

**AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT M70106
BETWEEN
THE SONOMA COUNTY TRANSPORTATION AUTHORITY
AND
THE CITY OF SANTA ROSA**

This Amendment (the "Amendment") is made and entered into as of May 8 2018 (Effective Date) by and between the **CITY OF SANTA ROSA**, hereinafter referred to as "**CITY**" and the **SONOMA COUNTY TRANSPORTATION AUTHORITY**, hereinafter referred to as "**AUTHORITY**."

RECITALS

1. AUTHORITY adopted that certain 2017 Strategic Plan that sets forth AUTHORITY's program and project implementation policies with regard to the use of funds provided under the 2004 Traffic Relief Act for Sonoma County Expenditure Plan and Ordinance approved by the voters of Sonoma County on November 2, 2004 (hereinafter referred to as "Measure M"). The 2017 Strategic Plan, as such plan may be amended from time to time, is hereinafter referred to as the "Strategic Plan."
2. Consistent with Measure M and the Strategic Plan, AUTHORITY and CITY previously entered into Cooperative Funding Agreement No. M70106 (the "Original Agreement" and collectively referred to with this Amendment, the "Agreement") to identify a local bicycle/pedestrian improvement project under Measure M.
3. CITY and AUTHORITY desire to amend the recitals, project information, Financial Plan and schedule (Exhibit B) to update terms and reflect programming changes.

NOW, THEREFORE, in consideration of the foregoing, AUTHORITY and CITY do hereby agree as follows:

AGREEMENT

I. AMENDMENTS

Paragraph 5 of Recitals is amended to read as follows:

"5. Pursuant to the Strategic Plan and Measure M, Authority is committed to make available up to \$1,450,000 to assist with the Project."

Paragraph 6 of Recitals is amended to read as follows:

"6. See Exhibit B-1 for a description of funding sources."

Paragraph 1 of Section II is amended to read as follows:

"1. Reimbursement of CITY Expenses. Consistent with its Strategic Plan, to make available Measure M funds (currently set at \$1,450,000) to assist with the Santa Rosa Creek Trail Project, AUTHORITY shall process CITY invoices within forty-five days of receiving an invoice in a form reasonably acceptable to AUTHORITY's Executive Director."

Paragraph 1 of Section III is amended to read as follows:

"1. Funding Availability and Needs. The funding available to the Project for expenditure is limited by the funds identified in Exhibit B-1 and to approved appropriations by the SCTA Board. If additional funds beyond those identified in Exhibit B-1 are necessary to complete the Project, AUTHORITY will cooperate with CITY to identify and secure new or increased fund commitments; however, completion of the Project remains the responsibility of CITY."

Paragraph 5 of Section III is amended to read as follows:

5. Notices. Any notice which may be required under this Agreement shall be in writing, shall be effective when received, and shall be given by personal service, or by certified or registered mail, return receipt requested, to the addresses set forth below or to such addresses which may be specified in writing to parties hereto.

To CITY

Jason Nutt
Director of Transportation and Public Works
City of Santa Rosa
69 Stony Circle
Santa Rosa, CA 95401
707-543-3800
jnutt@srcity.org

To AUTHORITY

Suzanne Smith
Executive Director
Sonoma County Transportation Authority
490 Mendocino Avenue, Suite 206
Santa Rosa, Ca 95401
707-565-5373
suzsmith@scta.ca.gov

Exhibits. The following Exhibit in the Original Agreement is replaced by the Exhibit attached hereto:

Exhibit B is replaced with Exhibit B-1. All references in the Original Agreement to Exhibit B shall be read to refer to Exhibit B-1.

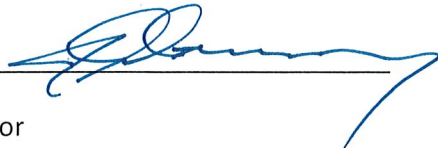
6. Remainder of Agreement Unchanged.

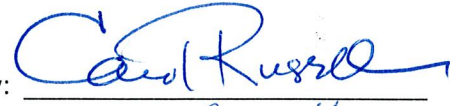
Except to the extent the Agreement is specifically amended or supplemented by this Amendment No. 1, the Agreement, together with exhibits and schedules, is and shall continue to be, in full force and effect as originally executed, and nothing contained herein shall be construed to modify, invalidate or otherwise affect any provision of the Agreement or any right of AUTHORITY or CITY arising there under.

