# City of Garden Grove

### INTER-DEPARTMENT MEMORANDUM

To:

Matthew J. Fertal

From:

William E. Murray

Dept.:

City Manager

Dept.:

Public Works

Subject:

APPROVAL OF AMENDMENT NO. 2 TO

Date:

January 10, 2012

AGREEMENT NO. D08-034 WITH THE COUNTY OF ORANGE FOR PROPOSITION

**1B FIRST ALLOCATION** 

### **OBJECTIVE**

For City Council to approve Amendment No. 2 to Agreement No. D08-034 (Agreement) with the County of Orange (County) for redirecting \$90,000 to the Central Garden Grove Overlay Phase III Project.

#### BACKGROUND/DISCUSSION

On June 10, 2008, the City entered into Agreement No. D08-034 to receive Proposition 1B funding for various roadway improvements. Additionally, on July 28, 2009, the City Council approved Amendment No. 1 to this Agreement for receiving an additional \$300,000 for financing the Civic Center Dynamic Message Sign.

The City has experienced cost savings and funds are available to finance a portion of the Central Garden Grove Street Rehabilitation (Overlay) Phase III Project. Specifically, \$90,000 of cost savings can be utilized to rehabilitate the following street segments. All improvements would be completed by June 30, 2012.

- Pickett Avenue (Topaz to Chase)
- Chase Street (Lampson to Pickett)
- Topaz Street (Lampson to Pickett)

# FINANCIAL IMPACT

There is no impact to the General Fund. Proposition 1B will fund these improvements.

APPROVAL OF AMENDMENT NO. 2 TO AGREEMENT NO. D08-034 WITH THE COUNTY OF ORANGE FOR PROPOSITION 1B FIRST ALLOCATION
January 10, 2012
Page 2

# RECOMMENDATION

It is recommended that the City Council:

- Approve Amendment No. 2 to County Agreement No. D08-034 with the County of Orange to redirect \$90,000 to the Central Garden Grove Overlay Phase III Project; and
- Authorize the Mayor to execute the Agreement on behalf of the City.

WILLIAM E. MURRAY, P.E.

Public Works Director/City Engineer

By:

Ana Neal

Administrative Analyst

Attachment: Amendment No. 2 to County Agreement No. D08-034

Recommended for Approval

Matthew Fertal City Manager

Amendment No. 2 to Agreement No. D08-034

# AMENDMENT NO. 2 TO PROPOSITION 1B CITY AGREEMENT

This AMENDMENT NO. 2 TO CITY AGREEMENT No. <u>D08-034</u> ("Agreement") is made and entered into this day of \_\_\_\_\_\_\_, 2012, by and between the County of Orange, California, a political subdivision of the State of California ("County"), and the City of Garden Grove, a municipal corporation in the State of California ("City"). The County and City shall sometimes be referred to separately as a "Party" and collectively as the "Parties."

#### RECITALS

WHEREAS, on June 17, 2008 the County entered into Agreement No. D08-034 for the City to receive as aid, a portion of the County's Proposition 1B allocation in order to fund necessary roadway improvements in the City that are in the general County interest; and

WHEREAS, on September 29, 2009 the County and City executed Amendment No. 1 to D08-034, which included providing City an additional \$300,000 of County's Proposition 1B funds to help fund the City's Civic Center Dynamic Message Sign Project; and

WHEREAS, these additional funds were deposited with the City on December 23, 2009; and

WHEREAS, the City completed the Civic Center Dynamic Message Sign Project with a total cost of \$81,753.26, which resulted in \$218,246.74 in unexpended Proposition 1B funds; and

WHEREAS, on September 1, 2011, the City provided written notification to the County of the unexpended amount of Proposition 1B funds, and pursuant to Section I.F of the Agreement, unexpended funds must be returned to the County within a timely manner; and

WHEREAS, the City and County desire to redirect a portion of the unexpended Proposition 1B funds in an amount totaling \$90,000 to fund additional roadway and traffic safety improvements projects in the City that are in the general county interest; and

NOW, THEREFORE, it is mutually understood and agreed by the Parties:

- 1. City will return \$128,246.74 in unexpended Proposition 1B funds to County within thirty (30) calendar days of the County's invoice.
- 2. Exhibit A of this Agreement, attached hereto, shall be revised to redirect a portion of the unexpended Proposition 1B funds in the amount of \$90,000 to the City's Central Garden Grove Street Rehabilitation (Overlay) Phase III Project.

All other conditions and requirements of Agreement No. D08-034 remain in full force and effect.

IN WITNESS WHEREOF, City has caused this Agreement to be executed by its Mayor and attested by its Clerk, on the dates written opposite their signatures, all thereunto duly authorized by the City Council.

	City of Garden Grove, a municipal corporation
Date:	Ву:
·	Mayor
ATTEST:	APPROVED AS TO FORM:
	Ву:
City Clerk	City Attorney

# Amendment No. 2 to Agreement No. D08-034

IN WITNESS WHEREOF, County has caused this Agreement to be executed by the Chairman of the Board of Supervisors and attested by its Clerk on the dates written opposite their signatures, all thereunto duly authorized by the Board of Supervisors.

	County of Orange, a political subdivision of the State of California
Date:	By:Chairman, Board of Supervisors
SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD	APPROVED AS TO FORM: COUNTY COUNSEL ORANGE COUNTY, CALIFORNIA
By:	By:

EXHIBIT A (Revision 2)

County of Orange funded Proposition 1B Projects in City of Garden Grove 2007-08 Appropriation (First Allocation to County of Orange)

Supervisorial	Project & Limits	Lead Agency	Prop. 1B allocation
Tollagia	Garden Grove Blvd, Median Modifications between Beach	City of Garden	\$400 000 00
	Blvd, and Brookhurst St.	Grove	2000000
*********	Harbor Blvd. Intelligent Traffic Systems (ITS) project, Traffic	City of Garden	\$300 000 000
****	Light Synchronization	Grove	2000
	The state of the s	City of Garden	\$500 000 001
•	raifylew Street Hask Avenue mersection improvements	Grove	00.000
<b></b>		City of Garden	\$500 000 OU
	Central Garden Grove Overlay	Grove	2000
	Civic Center Dynamic Message Sign at the intersection of	City of Garden	\$81.753.26
	Euclid St. and Acacia Parkway	Grove	2
		City of Garden	
	Central Garden Grove Renabilitation (Overlay) miase in	Grove	00.000
		TOTAL	\$1,571,753.26

Page 1 of 1