

05-SB-101-PM 22.6/22.9
05-0G0700
Goleta Drainage Update
PA&ED

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT, ENTERED INTO EFFECTIVE ON _____, 20__, is between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "STATE", and the

SANTA BARBARA COUNTY
FLOOD CONTROL DISTRICT,
a political subdivision of the
State of California, referred to
herein as "DISTRICT".

RECITALS

1. The parties hereto entered into an Agreement No. 05-CA-0154 on July 5, 2007 defining the terms and conditions of a project to increase the hydraulic capacity of the culvert systems of Las Vegas and San Pedro Creeks that pass under State Route 101 (SR 101) in Santa Barbara County, referred to herein as "PROJECT".
2. It has been determined that PROJECT will not be completed prior to the termination date of said Agreement.

IT IS THEREFORE MUTUALLY AGREED

1. The termination date specified in Article 15 of Section III of said Agreement is replaced in its entirety to read as follows:

"This Agreement will terminate upon completion of PROJECT that all parties have met all scope, cost, and schedule commitments included in this Agreement and have signed a cooperative agreement closure statement, which is a document signed by parties that verifies the completion of PROJECT.

However, all indemnification, document, retention, audit, claims, environmental commitment, legal challenge, hazardous material, operation, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement."

2. All other terms and conditions of said Agreement shall remain in full force and effect.

3. This Amendment No. 1 to Agreement is hereby deemed to be a part of said Agreement.

SIGNATURES

PARTIES declare that:

1. Each PARTY is an authorized legal entity under California state law.
2. Each PARTY has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
Department of Transportation

SANTA BARBARA COUNTY
FLOOD CONTROL DISTRICT
123 East Anapamu Street
Santa Barbara, CA 93101

By _____
RICHARD KRUMHOLZ
District Director

By _____
Chair, Board of Directors

Attest:
CHANDRA L. WALLAR
CLERK OF THE BOARD

CERTIFIED AS TO FUNDS:

By: _____
Deputy

District Budget Manager
Julia Bolger


APPROVED AS TO FORM:
DENNIS A. MARSHALL
COUNTY COUNSEL

By:  _____
Deputy

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

By:  _____
Deputy

APPROVED AS TO FORM:
RAY AROMATORIO, ARM, AIC
RISK MANAGER

By:  _____