CITY OF SANTA ROSA

SONOMA COUNTY


TRANSPORTATION AUTHORITY

By: 
Mayor

By: 
Carol Russell
David Rabbitt, SCTA Chair

ATTEST:

APPROVED AS TO SUBSTANCE:

By: 
City Clerk


By: 
Suzanne Smith, Executive Director

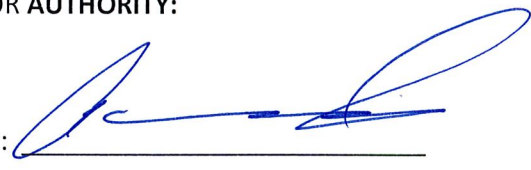
APPROVED AS TO LEGAL FORM

APPROVED AS TO LEGAL FORM

FOR CITY:

FOR AUTHORITY:

By: 
City Attorney

By: 
Legal Counsel
Authority

**COOPERATIVE FUNDING AGREEMENT NO.30706-A1
 BETWEEN
 THE SONOMA COUNTY TRANSPORTATION AUTHORITY
 AND
 THE CITY OF SANTA ROSA
 EXHIBIT B-1**

FINANCIAL PLAN AND SCHEDULE (2004 Dollars)

TOTAL BUDGET (July 2017-June 2021):

Fiscal Year	Prior	FY17/18	FY18/19	FY19/20	FY20/21	Totals
Phase I Measure M	\$435,000					\$435,000
Phase II Measure M	\$382,000					\$382,000
Phase III Measure M		\$52,000	\$110,000		\$471,000	\$633,000
Totals	\$817,000	\$52,000	\$110,000		\$471,000	\$1,450,000

Phase I – Streamside Drive to Mission Circle

Project Development Phase	Begin	End
Scoping		September 2005
Project Approval/Environmental Doc (PAED)		November 2010
Right of Way		December 2011
Plans, Specs, Estimates (PSE)		December 2011
Construction		November 2014

Phase II -Dutton Avenue access (east side)

Project Development Phase	Begin	End
Scoping		March 2006
Project Approval/Environmental Doc (PAED)		December 2010
Right of Way		NA
Plans, Specs, Estimates (PSE)		January 2011
Construction		October 2012

Phase III – Dutton Avenue access (west side)

Project Development Phase	Begin	End
Scoping	July 2018	September 2018
Project Approval/Environmental Doc (PAED)	September 2018	March 2019
Plans, Specs, Estimates (PSE)	March 2019	June 2020
Right of Way	March 2019	September 2019
Construction	July 2020	May 2022

RESOLUTION NO. RES-2018-068

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT NO. 1 TO MEASURE M COOPERATIVE FUNDING AGREEMENT NO. M70106-05 WITH SONOMA COUNTY TRANSPORTATION AUTHORITY FOR THE SANTA ROSA CREEK TRAIL – DUTTON AVENUE ACCESS (WEST SIDE) PROJECT

WHEREAS, on November 30, 2005, the City of Santa Rosa entered into Measure M Cooperative Funding Agreement M70106-05 with the Sonoma County Transportation Authority (SCTA) enabling the City to receive \$1,450,000 funding for Santa Rosa Creek Trail Improvements; and

WHEREAS, Santa Rosa Creek Dutton Avenue Access (east side) – Phase II was completed in 2012; and

WHEREAS, in 2014 the City completed the construction of a pathway along Santa Rosa Creek between Streamside Drive to Mission Circle – Phase I; and

WHEREAS, entering into this amended Cooperative Funding Agreement would continue to allow the City to complete Phase III of the Santa Rosa Creek trail improvements; and

WHEREAS, the 2017 Measure M Strategic Plan includes \$162,000 between Fiscal Year 2017/2018 and Fiscal Year (FY) 2018/2019 for the scoping, environmental, design and right of way phases for the Santa Rosa Creek Dutton Avenue Access (west side) – Phase III which will be appropriated as part of the FY 2018/2019 Capital Improvement Program pending City Council approval.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves Amendment No. 1 to Measure M Cooperative Funding Agreement No. M70106-05 between the Sonoma County Transportation Authority (SCTA) and the City of Santa Rosa for the Santa Rosa Creek Trail – Dutton Avenue Access (west side) project.

BE IT FURTHER RESOLVED that Exhibit A is made part of this Resolution.


IN COUNCIL DULY PASSED this 8th day of May, 2018.

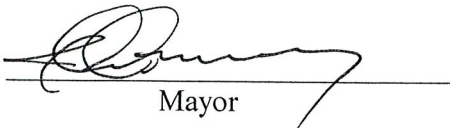
AYES: (5) Mayor Coursey, Vice Mayor Rogers, Council Members Combs, Sawyer, Tibbetts

NOES: (0)

ABSENT: (2) Council Members Olivares, Schwedhelm

ABSTAIN: (0)

ATTEST: 
City Clerk

APPROVED: 
Mayor

APPROVED AS TO FORM:

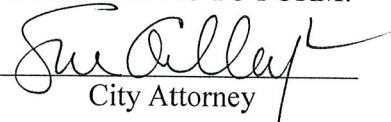

City Attorney

Exhibit A – Amendment No. 1 to Cooperative Funding Agreement No. M70106-05 between the Sonoma County Transportation Authority and the City of Santa Rosa