

**SUBGRANT AGREEMENT
SOUTH ST. LOUIS SOIL AND WATER CONSERVATION DISTRICT
CITY OF DULUTH
FIRST AMENDMENT**

The parties to this First Amendment to Subgrant Agreement are the South St. Louis Soil and Water Conservation District (the "SWCD") and the City of Duluth (the "City"), collectively referred to as "the Parties".

On April 18, 2019, the parties entered into a Subgrant Agreement (the "Agreement") for a project that will use FY 2019 Clean Water Fund Competitive Grants Program funding for a grant entitled "Cool it! Continued Efforts to Solve the Temperature Impairment on Miller Creek using 13 Stormwater BMPs".

The parties desire to amend the Agreement to modify the manner of payment.

Now, therefore, in consideration of the mutual covenants and conditions hereinafter contained, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Paragraph 3.2 is hereby amended in its entirety as follows:

This is a reimbursement-based grant. The City will receive Subgrant funds as work is completed by requesting reimbursement from the SWCD. Work may be reimbursed starting April 4, 2019, the date that the contract between the SWCD and the Board of Water and Soil Resources ("BWSR") was executed. There is no limit on the number of reimbursement requests made to the SWCD. Reimbursement requests to the SWCD must include detailed invoices or documentation indicating the CWF – eligible tasks for which the City is requesting reimbursement. Ten percent of the grant will be distributed to the SWCD from BWSR after the Subgrant has been fully expended and reporting requirements are met. The final payment must be requested within 20 days of the expiration date of this Subgrant Agreement. All costs must be incurred within the term of this Subgrant Agreement.

2. Except as set forth in this Amendment, all terms and conditions of the Agreement shall remain in force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date(s) indicated below:

CITY OF DULUTH

By: _____
Emily Larson, Mayor

**SOUTH ST. LOUIS SOIL AND WATER
CONSERVATION DISTRICT**

By: *Kate Kubiak*
Name: *Kate Kubiak*
Title: *Conservation Specialist*

Attest: _____
Chelsea Helmer, City Clerk

Date: 5/28/ _____, 2019

Date: _____, 2019

Countersigned:

By: _____
Josh Bailey, City Auditor
Approved as to form:

By: _____
Gunnar Johnson, City Attorney