

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 FIRST AMENDMENT TO AGREEMENT NO. 30702

2 **30702**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 30702 is made and
4 entered, in duplicate, as of June 24, 2008 for reference purposes only, pursuant to a
5 minute order of the City Council of the City of Long Beach at its meeting held on
6 September 4, 2007, and a minute order of the City Council of the City of Los Alamitos at
7 its meeting held on November 5, 2007, by and between the CITY OF LONG BEACH
8 ("Long Beach"), and the CITY OF LOS ALAMITOS ("Los Alamitos").

9 WHEREAS, the parties entered Agreement No. 30702 whereby Long
10 Beach agreed to provide animal control services to Los Alamitos; and

11 WHEREAS, the Agreement contains a provision allowing the parties, by
12 mutual agreement, to extend the term of the agreement and the parties desire to do so;

13 NOW, THEREFORE, in consideration of the mutual terms and conditions in
14 the Agreement and in this First Amendment, the parties agree as follows:

15 1. Section 1 of the Agreement is hereby amended in its entirety to read
16 as follows:

17 "SECTION 1. TERM. The original term of this Agreement shall commence
18 at 12:01 a.m. on July 1, 2007, and shall terminate at midnight on June 30, 2008, and the
19 first extended term shall commence at 12:01 a.m. on July 1, 2008, and shall terminate at
20 midnight on June 30, 2010, unless sooner terminated as provided below."

21 2. Section 4.A. is hereby amended in its entirety to read as follows:

22 "A. For and in consideration of the rendition of services pursuant to this
23 Agreement, Long Beach shall be entitled to and shall retain any and all license fees and
24 other fees relating to animal control, which license fees and other fees shall be set forth
25 in Long Beach's Schedule of Fees and Charges, as periodically established and
26 amended by resolution and as approved by the City Council of Long Beach. In addition,
27 Long Beach shall be entitled to and shall retain all monies that it collects for the
28 impounding, boarding and placement of animals. The license and other fees shall be

1 those set forth in Long Beach's fee resolution, as periodically amended, and as adopted
2 by the Long Beach City Council. A schedule of license and other fees is attached as
3 Exhibit "A" and incorporated by this reference."

4 3. Section 4.C. is hereby amended in its entirety to read as follows:

5 "C. In the event and to the extent that the total amount of any and all fees
6 retained by Long Beach does not equal or exceed Eighty Thousand Seven Hundred
7 Sixty-Four Dollars (\$80,764.00) on June 30, 2008, then Los Alamitos shall pay to Long
8 Beach the difference between said total fees and \$80,764.00. Payment of the difference
9 shall be made on or before July 31, 2008. In the event and to the extent that the total
10 amount of all license fees retained by Long Beach exceeds \$80,764.00 on June 30,
11 2008, then said excess shall be divided equally between Long Beach and Los Alamitos.

12 In the event and to the extent that the total amount of any and all fees
13 retained by Long Beach does not equal or exceed Ninety Thousand Five Hundred Fifty-
14 Six Dollars (\$90,556.00) on June 30, 2009 with respect to the first extended term, then
15 Los Alamitos shall pay Long Beach the difference between the total fees and \$90,556.00.
16 Payment of the difference shall be made on or before July 31, 2009. In the event and to
17 the extent that the total amount of all license fees retained by Long Beach exceeds
18 \$90,556.00 on June 30, 2009, then the excess shall be divided equally between Long
19 Beach and Los Alamitos.

20 In the event and to the extent that the total amount of any and all fees
21 retained by Long Beach does not equal or exceed Ninety-Three Thousand Two Hundred
22 Seventy-Three Dollars (\$93,273.00) on June 30, 2010 with respect to the first extended
23 term, then Los Alamitos shall pay Long Beach the difference between the total fees and
24 \$93,273.00. Payment of the difference shall be made on or before July 31, 2010. In the
25 event and to the extent that the total amount of all license fees retained by Long Beach
26 exceeds \$93,273.00 on June 30, 2010, then the excess shall be divided equally between
27 Long Beach and Los Alamitos."

28 4. Section 4.D. is hereby amended in its entirety to read as follows:

1 "D. In the event of termination of this Agreement pursuant to Section 7 or
2 Section 9, Long Beach shall retain fees as compensation for services provided by Long
3 Beach through the effective date of the termination. In the event and to the extent that
4 the total amount of any and all fees retained by Long Beach to the effective date of
5 termination does not equal or exceed Six Thousand Seven Hundred Thirty Dollars
6 (\$6,730.00) for each month that the Agreement has been in effect until June 30, 2008,
7 then Los Alamitos shall pay to Long Beach the difference between the total fees to the
8 effective date of termination and the dollar figure obtained by multiplying \$6,730.00 times
9 the number of months the Agreement was in effect between July 1, 2007 and June 30,
10 2008. A partial month shall be deemed a full month. Payment of the difference shall be
11 made within thirty (30) days of the effective date of termination. Any excess fees shall be
12 paid to Los Alamitos.

