

FIRST AMENDMENT TO  
CDBG FUNDING CONTRACT BETWEEN  
COUNTY OF SANTA BARBARA AND  
CITY OF SOLVANG  
CITY HALL AND ANNEX  
ADA ACCESSIBILITY IMPROVEMENTS

This First Amendment is made and entered into this 16<sup>th</sup> day of October, 2012 between the County of Santa Barbara (hereinafter referred to as "COUNTY") and the City of Solvang, (hereinafter referred to as the ("SUBRECIPIENT")) and amends that certain CDBG Funding Contract in the amount of \$36,000.00 made by and between COUNTY and the SUBRECIPIENT for City Hall and Annex Accessibility Improvements, dated January 17, 2012 ("CONTRACT").

WHEREAS, COUNTY and SUBRECIPIENT entered into a CONTRACT on January 17<sup>th</sup>, 2012, for the use of 2010 Community Development Block Grant (CDBG) entitlement funds, which County has received pursuant to the authority of Title I of the Federal Housing and Community Development Act of 1974 (42 U.S.C. Sections 5301 et.seq.), and the regulations promulgated thereunder (24 CFR Part 570), all as may be amended from time to time.

WHEREAS, COUNTY agreed to distribute to SUBRECIPIENT CDBG funds in the amount of Thirty Six Thousand Dollars and no cents (\$36,000.00) for the construction of Americans With Disabilities Act (ADA) improvements to the City of Solvang Annex Building, located at 411 Second Street, and the City Hall Building, 1644 Oak Street, in the City of Solvang ("Project") County of Santa Barbara, State of California.

WHEREAS, SUBRECIPIENT has executed a Design-Build Agreement with a licensed contractor of SUBRECIPIENT's choosing to perform the scope of work proposed at each facility, further described in the CONTRACT's Scope of Work attached hereto as Exhibit A – Amended Statement of Work.

WHEREAS, due to higher cost bid responses to the proposed ADA improvements project, the SUBRECIPIENT requested that the County amend its existing CONTRACT of \$36,000.00 by increasing the amount of the CONTRACT by \$54,000.00, for a new total CONTRACT amount not to exceed \$90,000.00 in 2010-11 CDBG funds to complete the proposed ADA improvements for the City Hall and Annex Buildings.

Now, therefore, for good and valuable consideration, COUNTY and SUBRECIPIENT agree as follows:

1. Section 2 of the CONTRACT 'EFFECTIVE DATE OF CONTRACT – TERM' is amended to read as follows: 'The term of this CONTRACT shall be from the

date fully executed by all parties and shall terminate on January 31, 2013, unless sooner terminated as provided herein, and further provided that the term of this CONTRACT may be extended as provided for herein.'

2. Section 3 of the CONTRACT, 'Disbursement of Funds,' is amended to read as follows: 'Subject to the terms and conditions contained in this Contract, County agrees to provide CDBG grant funds to SUBRECIPIENT in an amount not to exceed the sum of Ninety Thousand Dollars (\$90,000.00) (the 'Grant' or 'Grant Funds').
3. Exhibit B of the CONTRACT, Project Budget, is amended to read as follows:  
 '2. Design & Construction \$90,000.00 100%  
 Total Contract \$90,000.00  
 Notes: The City of Solvang has entered into a Design-Build Agreement with a licensed contractor of the City's choosing to perform the work described in Exhibit A. The County will reimburse the City of Solvang for payments to said contractor in an amount not to exceed \$90,000.00.
4. The attached project budget (Exhibit B – Amended Project Budget) reflects actual costs as compared to original estimates.
5. Except as specifically amended by this First Amendment, the CONTRACT shall continue unmodified and in full force and effect.

**IN WITNESS WHEREOF**, COUNTY and SUBRECIPIENT have executed this First Amendment by the respective authorized officers as set forth below to be effective on the date executed by the COUNTY.

"COUNTY"  
COUNTY OF SANTA BARBARA

ATTEST:  
CHANDRA L. WALLAR  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Doreen Farr, Chair  
Board of Supervisors

By: \_\_\_\_\_  
Deputy

Date: \_\_\_\_\_

APPROVED AS TO FORM:  
FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING  
ROBERT W. GEIS, CPA  
AUDITOR-CONTROLLER

By: \_\_\_\_\_  
Senior Deputy County Counsel

By: \_\_\_\_\_  
Deputy Auditor-Controller  
Gregory Eric Levin  
Advanced and Specialty  
Accounting

APPROVED:

By: \_\_\_\_\_  
Ray Aromatorio, ARM, AIC  
Risk Manager

“SUBRECIPIENT”  
CITY OF SOLVANG

ATTEST:  
NAME  
CITY CLERK

By: \_\_\_\_\_  
Brad Vidro, City Manager

By : \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
Roy Hanley  
CITY ATTORNEY

By \_\_\_\_\_

Exhibit A: Amended Statement of Work  
Exhibit B: Amended Project Budget