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FIFTH AMENDMENT TO AGREEMENT NUMBER C-124773 OF
CITY OF LOS ANGELES CONTRACT

BETWEEN

THE CITY OF LOS ANGELES

AND

THE CITY OF LONG BEACH, ACTING BY AND THROUGH ITS POLICE DEPARTMENT

THIS FIFTH AMENDMENT to Agreement Number C-124773 ("Fifth Amendment") is made and entered into by and between the City of Los Angeles, a municipal corporation (the "City"), and the City of Long Beach, a municipal corporation, acting by and through its Police Department, a political subdivision of the State of California (the "Subgrantee" or "Subrecipient").

WITNESSETH

WHEREAS, the City and Subrecipient entered into that certain City of Los Angeles Contract Number C-124773 (the "Agreement") related to the Securing the Cities Program Grant provided by the Grantor (as such term is defined in the Agreement) to the City (the "Grant"), whereby the City agreed to reimburse certain expenses incurred by the Subrecipient as a participating agency in the STC Program (as such term is defined in the Agreement) from the Grant allocations for Fiscal Year 12 ("FY 12") and Fiscal Year 13 ("FY 13"), such Agreement having a term of January 1, 2013 to July 14, 2015, with a maximum reimbursement amount from FY 12 and FY 13 Grant funds to Subrecipient in the amount of Two Hundred Sixty-Four Thousand Six Hundred Dollars (\$264,600.00), and the execution of said Agreement having been authorized by the Los Angeles City Council (C.F.# 13-1301, dated 11/05/2013); and

WHEREAS, on or about May 11, 2016, the City and the Subrecipient entered into that certain First Amendment to the Agreement ("First Amendment") which increased Subrecipient's allocation of Grant funds to Four Hundred Thousand Four Hundred Dollars (\$400,400.00) and extended the Agreement performance period to July 14, 2016, to reflect Subrecipient's allocation under the Grant ("FY 14 & 15 Grant Allocation"), such FY 14 & 15 Grant Allocation and First Amendment having been authorized by the Los Angeles City Council (C.F.# 13-1301-S1, dated 01/07/2015, and 01/19/2016); and

WHEREAS, on or about October 20, 2017, the City and the Subrecipient entered into that certain Second Amendment to the Agreement ("Second Amendment") which increased Subrecipient's allocation of Grant funds to Four Hundred Eighteen Thousand Six Hundred Sixty-Three Dollars (\$418,663.00) and extended the Agreement performance period to October 14, 2017, to reflect Subrecipient's allocation under the Grant ("FY 16 Grant Allocation"), such FY 16 Grant Allocation and Second Amendment having been authorized by the Los Angeles City Council (C.F.# 13-1301-S2, dated 01/07/2015, and 04/05/2017); and

WHEREAS, on or about September 13, 2018, the City and Subrecipient entered into that certain Third Amendment to the Agreement ("Third Amendment") which extended the Agreement performance to October 18, 2019, (FY 17 & 18 Grant Extensions), pursuant to authorization by the Los Angeles City Council (C.F. #13-1301-S2, dated 05/01/2018 and 04/05/2019) and as authorized by Section 14.8 of the Los Angeles Administrative Code ("Section 14.8"), and

WHEREAS, on or about August 4, 2020, the City and Subrecipient entered into that certain Fourth Amendment to the Agreement ("Fourth Amendment") which (a) decreased Subrecipient's allocation of Grant funds to One Hundred Ninety-Nine Thousand Four Hundred

Forty-Two Dollars and Fifty Cents (\$199,442.50), and (b) extended the Agreement performance period to October 14, 2020 (FY 19 Grant Extension), as authorized by the Los Angeles City Council (C.F. #13-1301-S2; dated 07/01/2020); and

WHEREAS, on or about April 9, 2020, the Grantor extended the Grant performance period for all allocations under the Grant to October 14, 2021, (the "FY 20 Grant Extension"), such FY 20 Grant Extension having been authorized by Section 14.8; and

WHEREAS, Section 502 of the Agreement provides for amendments to the Agreement; and

WHEREAS, the City, through its Mayor's Office of Public Safety ("Mayor's Office"), which has been designated by the City to administer the Agreement and the projects contemplated therein, and Subrecipient each desires to enter into this Fifth Amendment for the purpose of amending the Agreement to: (a) extend the term of the Agreement to reflect the FY 20 Grant Extension and (b) make such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Fifth Amendment and as authorized by Section 14.8; and

WHEREAS, this Fifth Amendment is necessary and proper to continue and/or complete certain activities authorized under the Agreement.

NOW, THEREFORE, the City and Subrecipient hereby covenant and agree that the Agreement, as previously amended, be further amended, effective January 1, 2013, as follows:


1. Section 201 of the Agreement entitled "Performance Period" is hereby amended in its entirety to read as stated within the quotation marks in the following paragraph:

"The term of this Agreement shall be from January 1, 2013 and end October 14, 2021 (the "Term"). Subrecipient shall cooperate with the City and Grantor in completing any necessary close out activities in connection with the Grant."

2. Except as herein amended or modified, all terms and conditions of the Agreement, as previously amended, shall remain unchanged and in full force and effect by way of this Fifth Amendment.
3. This Fifth Amendment may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. This Fifth Amendment includes four pages which constitute the entire understanding and agreement of the parties with respect to the matters set forth herein.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the City and Subrecipient have caused this Fifth Amendment to be executed by their duly authorized representatives.

<p>APPROVED AS TO FORM: MICHAEL N. FEUER, City Attorney</p> <p>By: <u>Barak Vaughn</u> Deputy City Attorney</p> <p>Date: <u>3/26/21</u></p>	<p>For: THE CITY OF LOS ANGELES ERIC GARCETTI, Mayor</p> <p>By: <u>E. Garcetti</u> Eric Garcetti, Mayor</p> <p>Date: <u>04/08/21</u></p>
<p>ATTEST:</p> <p>HOLLY L. WOLCOTT, City Clerk</p> <p>By: <u>[Signature]</u> Deputy City Clerk</p> <p>Date: <u>4-23-21</u></p> 	
<p>APPROVED AS TO FORM AND LEGALITY:</p> <p>By: <u>[Signature]</u> Deputy City Attorney for Sarah Green</p> <p>Date: <u>December 3, 2020</u></p>	<p>For: THE CITY OF LONG BEACH, A MUNICIPAL CORPORATION, ACTING BY AND THROUGH ITS POLICE DEPARTMENT</p>
<p>ATTEST:</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Date: _____</p>	<p>By: <u>[Signature]</u> Name: <u>Thomas B. Modica</u> Title: <u>City Manager</u> Date: <u>12/4/20</u></p>

City Business License Number: _____
Internal Revenue Service ID Number: _____
Council File/OARS File Number: 13-1301-S2 Date of Approval: 1/7/15, 1/19/2016, 4/5/2017, 5/01/2018, 4/5/2019 & 07/01/2020
City Contract Number: C-124773
CFDA: 97.106
FAIN: 2012-DN-106-00001-04