

**AMENDMENT NO. 3 TO
MONTICELLO PUBLIC CEMETERY DISTRICT
AGREEMENT NO. 230118B (MPCD)**

THIS AMENDMENT NO. 3 OF MONTICELLO PUBLIC CEMETERY DISTRICT AGREEMENT NO. 230118B (“Agreement”) is made and entered into as of this 6th day of August 2024 by and between MONTICELLO PUBLIC CEMETERY DISTRICT, a special district organized under the laws of the State of California, hereinafter referred to as “DISRICT”, and PRESTIGE LAWN CARE MAINTENANCE, whose mailing address is 119 Parkview Lane, Napa, CA 94559, hereinafter referred to as “CONTRACTOR.” The DISTRICT and CONTRACTOR may be referred to below collectively as “Parties” and individually as “Party.”

RECITALS

WHEREAS, on August 5, 2022, DISTRICT and CONTRACTOR entered into an Agreement to provide landscape maintenance services; and

WHEREAS, the Agreement provides that the CONTRACTOR may perform non-routine maintenance work with approval by the DISTRICT; and

WHEREAS, the Parties amended the Agreement on May 16, 2023 (“Amendment No. 1”) to increase the maximum compensation payable to CONTRACTOR in Fiscal Year 2022-23 by \$20,000 from \$35,000 to \$55,000 so that the CONTRACTOR could blade the entire cemetery grounds, refurbish the plaque entrance area, and repair erosion at the Spanish Flat Water District water connection and utility boxes at the cemetery’s southeast corner; and

WHEREAS, in 2022, the DISTRICT identified the need to construct walking paths on the cemetery grounds for easier access to gravesites, particularly for seniors; and

WHEREAS, the Parties amended the Agreement on March 12, 2024 (“Amendment No. 2”) to increase the maximum compensation payable to CONTRACTOR in Fiscal Year 2023-2024 by \$65,000 from \$35,000 to \$100,000 so that the CONTRACTOR could build the walking paths. Amendment No. 2 also increased the maximum compensation payable to CONTRACTOR in future renewal periods by \$10,000 from \$35,000 to \$45,000. However, the start of the walkways project was delayed to Fiscal Year 2024-2025; and

WHEREAS, DISTRICT and CONTRACTOR now wish to amend the Agreement to increase the maximum payment amounts allowable under the Agreement in Fiscal Year 2024-25 by \$60,000 from \$45,000 to \$105,000 to fund the walkways project.

TERMS

NOW, THEREFORE, DISTRICT and CONTRACTOR amend Monticello Public Cemetery District Agreement No. 230118B (the “Agreement”) as follows:

1. Paragraph 3(c) of the Agreement is amended in its entirety to read as follows:

3. **Compensation.**

(c) Maximum Amount. Notwithstanding subparagraphs (a) and (b), the maximum payments under this Agreement shall not exceed FIFTY-FIVE THOUSAND (\$55,000) for professional services during the fiscal year ending June 30, 2023, THIRTY-FIVE THOUSAND (\$35,000) for professional services during the fiscal year ending June 30, 2024, and ONE HUNDRED AND FIVE THOUSAND (\$105,000) for professional services during the fiscal year ending June 30, 2025, provided, however, that the maximum amounts described herein shall not be construed as guaranteed sums, and compensation shall be based upon services actually rendered and reimbursable expenses actually incurred..

2. This Amendment No. 3 shall be effective August 6, 2024.

3. Except as provided herein, all other terms and provisions of the Agreement and its Amendment Nos. 1 and 2 shall remain in full force and effect as originally agreed.

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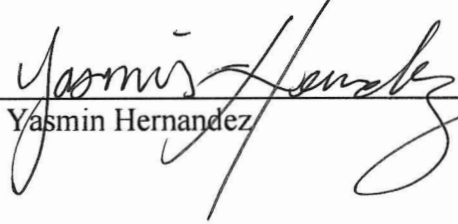
IN WITNESS WHEREOF, this Agreement was executed by the parties hereto as of the date first above written.

MIGUEL A. HERNANDEZ, Owner/Operator

By 
Miguel A. Hernandez

“CONTRACTOR”

YASMIN HERNANDEZ, Chief Financial Officer

By 
Yasmin Hernandez

MONTICELLO PUBLIC CEMETERY DISTRICT, a special district, acting by and through its Board of Trustees

By _____
JOELLE GALLAGHER, Chair
Board of Trustees
"DISTRICT"

<p>APPROVED AS TO FORM Monticello Public Cemetery District Counsel</p> <p>By: <u>Ryan FitzGerald (e-sign)</u> District Counsel</p> <p>Date: July 18, 2024</p>	<p>APPROVED BY THE MONTICELLO PUBLIC CEMETERY DISTRICT BOARD OF TRUSTEES</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>_____ Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Monticello Public Cemetery District Board of Trustees</p> <p>By: _____</p>
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