13 In the event and to the extent that the total amount of any and all fees
14 retained by Long Beach to the effective date of termination but prior to June 30, 2009
15 does not equal or exceed Seven Thousand Five Hundred Forty-Six Dollars (\$7,546.00)
16 for each month that the Agreement has been in effect until June 30, 2009, then Los
17 Alamitos shall pay to Long Beach the difference between the total fees to the effective
18 date of termination and the dollar figure obtained by multiplying \$7,546.00 times the
19 number of months the Agreement was in effect between July 1, 2008 and June 30, 2009.
20 A partial month shall be deemed a full month. Payment of the difference shall be made
21 within thirty (30) days of the effective date of termination. Any excess fees shall be paid
22 to Los Alamitos.

23 In the event and to the extent that the total amount of any and all fees
24 retained by Long Beach to the effective date of termination does not equal or exceed
25 Seven Thousand Seven Hundred Seventy-Three Dollars (\$7,773.00) for each month that
26 the Agreement has been in effect until June 30, 2010, then Los Alamitos shall pay to
27 Long Beach the difference between the total fees to the effective date of termination and
28 the dollar figure obtained by multiplying \$7,773.00 times the number of months the

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Agreement was in effect between July 1, 2009 and June 30, 2010. A partial month shall be deemed a full month. Payment of the difference shall be made within thirty (30) days of the effective date of termination. Any excess fees shall be paid to Los Alamitos."

5. Exhibit "A" is attached hereto and incorporated by this reference.

6. Except as expressly amended in this First Amendment, the terms and conditions to Agreement No. 30702 are ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

CITY OF LOS ALAMITOS, a municipal corporation

8-19-08, 2008

By [Signature]
City Manager
"Los Alamitos"

This First Amendment to Agreement No. 30702 is approved as to form on 8-18-08, 2008.

By: [Signature]
City Attorney, Los Alamitos

CITY OF LONG BEACH, a municipal corporation
EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

9.4, 2008

By [Signature] - Assistant City Manager
City Manager
"Long Beach"
EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This First Amendment to Agreement No. 30702 is approved as to form on August 25, 2008.

