

CAMERON PARK COMMUNITY SERVICES DISTRICT

FIRST AMENDMENT TO FUNDING AGREEMENT #8353

THIS FIRST AMENDMENT to Agreement 8353, made and entered by and between the **EL DORADO COUNTY AIR QUALITY MANAGEMENT DISTRICT**, a county air quality management district formed pursuant to California Health and Safety Code section 40100, et seq. (hereinafter referred to as "AQMD") and **CAMERON PARK COMMUNITY SERVICES DISTRICT** (hereinafter referred to as "GRANTEE");

WITNESSETH:

WHEREAS, the California Clean Air Act requires local air pollution control districts to reduce emissions from motor vehicles; and

WHEREAS, AB2766, codified in California Health and Safety Code section 44220, et seq., authorizes districts to impose a fee of up to four dollars upon certain registered motor vehicles within AQMD's jurisdiction, and the Governing Board of the AQMD has imposed said fee; and

WHEREAS, said legislation requires AQMD to use said funds for activities related to reducing air pollution from motor vehicles and for related planning, monitoring, enforcement, and technical studies necessary for the implementation of the California Clean Air Act of 1988; and

WHEREAS, GRANTEE has proposed a project that meets the eligibility criteria of AQMD and that has been approved by AQMD and the Governing Board of AQMD for funding; and

WHEREAS, the cost of the proposed project has increased due to the difficulty to locate a contractor to install the equipment, the GRANTEE has requested an increase to the grant award, and AQMD staff has calculated the cost effectiveness and determined the project is still eligible for AB2766 grant funding; and

WHEREAS, the parties hereto desire to amend Section 4 and Exhibit B of the Agreement to make changes to reflect an increase in cost for the approved project; and

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants hereinafter contained, AQMD and GRANTEE mutually agree that Agreement #8353 shall be amended a first time, as follows:

Section 4 "COMPENSATION", subsection a) of the agreement is amended in its entirety to read as follows:

4) COMPENSATION

- a) AQMD will pay GRANTEE for work completed in accordance with this Agreement up to the sum of ONE HUNDRED FIVE THOUSAND SEVEN HUNDRED FIFTY EIGHT DOLLARS AND NO CENTS (\$105,758) as follows:
 - i) GRANTEE shall obtain through other sources sufficient additional monies to fund the total cost of the Project as outlined in the Proposal. Satisfactory written evidence of

such funding commitments shall be provided to AQMD prior to the release by AQMD of any funds under this Agreement. In the event funding from other sources for the total cost of the Project is not received by GRANTEE, AQMD reserves the right to terminate or renegotiate this Agreement. In accordance with Section 44233 of the California Health and Safety Code, GRANTEE agrees to limit expenditure of funds for the purpose of administration to not more than five percent of the monies distributed to GRANTEE.

- ii) The total obligation of AQMD under this Agreement shall not exceed ONE HUNDRED FIVE THOUSAND SEVEN HUNDRED FIFTY EIGHT DOLLARS AND NO CENTS (\$105,758).
- iii) AQMD is not obligated to pay GRANTEE for administrative costs exceeding five percent of the actual total cost of the Project.
- iv) GRANTEE's match must be at least twenty percent (20%) of requested and awarded funding or at least sixteen and sixty six hundredths percent (16.66%) of the total Project budget identified in the application.

Exhibit B "BUDGET" of the Agreement is amended in its entirety to read as follows:

FUNDING AGREEMENT 8353 - EXHIBIT B

BUDGET

CAMERON PARK COMMUNITY SERVICES DISTRICT

Project Costs:

	<u>Total</u>
Teleconference Equipment & Installation	\$126,909.08
Total Expenses	<u>\$126,909.08</u>

Funding:

	<u>Total</u>
AB2766 Grant Funding	\$105,758.00
Matching amount from the Cameron Park CSD (20%)	\$21,151.08
Total Funds	<u>\$126,909.08</u>

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates indicated below.

**--COUNTY OF EL DORADO
AIR QUALITY MANAGEMENT DISTRICT--**

By: _____

Dave Johnston
Air Pollution Control Officer
"AQMD"

Dated: _____

--CAMERON PARK COMMUNITY SERVICES DISTRICT--

By: _____

Alan Gardner
General Manager
"Grantee"

Dated: _____