

31623

AMENDMENT NO. 1
LETTER OF AGREEMENT
BETWEEN
CITY OF LONG BEACH
AND

THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

This Amendment No. 1 to Letter of Agreement (this "Amendment"), is dated as of September 30, 2014, by and between City of Long Beach ("Project Sponsor"), and the Los Angeles County Metropolitan Transportation Authority ("LACMTA").

RECITALS:

A. Project Sponsor and LACMTA entered into that certain Letter of Agreement No. LOA.P00F1649, dated January 25, 2010, (the "Existing LOA"), which Existing LOA provides for the Willow Street Pedestrian Improvement, ("the Project"); and

B. Whereas, LACMTA Board on June 26, 2014, desires to extend the lapsing date of Funds programmed for Fiscal Year (FY) 2011-12 to June 30, 2015; and

C. Project Sponsor and LACMTA desire to amend the Existing LOA as provided herein.

AGREEMENT:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

1. Part II, Paragraph 6.1(ii) of the Existing LOA is hereby amended by deleting it in its entirety and replacing it with the following: "Funds programmed for FY 2009-10 are no longer available. Funds programmed for FY 2011-12 are subject to lapse on June 30, 2015. Project Sponsor shall allocate or obligate these Funds by the lapsing date."

2. Part II, Paragraph 8 of Existing MOU is hereby amended by deleting it in its entirety and replacing it with the following:

“8 COMMUNICATIONS:

8.1 Project Sponsor shall ensure that all Communication Materials contain recognition of LACMTA’s contribution to the Project as more particularly set forth in “Funding Agreement Communications Materials Guidelines” available on line or from the LACMTA Project Manager. Please check with the LACMTA Project Manager for the web address. The Funding Agreement Communications Materials Guidelines may be changed from time to time during the course of this Agreement. Project Sponsor shall be responsible for complying with the latest Funding Agreement Communications Materials Guidelines during the term of this Agreement, unless otherwise specifically authorized in writing by the LACMTA Chief Communications Officer.

8.2 For purposes of this Agreement, “Communications Materials” include, but are not limited to, press events, public and external newsletters, printed materials, advertising, websites radio and public service announcements, electronic media, and construction site signage. A more detailed definition of “Communications Materials” is found in the Funding Agreement Communications Materials Guidelines.

8.3 The Metro logo is a trademarked item that shall be reproduced and displayed in accordance with specific graphic guidelines. These guidelines and logo files including scalable vector files will be available through the LACMTA Project Manager.

8.4 Project Sponsor shall ensure that any subcontractor, including, but not limited to, public relations, public affairs, and/or marketing firms hired to produce Project Communications Materials for public and external purposes will comply with the requirements contained in this Section.

8.5 The LACMTA Project Manager shall be responsible for monitoring Project Sponsor compliance with the terms and conditions of this Section. Project Sponsor failure to comply with the terms of this Section shall be deemed a default hereunder and LACMTA shall have all rights and remedies set forth herein.”

3. Part I, Paragraph 8 of Existing LOA is hereby amended to change project manager to Silva Mardrussian, mail stop 99-22-6.

4. Except as expressly amended hereby, the Existing LOA remains in full force and effect as originally executed. All rights and obligations of the parties under the Existing LOA that are not expressly amended by this Amendment shall remain unchanged.

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to be duly executed and delivered as of the above date.

LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

By: 
for Arthur T. Leahy
Chief Executive Officer

Date: 2/6/14

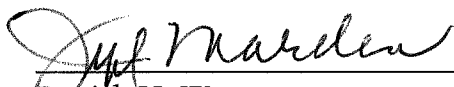
APPROVED AS TO FORM:

RICHARD D. WEISS
Acting County Counsel

By: 
Deputy

Date: 10/3/14

City of Long Beach

By: 
Patrick H. West
City Manager

Assistant City Manager

Date: 10-21-14

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

APPROVED AS TO FORM:

By: 
Charles Parkin
City Attorney

Date: 10-20-14