ROBERT E. SHANNON, City Attorney
By: [Signature]
Deputy City Attorney

MASTER FEE AND CHARGES SCHEDULE

CITY OF LONG BEACH					
DEPARTMENT: HEALTH AND HUMAN SERVICES					
FY 09 Proposed Fee Schedule: Animal Control Division					
Fee No.	Fee Name	Description	Current Fee	Requested Fee	Per
ANIMAL CONTROL FEES AND CHARGES					
Animal Control Fees					
A001	Redemption of animal previously released by owner	Fee to get back animal that was previously released to animal control by owner	\$10	\$11	Day
A002	Redemption of animal previously released by owner	Fee to get back animal that was previously released to animal control by owner	\$8	\$9	Additional day or portion thereof
A010	Pick Up Fee (First Officer)	Fee for one (1) Animal Control Officer to pick up an owner animal	\$40	\$43	First Officer
A011	Pickup Fee (Each Additional Officer)	Fee for each additional Animal Control Officer (after the First Officer) needed to pick up an owner animal	\$30	\$32	Each additional officer
A020	Dog Spay and Neuter Fee/Deposit (Rescue Group Only)	Cost to spay/neuter dogs adopted to rescue groups only	Actual cost	Actual cost	Dog
A030	Cat Spay and Neuter Fee/Deposit (Rescue Group Only)	Cost to spay/neuter cats adopted to rescue groups only	Actual cost	Actual cost	Cat
Fees for Impounding					
A040	Impound/Capture Fee	Fee for Animal Control Officer time required to capture and impound an animal (\$30 minimum)	\$30	\$55	For each hour (or fraction of an hour) spent per officer in the capture and impounding
A050	For Dogs	First Impound	\$25	\$27	Each dog
A051	For Dogs	Second Impound	\$35	\$37	Each dog
A052	For Dogs	Third Impound	\$65	\$70	Each dog
A053	For Dogs	Fourth and Subsequent Impounds	\$65 + \$50 per add'l impound after third impound	\$65 + \$50 per add'l impound after third impound	Each dog
A060	For Livestock (cows, goats, sheep, pigs, etc.)	Fee to impound livestock	\$60	\$64	Each animal
A070	Fowl and Birds	Fee to impound fowl and birds	\$20	\$21	Each animal
A080	For Cats	First Impound	\$25	\$27	Each cat
A081	For Cats	Second Impound	\$35	\$37	Each cat
A082	For Cats	Third Impound	\$65	\$70	Each cat
A083	For Cats	Fourth and Subsequent Impounds	\$65 + \$50 per add'l impound after third impound	\$65 + \$50 per add'l impound after third impound	Each cat
A090	Livestock	Fee for board and care of livestock	\$7 + actual cost	\$8 + actual cost	Day
A100	Animals, other than livestock and exotic animals	Fee for board and care of animals (dogs, cats, etc.)	\$8	\$9	Day
A110	Exotic animals	Fee for board and care of exotic animals	\$5 + actual cost	\$6 + actual cost	Day
Licensing Fees					
A120	Puppies over 4 months old, but under 12 months old	Puppies under 12 months but over 4 months old can be licensed on a monthly basis. Minimum charge of 6 months or pro-rated for each month accordingly	Prorate A121 - A142	Prorate A121 - A142	Dog
A121	12 months - Unaltered	12 month dog license fee for dogs that are Not altered (Not spay/neutered)	\$85	\$91	Dog
A122	12 months - Altered	12 month dog license fee for dogs that are altered (spay/neutered)	\$18	\$19	Dog
A130	Monthly Portions - Unaltered	Rate includes additional fee for administrative costs	\$5 or fraction	\$6 or fraction	Dog
A131	Monthly Portions - Altered	Rate includes additional fee for administrative costs	\$1.50 or fraction	\$2.00 or fraction	Dog
A141	Senior Citizen Rate - 12 months	Senior Citizen rate for 12 month dog license fee; applies to one dog/household only and for altered dogs only	\$9	\$10	Dog

MASTER FEE AND CHARGES SCHEDULE

CITY OF LONG BEACH					
DEPARTMENT: HEALTH AND HUMAN SERVICES					
FY 09 Proposed Fee Schedule: Animal Control Division					
Fee No.	Fee Name	Description	Current Fee	Requested Fee	Per
A150	Dog License Late Fee	Fee for new/renewal dog licenses that are purchased late; applies to unaltered and altered dogs	\$25	\$27	Dog
A170	Duplicate Dog License	Fee to issue duplicate dog license tag (altered/unaltered)	\$5	\$6	Tag
Inoculations					
A180	Anti-Rabies	Fee for rabies vaccination	\$7	\$8	Vaccination
A190	Distemper/Parvo	Fee for distemper/parvo vaccination	\$14	\$15	Vaccination
A195	Bordetella	Fee for bordetella vaccination	\$14	\$15	Vaccination
A200	Feline Viral Rhinotracheitis CP	Fee for feline viral rhinotracheitis CP vaccination (cat)	\$14	\$15	Vaccination
A210	Microchip	Fee to place microchip in pet	\$25	\$27	Animal
Drop Off/Owner Relinquished Animals (Dogs, Cats, Other)					
A215	Placeable dog with current license and placeable cat/other	Fee to release placeable (adoptable) dog with current license and placeable cat/other animal to animal control	\$50	\$54	Animal
A216	Non-placeable dog with current license and non-placeable cat/other	Fee to release non-placeable (non-adoptable) dog with current license and non-placeable cat/other animal to animal control	\$70	\$75	Animal
A217	Placeable dog without current license	Fee to release placeable (adoptable) dog without current license to animal control - includes license late fee	\$75	\$80	Animal
A218	Non-placeable dog without current license	Fee to release non-placeable (non-adoptable) dog without current license to animal control - includes license late fee	\$95	\$102	Animal
A219	Commercial trapping relinquishment fee (wildlife)	Fee for commercial trapping businesses to release wildlife	\$25	\$27	Animal
A222	Non-resident Owner Relinquishment - Dead/Alive	Fee for non-residents to release an owned animal to animal control	\$100 + applicable relinquish-ment fee	\$107 + applicable relinquish-ment fee	Animal
A223	Stray/Non-Owner Relinquishment - Dead/Alive	No fee to release stray (not owned) animals to animal control	No charge	No charge	NA
Dead Animal Disposal					
A220	Owner Relinquished Dead Animal Disposal	Fee to dispose of an owner's deceased pet	\$20	\$21	Animal
A221	Veterinarian Relinquished Dead Animal Disposal	Fee to dispose of dead animals relinquished by veterinarians - per animal/barrel	\$20	\$21	Animal
			\$100	\$107	Barrel
A224	Institution (School, Business, Etc.) Relinquished Dead Animal Disposal	Fee to dispose of dead animals relinquished by institutions (school, business, etc.) - per animal/barrel	\$20	\$21	Animal
			\$100	\$107	Barrel
A225	Owner Relinquished Large Animal (Livestock, etc.) Disposal	Fee to dispose of owner's large animal (livestock, etc.) carcass	\$100 + cost of actual disposal	\$107 + cost of actual disposal	Animal
Cat Traps					
A230	Deposit	Deposit fee to rent cat trap; Deposit is forfeited after 30 days if trap is not returned or damaged	\$90	\$96	Trap
A240	Rental Charge	Charge to rent cat trap - charge begins on the first day of rental	\$3	\$5	Day
A250	Trap Pick-up or Drop-off	Fee for animal control to pick-up or drop-off a trap	\$40	\$43	Pick-up/Drop-off
Euthanasia					
A260	Euthanasia	Fee for euthanasia - only for animals that can be immediately euthanized, by law. Additional drop-off fee applies.	\$65	\$70	Animal
Permits					
A310	Animal Menagerie (Petting Zoo) 1-3 days	Permit fee for animal menagerie (petting zoo) lasting up to 3 days	\$100	\$107	Event

