No. 18571 has been

amended as follows:

CDBG	\$411,715
Local Financial Contribution	<u>\$350,804</u>
Total Construction Cost	\$762,519

### **FISCAL IMPACT**

Approval of Amendment 1 to Agreement 18-500 will appropriate an additional \$262,330 for a total of \$411,715 to fund design and construction expenses for the Project. Due to the increased Project cost, the City's local fund contribution will be approximately \$350,804.

### **COMMITTEE/COMMISSION REVIEW/ACTIONS:** N/A

### **PRIOR COUNCIL ACTIONS**

On June 26, 2018, the City Council approved Resolution No. 2018-069 authorizing the execution of the City-County Agreement for CDBG Project No. 18571 for the road widening on Myrtle Avenue from Cedar to Buttonwillow Avenue.

On May 28, 2019, the Engineering Department took a consent item to City Council to reject all bids received for the Project bid opening held on April 18, 2019 and to modify the scope of work from Myrtle Avenue widening to Buttonwillow Avenue widening from Myrtle to North Avenue.

### **ATTACHMENTS**

1. Resolution No. 2019-080
2. Amendment 1 to Agreement 18-500

Motion: \_\_\_\_\_  
Second: \_\_\_\_\_



## **RESOLUTION NO. 2019-080**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY AUTHORIZING THE EXECUTION OF AMENDMENT No. 1 TO CITY-COUNTY AGREEMENT 18-500 FOR CDBG PROJECT No. 18571, REEDLEY CITY STREET IMPROVEMENTS (PHASE IX), WIDENING MYRTLE AVENUE FROM CEDAR TO BUTTONWILLOW AVENUE**

**WHEREAS**, the County of Fresno has been designated as the sponsoring agency to administer and implement the program for the Community Development Block Grant (CDBG) activities of the County, and its participating cities, including the City of Reedley; and

**WHEREAS**, the City of Reedley wishes to enter into an Agreement 1 to Agreement 08-500 with the County of Fresno allocating a combination of the City's funds from the City's remaining balance of CDBG funds and the funds for the City's 2018-2019 and 2019-2020 CDBG allocation to the Reedley City Street Improvements (Phase IX), CDBG Project No. 18571; and

**WHEREAS**, the County of Fresno has determined that \$411,715 is to be provided by the County to the City of Reedley for said project and the City of Reedley has requested that these funds be allocated to fund the CDBG Project No. 18571;

**NOW, THEREFORE BE IT RESOLVED** that the City of Reedley, City Council, using their independent judgment approve Resolution No. 2019-080 based on the following:

1. The above recitals are true and correct; and
2. The City Council finds the Amendment 1 to Agreement 18-500 for CDBG Project No. 18571 is consistent with the CDBG program; and
3. The City of Reedley City Manager is hereby authorized to execute three (3) original sets of the Amendment No. 1 to the City-County Agreement 18-500 for the Reedley City Street Improvements (Phase IX), CDBG Project No. 18571.
4. This resolution is effective immediately upon adoption.

This forgoing resolution is hereby approved and adopted at a regular meeting of the City Council of the City of Reedley held on the 24th day of September 2019, by the following vote:

AYES: Betancourt, Beck, Fast, Soleno, Pinon.

NOES: None.

ABSTAIN: None.

ABSENT: None.

  
Frank Piñon, Mayor

ATTEST:

  
Sylvia B. Plata, City Clerk

