



RESOLUTION No. 18-492

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO GRANT AGREEMENT BETWEEN COUNTY OF NEVADA AND CITY OF NEVADA CITY PERTAINING TO RECREATION MITIGATION FUNDING

WHEREAS, on May 24, 2016, the Board of Supervisors approved a grant agreement with the City of Nevada City to allocate \$21,780 in Recreation Mitigation Funding to the Pioneer Park Picnic Area Improvement project per Resolution 16-205; and

WHEREAS, the expiration date for the Pioneer Park Picnic Area Improvement project grant agreement was on October 12, 2017; and

WHEREAS, the City of Nevada City needed additional time to complete the Pioneer Park Picnic Area Improvement project; and

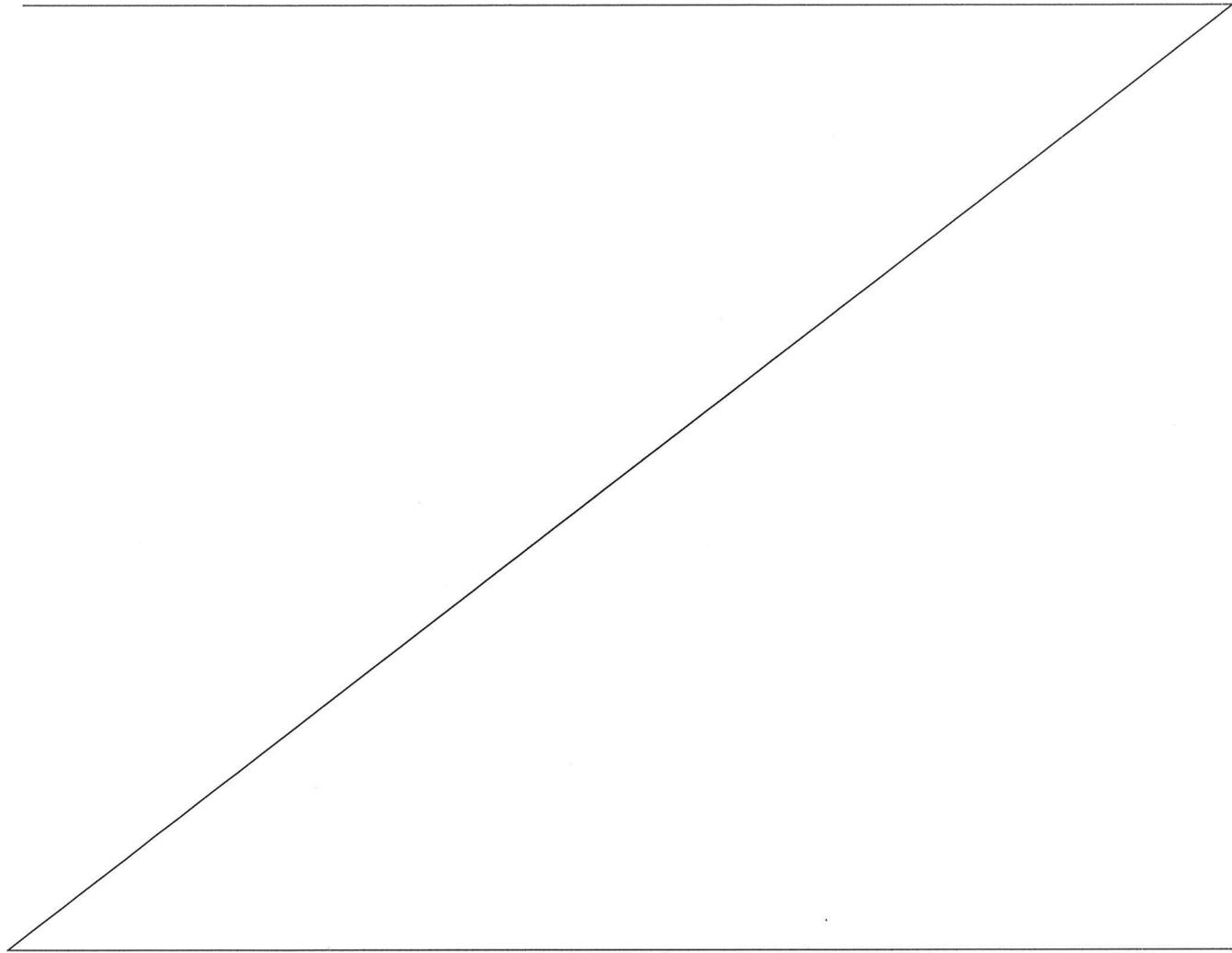
WHEREAS, Resolution 17-497 was adopted by the Board of Supervisors on September 26, 2017, amending the contract and extending the expiration date by an additional twelve months to October 12, 2018; and