MASTER FEE AND CHARGES SCHEDULE

CITY OF LONG BEACH					
DEPARTMENT: HEALTH AND HUMAN SERVICES					
FY 09 Proposed Fee Schedule: Animal Control Division					
Fee No.	Fee Name	Description	Current Fee	Requested Fee	Per
A311	Animal Menagerie (Petting Zoo) 4 + days	Permit fee for animal menagerie (petting zoo) lasting 4 or more days - must purchase annual permit	\$300	\$321	Annual
A320	Animal Exhibition (Circus, Rodeo, Battle Re-enactment, etc.) First Day (Arrival Day)	Fee for animal control officers to inspect animals on first day/arrival day	\$450	\$482	Arrival Day
A321	Animal Exhibition (Circus, Rodeo, Battle Re-enactment, etc.) Last Day (Departure Day)	Fee for animal control officers to inspect animals on departure day	\$450	\$482	Departure Day
A322	Animal Exhibition (Circus, Rodeo, etc.) Each Additional Day	Permit fee for each day of animal exhibition, except arrival/departure days	\$225	\$241	Day
A330	Wild/Exotic Animal - First Animal	Permit fee for first wild/exotic animal - Some reptiles may require a vicious animal permit	\$55	\$59	Annual
A331	Wild/Exotic Animal - Each Additional Animal After First	Permit fee for each wild/exotic animal (after first animal) - Some reptiles may require a vicious animal permit	\$15	\$16	Annual
A340	Guard Dog Companies	Site permit fee for companies with guard dogs	\$175	\$187	Annual
A350	Filming Animals (Movies, Commercials) - First Day	Permit fee for filming animals for movies or commercials	\$100	\$107	First Day
A351	Filming Animals (Movies, Commercials) - Each additional day	Permit fee for each additional day of filming	\$25	\$27	Additional Day
A352	Filming Animals (Movies, Commercials) - Animal Control Officer time as needed	Fee for Animal Control Officer to remain on location during filming	\$30	\$55	Hour
A356	Dog Breeding Permit Application	Fee to process dog breeding permit application - non-refundable	\$200	\$214	Application
A357	Dog Breeding Permit	Fee for dog breeding permit - non-refundable	\$300	\$321	Annual
A358	Transfer for Sale Permit - Dog Breeders	Permit fee for approved breeders to sell puppies	\$500	\$535	Litter
A359	Transfer for Sale Permit - Pet shops	Fee for pet shops to sell/transfer animals	\$500	\$535	Annual
A360	Animal related events that promote pure bred animals, such as dog shows	Permit fee for animal related events promoting pure bred animals, such as dog shows	\$1,000	\$1,100	Day
A361	Property Reinspection Fee	Fee to reinspect properties of groups [501(C)(3)] exempt from breeding/transfer application and breeding permit fees	\$50	\$55	Reinspection
A362	Animal related events not specified above, such as dog walks, etc.	Fee for events put on by local charities	\$25	\$27	Day
A364	Vicious Animal Permit	Permit fee for owners of vicious animals	\$350	\$375	Annual
A366	Vicious Animal Re-Inspection	Fee for animal control officers to re-inspect premises where vicious animal resides	\$175	\$190	Each Re-inspection
Animal Sales					
A370	Cat Sales	Sales to approved Rescue Groups only - includes all vaccinations	\$17	\$18	Cat
A371	Dog Sales	Sales to approved Rescue Groups only - includes all vaccinations	\$25	\$27	Dog
374.5					
A372	Court Restitution	Reimbursement for animal control staff time needed to prepare/file court cases (per hour)	\$30/hr.	\$55	Hour spent on case
Plan Check Fees					
APC1	Veterinary Clinic	Fee charged for plan review on new/remodel veterinary clinics	\$156	\$167	Plan check
Pet Shop					
APC2	Pet Shops with less than 12 animals for sale	Fee charged for plan review on new/remodel pet shops	\$156	\$167	Plan check
APC3	Pet Shops with 12+ animals for sale	Fee charged for plan review on new/remodel pet shops	\$234	\$250	Plan check
APC4	Pet Groomers	Fee charged for plan review on new/remodel pet grooming facilities	\$156	\$167	Plan check
Kennel/ DayCare					

