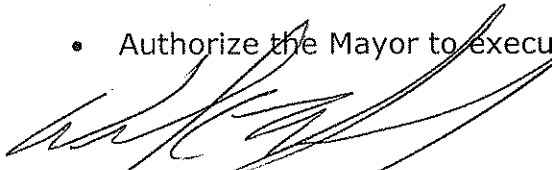


APPROVAL OF AMENDMENT NO. 2 TO AGREEMENT NO. D08-034
WITH THE COUNTY OF ORANGE FOR PROPOSITION 1B
FIRST ALLOCATION
January 10, 2012
Page 2


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. D08-034 ("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: _____

By: _____
Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

By: 

City Attorney

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: _____
Darlene J. Bloom
Clerk of the Board of Supervisors of
Orange County, California

By: _____
Deputy

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)

Supervisory District	Project & Limits	Lead Agency	Prop. 1B allocation
1	Garden Grove Blvd. Median Modifications between Beach Blvd. and Brookhurst St.	City of Garden Grove	\$100,000.00
	Harbor Blvd. Intelligent Traffic Systems (ITS) project, Traffic Light Synchronization	City of Garden Grove	\$300,000.00
	Fairview Street/Trask Avenue Intersection Improvements	City of Garden Grove	\$500,000.00
	Central Garden Grove Overlay	City of Garden Grove	\$500,000.00
	Civic Center Dynamic Message Sign at the intersection of Euclid St. and Acacia Parkway	City of Garden Grove	\$81,753.26
	Central Garden Grove Rehabilitation (Overlay) Phase III	City of Garden Grove	\$90,000.00
	TOTAL		