

FIRST AMENDMENT TO COOPERATIVE AGREEMENT M71406
BETWEEN
THE SONOMA COUNTY TRANSPORTATION AUTHORITY
AND
THE CITY OF SANTA ROSA

This First Amendment to Agreement No. M71406 ("First Amendment") is made and entered into as of _____ (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

- A. AUTHORITY adopted that certain 2014 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 2014 Strategic Plan, as such plan may be amended from time to time, is hereinafter referred to as the "Strategic Plan."
- B. Consistent with Measure M and the Strategic Plan, AUTHORITY and CITY previously entered into Cooperative Funding Agreement No. M71406 (the "Original Agreement") to identify a local street improvement project under Measure M.
- C. CITY and AUTHORITY desire to amend the following Sections and the Financial Plan (Exhibit B) to more clearly define the project and the funds available therefor.

NOW, THEREFORE, in consideration of the foregoing, AUTHORITY and CITY agree to amend the Original Agreement as follows:

1. 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 \$250,000) to assist with the Bike-Pedestrian Access Across Highway 101 in Sonoma County. AUTHORITY shall process CITY invoices within forty-five days of receiving an invoice in a form reasonably acceptable to AUTHORITY's Executive Director."

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

“1. Funding Availability and Needs. The funding available for the Project is limited by the funds identified in Exhibit B-1 and to approved appropriations by AUTHORITY’s 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.”

3. Exhibit B to the Original Agreement is replaced with Exhibit B-1 to this First Amendment.

Except to the extent the Original Agreement is specifically amended or supplemented by this First Amendment, the Original Agreement, 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 Original Agreement or any right of AUTHORITY arising there under.

CITY OF SANTA ROSA

SONOMA COUNTY TRANSPORTATION
AUTHORITY

By: _____

By: _____

Director of Transportation and Public Works

Sarah Glade Gurney, SCTA Chair

APPROVED AS TO LEGAL FORM

APPROVED AS TO SUBSTANCE:

FOR CITY:

By: _____

By: *Angela Casagrande, AEA*

Suzanne Smith, Executive Director

City Attorney

FOR AUTHORITY:

By: _____

County Counsel

COOPERATIVE FUNDING AGREEMENT NO. M71406-A1
 BETWEEN
 THE SONOMA COUNTY TRANSPORTATION AUTHORITY
 AND
 THE CITY OF SANTA ROSA
EXHIBIT B-1

FINANCIAL PLAN AND SCHEDULE (2004 Dollars)

FINANCIAL PLAN: (Through PS&E)

| Fiscal Year | Prior | FY14/15 | FY15/16 | FY16/17 | FY17/18 | Totals |
|--------------------|------------------|------------------|----------|----------|----------|------------------|
| Measure M | \$250,000 | 0 | 0 | 0 | 0 | \$250,000 |
| <i>Local Funds</i> | <i>\$612,000</i> | <i>\$100,000</i> | <i>0</i> | <i>0</i> | <i>0</i> | <i>\$712,000</i> |

SCHEDULE:

| Project Development Phase | Begin | End |
|----------------------------------|---------------|--------------|
| Scoping | April 2009 | January 2016 |
| Project Approval/Env Doc (PA&ED) | February 2016 | June 2017 |
| Right of Way | July 2017 | June 2018 |
| Plans, Specs, Estimates (PS&E) | July 2017 | June 2018 |
| Construction | August 2018 | August 2019 |