MASTER FEE AND CHARGES SCHEDULE

CITY OF LONG BEACH DEPARTMENT: HEALTH AND HUMAN SERVICES FY 09 Proposed Fee Schedule: Animal Control Division					
Fee No.	Fee Name	Description	Current Fee	Requested Fee	Per
APC5	Facilities with animal occupancy of less than 25	Fee charged for plan review on new/remodel kennels/animal day care facilities	\$156	\$167	Plan check
APC6	Facilities with animal occupancy between 25 - 75	Fee charged for plan review on new/remodel kennels/animal day care facilities	\$234	\$250	Plan check
APC7	Facilities with animal occupancy of 75+	Fee charged for plan review on new/remodel kennels/animal day care facilities	\$306	\$327	Plan check
Horse Stables					
APC7	Boarding stables - less than 12 horses	Fee charged for plan review of new/remodel horse stables	\$156	\$167	Plan check
APC8	Boarding stables - between 12 -25 horses	Fee charged for plan review of new/remodel horse stables	\$234	\$250	Plan check
APC9	Boarding stables - more than 25 horses	Fee charged for plan review of new/remodel horse stables	\$306	\$327	Plan check
Administrative Penalties For Long Beach Municipal Code Violations					
Dog Licensing and Fowl, Rabbits & Goats					
A400	First Violation	Penalty charged for L.B.M.C. Section 6.08 and 6.20 violations (Dog Licensing and Fowl, Rabbits & Goats)	\$50	\$54	Violation
A401	Second Violation within One Year of Initial Violation	Penalty charged for L.B.M.C. Section 6.08 and 6.20 violations (Dog Licensing and Fowl, Rabbits & Goats)	\$100	\$107	Violation
A402	Third and Subsequent Violations within One Year of Initial Violation	Penalty charged for L.B.M.C. Section 6.08 and 6.20 violations (Dog Licensing and Fowl, Rabbits & Goats)	\$250	\$268	Violation
Animal Shelter, Rabies Control, Police Animals & Animal Regulations					
A403	First Violation	Penalty charged for L.B.M.C. Sections 6.04; 6.12; 6.28; 6.16 excluding Sub-sections 6.16.080 & 6.16.190 violations	\$100	\$107	Violation
A404	Second Violation within One Year of Initial Violation	Penalty charged for L.B.M.C. Sections 6.04; 6.12; 6.28; 6.16 excluding Sub-sections 6.16.080 & 6.16.190 violations	\$200	\$214	Violation
A405	Third and Subsequent Violations within One Year of Initial Violation	Penalty charged for L.B.M.C. Sections 6.04; 6.12; 6.28; 6.16 excluding Sub-sections 6.16.080 & 6.16.190 violations	\$500	\$535	Violation
Animal Breeding & Transfer					
A406	First Violation - Alters animal	Penalty charged for L.B.M.C. Sections 6.16.080 & 6.16.190 violation	\$350	\$375	Violation
A407	Subsequent Violations - Alters animal	Penalty charged for L.B.M.C. Sections 6.16.080 & 6.16.190 violation	\$700	\$749	Violation
A408	First Violation - Refuses to alter animal	Penalty charged for L.B.M.C. Sections 6.16.080 & 6.16.190 violation	\$700	\$749	Violation
A409	Subsequent Violations - Refuses to alter animal	Penalty charged for L.B.M.C. Sections 6.16.080 & 6.16.190 violation	\$1,000	\$1,070	Violation