

**FIRST AMENDMENT TO
MEASURE A
PROJECT COOPERATIVE AGREEMENT**

**For project awarded to City of Lompoc in Cycle 1 of the Measure A Bicycle and
Pedestrian and Safe Routes to School Programs**

This First Amendment to the Cooperative Agreement ("this First Amendment") is entered into by and between the City of Lompoc ("Sponsor") and the SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS, acting as the Santa Barbara County Local Transportation Authority ("Authority") and collectively referred to as the "Parties."

WHEREAS, on June 20, 2013, the parties entered into the Measure A Project Cooperative Agreement to facilitate Authority providing funds to Sponsor for eligible Measure A projects; and

WHEREAS, Sponsor is requesting an extension for the Timely Use of Funds;

WHEREAS, Authority allows extensions for the Timely Use of Funds due to extraordinary or unforeseen circumstances, per the program guidelines;

WHEREAS, Sponsor's request for extension was recommended by North County Subregional Committee which made a recommendation to the SBCAG Board;

WHEREAS, Authority finds an unforeseen and extraordinary circumstance beyond the control of the Sponsor occurred;

WHEREAS, the Cooperative Agreement Section 3.7 Amendment requires both parties agree to change or modify the Agreement in writing.

NOW, THEREFORE, in consideration of the mutual promises and undertakings therein made and the mutual benefits to be derived therefrom, the Parties hereto hereby agree to amend the Cooperative Agreement through this First Amendment as follows:

1. Attachment A is attached to the Cooperative Agreement and incorporated therein by reference and amended as follows:

Timely Use of Funds Deadline: ~~6/30/2017~~ 6/30/2018

2. Section 1.8.b. Timely Use of Funds Extension. In accordance with Authority's Timely Use of Funds policy Sponsor may request one extension of up to 18 months. Extension requests will be presented to the North County Subregional Committee which will make recommendations to the SBCAG Board.

Authority may extend the deadline for timely use of funds no more than one time and only if it finds that an unforeseen and extraordinary circumstance

beyond the control of the Sponsor has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than the duration of 18 months.

3. **Ratifications.** The terms and provisions set forth in this First Amendment shall modify and supersede all inconsistent terms and provisions set forth in the Cooperative Agreement. The terms and provisions of the Cooperative Agreement, except as expressly modified and superseded by this First Amendment, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding and enforceable obligations of the parties.

IN WITNESS WHEREOF, the undersigned parties have executed this First Amendment on first day and year written below, as long as it has been signed on behalf of both parties.

ATTEST:

SBCAG, acting as the SANTA BARBARA COUNTY LOCAL TRANSPORTATION AUTHORITY:

By: 
Marjie Kirn, Executive Director

By: 
Michael Bennett, Chairperson

Date: April 20, 2017

APPROVED AS TO FORM:

By: 
Rachel Van Mullem
Chief Assistant County Counsel

[Signatures continued on page 2.]

[Signatures continued from page 1]

CITY OF LOMPOC,

By: _____
Bob Lingl, Mayor

Date: _____, 2017

ATTEST:

APPROVED AS TO FORM:

Stacey Haddon, City Clerk

Joseph W. Pannone, City Attorney