

**AMENDMENT NO. 1 TO AGREEMENT BETWEEN FULTON COUNTY, GEORGIA  
AND  
CITY OF FAIRBURN, FULTON COUNTY, GEORGIA  
FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PUBLIC INFRASTRUCTURE IMPROVEMENTS**

**THIS AMENDMENT NO. 1** (“Amendment No. 1”) to the Agreement between Fulton County, Georgia (the “County”) and the City Of Fairburn (“City of Fairburn”) is made and entered this 11<sup>th</sup> day of November 2020; and

**WHEREAS**, the County supports community development initiatives and is a recipient of federal annual allocations from the U.S. Department of Housing and Urban Development (“HUD”), under the Community Development Block Grant Program (“CDBG”); and

**WHEREAS**, the County partners with the City of Fairburn under cooperation agreements to provide entitlement Community Development Block Grant (CDBG) funds under Title I of the Housing and Community Development Act of 1974, as amended, to address certain needs of predominantly low and moderate income persons with CDBG funds; and

**WHEREAS**, on March 18, 2020 via Agenda Item #20-0185, the County and the City of Fairburn entered into that certain CDBG Public Infrastructure Agreement in the amount of \$162,487 using 2018 CDBG funding allocation to provide underground utility improvements to Dodd Street located within the City of Fairburn; and

**WHEREAS**, on January 22, 2020 via Agenda Item #20-0066, the County and the City of Fairburn entered into that certain CDBG Public Infrastructure Agreement in the amount of \$162,487 using 2019 CDBG funding allocation to provide sidewalk improvements to Dodd Street located within the City Fairburn; and

**WHEREAS**, on September 2, 2020 via Agenda Item #20-0600, the Fulton County Board of Commissioners terminated that certain CDBG Public Infrastructure Agreement that was utilizing 2018 CDBG funding to provide underground utility improvements to Dodd Street; and

**WHEREAS**, via Agenda Item # 20-0600, the Fulton County Board of Commissioners also approved an amendment to the City of Fairburn CDBG Public Infrastructure Agreement that is utilizing 2019 CDBG funding to provide sidewalk improvements to Dodd street, so as to transfer the 2018 CDBG funds in the amount of \$162,487 to the Dodd Street sidewalk improvement project; and

**WHEREAS**, with this Amendment No.1, it is the intent of the County to increase and support the total funding for the City of Fairburn CDBG Public Infrastructure Agreement for sidewalk improvements to Dodd Street from a total project cost of \$162,487 to a total project cost of \$324,974.

**NOW THEREFORE**, for and in consideration of the mutual covenants contained herein and for good and valuable consideration, the parties hereunto agree by this Amendment No. 1 to the City Of Fairburn Public Infrastructure Agreement for the Dodd Street Sidewalk Improvement Agreement to make the following changes listed below:

A. Paragraph 1 of Section 2.0 (Compensation for Services and Work) is hereby replaced in its entirety to now read as follows:

**1. The County shall make reimbursement compensation for the services described in Section 1.0 (Statement of Work) herein, during the performance of this contract, in accordance with the “Cost Reimbursement Budget” attached hereto and made a part hereof as Attachment C, in an amount not to exceed \$324,974, unless amended.**

B. Except as expressly amended and modified by this Amendment No. 1, the existing Agreement shall otherwise remain unmodified and in full force and effect, the parties hereto hereby ratifying and confirming the same. To the extent of any inconsistency between the existing Agreement and this Amendment No. 1, the terms of this Amendment No.1 shall control.

***REMAINDER OF PAGE INTENTIONALLY LEFT BLANK***

IN WITNESS WHEREOF, the Parties hereto have caused these presents to be executed by their duly authorized officials or officers, to be attested, and their respective seals (if applicable) to be hereunto affixed, as of the day and year first above written.

**FULTON COUNTY, GEORGIA**

**CITY OF FAIRBURN**

DocuSigned by:

*Robert L. Pitts*

Robert L. Pitts, Chairman  
Fulton County Board of  
Commissioners

DS

*Elizabeth Carr-Hurst*

Elizabeth Carr-Hurst, Mayor  
City of Fairburn

ATTEST:

DocuSigned by:

*Tonya Grier*

Tonya R. Grier, Clerk to the  
Commission

APPROVED AS TO CONTENT:

DocuSigned by:

*Pamela Roshell*

Pamela Roshell, PhD. MSW  
Deputy Chief Operating Officer  
Health and Human Services

APPROVED AS TO FORM:

DocuSigned by:

*Dennal Stewart*

Office of the County Attorney

DocuSigned by:

*William R. (Randy) Turner*

City of Fairburn Attorney

Item#: 2020-0660 Reg Meeting:9/2/2020