

CONTRACTOR'S COPY CONTRACT NO. DMH-02425

AMENDMENT NO. 5

29560

THIS AMENDMENT is made and entered into this 2nd day of March, 2010, by and between the COUNTY OF LOS ANGELES (hereafter "County") and City of Long Beach (hereafter "Contractor").

WHEREAS, County and Contractor have entered into a written Agreement, dated March 29, 2006, identified as County Agreement No. DMH-02425, and any subsequent amendments (hereafter collectively "Agreement"); and

WHEREAS, for Fiscal Year (FY) 2009-10 and any subsequent fiscal year(s) during the term of the Agreement, County and Contractor intend to amend Agreement only as described hereunder; and

WHEREAS, **effective October 21, 2009**, County and Contractor intend to amend Agreement to add new provisions to the Agreement pursuant to the new Ordinance No. 2009-0026 (Los Angeles County Code 2.206), Defaulted Property Tax Reduction Program; and

WHEREAS, County and Contractor intend to amend Agreement to modify Paragraph 28.0 (TERMINATION FOR DEFAULT) to include language in subparagraph 28.4 on "TERMINATION FOR BREACH OF WARRANTY TO MAINTAIN COMPLIANCE WITH COUNTY'S DEFAULTED PROPERTY TAX REDUCTION PROGRAM."

NOW, THEREFORE, County and Contractor agree that Agreement shall be amended only as follows:

1. Mental Health Services Act (MHSA) Master Agreement shall be modified and the following inserted therefore:

“51. CONTRACTOR’S WARRANTY OF COMPLIANCE WITH COUNTY’S DEFAULTED PROPERTY TAX REDUCTION PROGRAM:

Contractor acknowledges that County has established a goal of ensuring that all individuals and businesses that benefit financially from County through contract are current in paying their property tax obligations (secured and unsecured roll) in order to mitigate the economic burden otherwise imposed upon County and its taxpayers.

Unless Contractor qualifies for an exemption or exclusion, Contractor warrants and certifies that to the best of its knowledge it is now in compliance, and during the term of this contract will maintain compliance, with Los Angeles County Code Chapter 2.206.

52. TERMINATION FOR BREACH OF WARRANTY TO MAINTAIN COMPLIANCE WITH COUNTY’S DEFAULTED PROPERTY TAX REDUCTION PROGRAM:

Failure of Contractor to maintain compliance with the requirements set forth in Paragraph 51 (CONTRACTOR’S WARRANTY OF COMPLIANCE WITH COUNTY’S DEFAULTED PROPERTY TAX REDUCTION PROGRAM) shall constitute default under this contract. Without limiting the rights and remedies available to County under any other provision of this contract, failure of Contractor to cure such default within 10 days of notice shall be grounds upon which County may terminate this contract and/or pursue debarment of Contractor, pursuant to County Code Chapter 2.206.”

2. Paragraph 51.0 (NOTICES) shall be changed to read Paragraph 53.0. Any reference made to Paragraph 51.0 (NOTICES) shall be deemed a reference to Paragraph 53.0. Wherever the Paragraph 51.0 "NOTICES", appears in Agreement, the parties agree that Paragraph 53.0 "NOTICES" shall be substituted therefore.
3. Except as provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

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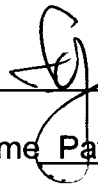
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IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Amendment to be subscribed by County's Director of Mental Health or his designee, and Contractor has caused this Amendment to be subscribed in its behalf by its duly authorized officer, the day, month, and year first above written.

COUNTY OF LOS ANGELES
By 
MARVIN J. SOUTHARD, D.S.W.
Director of Mental Health

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

City of Long Beach
CONTRACTOR

By  Assistant City Manager
Name Patrick West
Title City Manager
(AFFIX CORPORATE SEAL HERE)

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

APPROVED AS TO CONTRACT
ADMINISTRATION:

DEPARTMENT OF MENTAL HEALTH

By 
Chief, Contracts Development
and Administration Division

APPROVED AS TO FORM
3/15 2010
ROBERT E. [Signature]
By 