

**AMENDMENT NO. 1
TO FUNDING AGREEMENT BETWEEN
BIG SUR CG OWNER, LLC
AND THE COUNTY OF MONTEREY**

THIS AMENDMENT NO. 1 to Professional Services Agreement No. A-17616 between the County of Monterey, a political subdivision of the State of California (“County”) and Big Sur CG Owner, LLC, a Delaware Corporation (“PROJECT APPLICANT”) (collectively, the “Parties”) and effective as of the last date opposite the respective signatures below.

WHEREAS, PROJECT APPLICANT applied to the County for consideration of a Combined Development Permit and General Development Plan (“Project”), PLN240359, consisting of Coastal Development Permits and Design Approvals and Coastal Administrative Permits and Design Approvals on four parcels;

WHEREAS, PROJECT APPLICANT entered into Funding Agreement No. A-17616 with the County on February 13, 2026 (“Agreement”) to provide funding for preparation of an Initial Study and Mitigated Negative Declaration (“IS-MND”) and associated fees for a term beginning February 13, 2026, through August 31, 2026, for the not to exceed amount of \$40,275.30;

WHEREAS, concurrent with approval of the Funding Agreement, the County approved Professional Services Agreement (“PSA”) A-17616 with Denise Duffy and Associates, Inc. (“CONTRACTOR”) in the amount of \$35,628.15 to prepare the IS-MND;

WHEREAS, a correction is needed to the dollar amount of the table in Paragraph 3, “Maximum Budget Under Agreement;”

WHEREAS, additional time is necessary to allow CONTRACTOR to continue to provide services associated with the Project;

WHEREAS, the Parties wish to further amend the Agreement to extend the term for four (4) months to December 31, 2026, with no change to the Scope of Work and no increase to the Agreement amount of \$40,275.30.

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. Replace the table in Paragraph 3, “Maximum Budget Under Agreement,” to read as follows:

CONTRACTOR’s Base Budget	\$30,981.00
Project Contingency	4,647.15
County Contract Administration Fee (non-refundable)	4,647.15
Maximum Charge Under Agreement	\$40,275.30

2. Amend Paragraph 5, "Payment(s) to CONTRACTOR by County," subsection a, "CONTRACTOR," second paragraph, to read as follows:

Should this AGREEMENT be terminated prior to December 31, 2026, any unearned balance of the Base Budget deposited by PROJECT APPLICANT shall be returned to PROJECT APPLICANT within sixty (60) days of receipt of notice of termination by the County.

3. Amend Paragraph 8, "Term," to read in its entirety as follows:

AGREEMENT shall become effective upon February 13, 2026, and continue through December 31, 2026, unless terminated pursuant to Paragraph 9 of the AGREEMENT.

4. Amend Paragraph 9, "Termination," first sentence, to read as follows:

AGREEMENT shall terminate on December 31, 2026, but may be terminated earlier by PROJECT APPLICANT or the County by giving thirty (30) days' written notice to the other.

5. All other terms and conditions of the Agreement, including all Exhibits thereto, remain unchanged and in full force.
6. This Amendment No. 1 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.

****THIS SECTION INTENTIONALLY LEFT BLANK****

IN WITNESS WHEREOF, County and CONTRACTOR have executed this Amendment No. 1 as of the day and year written below.

COUNTY OF MONTEREY

By: N/A
Chief Contracts & Procurement Officer

Date: _____

By: *Craig Spencer*
Craig W. Spencer, Director

Date: 8/3/2026

**Approved as to Form
County Counsel¹**

Susan K. Blitch, County Counsel

By: *Reed Gallogly*
Deputy County Counsel

Date: 8/3/2026

Approved as to Fiscal Provisions²

By: *Patricia Ruiz*
Auditor-Controller

Date: 8/3/2026

**Reviewed as to Liability Provisions³
Office of the County Counsel-Risk
Management**

By: N/A
David Bolton, Risk Manager

Date: _____

BIG SUR CG OWNER, LLC
a Delaware Corporation

Signed by: *Edward Stromberg, III*
Member

Edward Stromberg, III
Name and Title

Date: 7/28/2026

Signed by: *Robin Bot-Miller*
Member

Robin Bot-Miller, Member
Name and Title

Date: 7/28/2026

County Board of Supervisors' Agreement No. A-17616 approved on February 10, 2026

*INSTRUCTIONS: If CONTRACTOR is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers (California Corporations Code §313). If CONTRACTOR is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managers (Corporations Code §17703.01, subds. (a) and (d)). If the CONTRACTOR is a partnership, the full legal name of the partnership shall be set forth above together with the signature of a partner who has authority to execute on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign.

¹Approval by the Office of County Counsel is required.

² Approval by Auditor-Controller or designee is required.

³ Review by Risk Manager is required only if changes are made in the Indemnification or Insurance paragraphs.