WHEREAS, the City of Nevada City has been delayed by other projects and recently approved a contract for the construction of the picnic area on September 12, 2018, but the project has not been completed; and

WHEREAS, the City of Nevada City is requesting an additional six months beyond the expiration date of October 12, 2018, to complete the Pioneer Park Picnic Area Improvement project; and

WHEREAS, there is sufficient budget available to complete this project in budget code 1626-70101-325-1000/532200.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Nevada, State of California, approves Amendment No. 2 to the grant agreement between County of Nevada and City of Nevada City and authorizes the Chair of the Board of Supervisors to execute on behalf of Nevada County Amendment No. 2 to the grant agreement.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 9th day of October, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By:  _____

 _____
Edward Scofield, Chair

**AMENDMENT NO. 2 TO GRANT AGREEMENT BETWEEN COUNTY OF NEVADA
AND CITY OF NEVADA CITY**

THIS AMENDMENT is executed this 9th day of October, 2018, by and between CITY OF NEVADA CITY, hereinafter referred to as "CITY" and COUNTY OF NEVADA, hereinafter referred to as "County". Said Amendment will amend the prior agreement between the parties entitled Park and Recreation Mitigation Fees FY 2015/16 Grant Agreement executed on May 25, 2016, by Resolution No. 16-205, and amended on September 26, 2017, by Resolution No. 17-497.

WHEREAS, CITY needs additional time to improve and develop a picnic area at Pioneer Park; the specific use area authorized in the grant agreement executed by Resolution No.16-205 and amended by Resolution No. 17-497. The grant agreement was approved on May 24, 2016, but due to clean-up projects required after the harsh winter storms of 2016-2017, CITY was unable to schedule the Picnic Area Improvement project. Other projects have further delayed the picnic area project. CITY has received bids for the construction of the project and a contract was approved by CITY on September 12, 2018. CITY now finds it is necessary to extend the implementation schedule for the picnic area project. Therefore, CITY is requesting an additional six months beyond the expiration date of October 12, 2018, to complete the picnic area at Pioneer Park project, which requires a contract amendment; and

WHEREAS, the parties desire to amend their agreement to provide an additional six months for the CITY to complete the picnic area at Pioneer Park project; and

NOW, THEREFORE, the parties hereto agree as follows:

1. This amendment shall be effective as of October 9, 2018.
2. That paragraph 2 shall be changed to the following: CITY shall obtain all approvals for and shall execute the Project so that within thirty-six (36) months after the Effective Date of this Agreement, or by April 12, 2019, the Project shall be completed to the satisfaction of, and accepted by, the COUNTY and the CITY, and shall be ready and available for public use; provided, however, that said timeframe may be extended by mutual written agreement of the parties. Any funds not utilized by CITY within this timeframe shall be retained by COUNTY and may be reallocated to other qualifying projects.
3. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

APPROVED AS TO FORM:
COUNTY COUNSEL

By: 

COUNTY OF NEVADA:

By: 
Chair of the Board
of Supervisors

ATTEST:

By: 
Julie Patterson-Hunter
Clerk of the Board of Supervisors

CITY OF NEVADA CITY:

By: 