

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

FIRST AMENDMENT TO AGREEMENT NO. 32469

32469

THIS FIRST AMENDMENT is made and entered into, in duplicate, as of October 1, 2012, for reference purposes only, pursuant to a minute order of the City Council of the City of Long Beach at its meeting held on November 15, 2011, by and between the CITY OF LONG BEACH, a municipal corporation (hereinafter "CITY"), and LONG BEACH PUBLIC TRANSPORTATION COMPANY (hereinafter "TRANSIT"), a California nonprofit corporation, whose business is located at 1963 E. Anaheim Street, Long Beach, California 90813.

WHEREAS, the Parties executed Agreement No. 32469 wherein City agreed to provide Transit with law enforcement services for an initial term of one (1) year; and

WHEREAS, the Parties now desire to extend the term for an additional year;

NOW, THEREFORE, in consideration of the above premises and mutual terms and conditions herein, the parties agree as follows:

1. Section 1 of Agreement No. 32469 is hereby deleted and amended in its entirety to read as follows:

"Section 1. Unless otherwise terminated sooner in accordance with the provisions herein, this Agreement shall commence on October 1, 2012, and shall terminate at midnight on September 30, 2013. Subject to City Manager approval, Transit shall have the option to renew the Agreement for one (1) additional term of one (1) year."

2. Section 9 of Agreement No. 32469 is hereby deleted and amended in its entirety to read as follows:

"Section 9. TRANSIT shall reimburse CITY as described in Exhibit "B" attached hereto and incorporated herein by this reference. Subject to the condition set forth in Section 13, approval by TRANSIT, CITY shall adjust reimbursement to reflect changes in actual cost. CITY shall provide upon request, records, reports and invoices of

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1 services rendered provided in Sections 2 and 5 for TRANSIT auditor(s) review. CITY
2 shall be responsible for LBPD's expenses and labor costs associated with sick time,
3 position vacancy, extended or short term leaves for any officer assigned to the LBPD
4 Transit Dedicated Unit provided in Section 2, except where TRANSIT requests additional
5 service above and beyond the LBPD Transit Dedicated Unit to be rendered by officers
6 and/or sergeants in addition to those services provided in Section 2, which shall be
7 reimbursed at the overtime rate in effect at the time of such overtime accrued."

8 3. Except as expressly amended in this First Amendment, the terms
9 and conditions of Agreement No. 32469 are ratified and confirmed and shall remain in full
10 force and effect.

11 IN WITNESS WHEREOF, the parties hereto have caused this First
12 Amendment to Agreement No. 32469 to be duly executed with all the formalities required
13 by law as of the date first above written.

14 LONG BEACH PUBLIC TRANSPORTATION
15 COMPANY, a California nonprofit corporation

16 Oct. 12, 2012

16 By Laurence W. Jackson

17 Laurence W. Jackson

Type or Print Name

18 "TRANSIT"

19 CITY OF LONG BEACH, a municipal
20 corporation

21 12. 4, 2012

21 By [Signature] **Assistant City Manager**

22 City Manager

23 "City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

24 This First Amendment is approved as to form this 5th day of

25 November, 2012.

26 ROBERT E. SHANNON, City Attorney

27 By Gary J. Anderson
28 Gary J. Anderson, Deputy City Attorney

EXHIBIT "B"

**Cost of Police Services to the
Long Beach Public Transportation Company**

(Effective October 1, 2012 - September 30, 2013)

DIRECT COSTS

PERSONNEL Straight Time	# of Positions	Annual Hours to be billed	Hourly Rate	Totals	Subtotals
Police Officer	5.0	10,440	\$64.885	677,401	
Police Sergeant	1.0	2,088	\$83.821	175,019	\$852,420
Premium Pay - 1 Officer Car 4:30PM to 7:30AM					
Premium Pay		4,056	\$4.161	16,877	\$16,877
Worker's Compensation (FY13 amount/hr)					
Sergeant & Officers	6.0	12,528	\$3.761	47,118	\$47,118
Overtime w/Medicare cost (to be billed only as used)					
Police Officer OT	--	304	\$70.533	21,442	\$21,442
TOTAL PERSONNEL COSTS					937,857

EQUIPMENT	# of Units	Est Unit Monthly Cost	Totals	
Fleet - Black & White Vehicles ¹	4	1,542	73,998	\$73,998
Tech Svcs - Radios, Computers, PDA		1,081	12,970	\$12,970
TOTAL EQUIPMENT COSTS				86,967
TOTAL DIRECT COSTS				1,024,824

INDIRECT COSTS

Indirect Costs ^{2,3} Police Department Costs only	341,432
TOTAL Annual Costs October 1, 2012 - September 30, 2013	1,366,256

Notes: ¹Black & White Patrol Vehicles are to be billed at actual costs (LBT fuels and maintains Sgt. vehicle; City responsible for install and maintenance of lights, radio, electronics and police equipment on Sgt. vehicle)
²Indirect Costs excludes WC costs, Fleet & Tech Services, which are direct charged
³From FY13 Matrix Cost Allocation Plan (less exclusions noted above)

LONG BEACH POLICE DEPARTMENT

Cost of Police Services to the Long Beach Public Transportation Company

Two-Year Cost Projections
(Contract expires September 30, 2014)*

DIRECT COSTS		FY14 ESTIMATE ONLY		FY15 ESTIMATE ONLY	
PERSONNEL	FY13	FY14 Est.	FY14	FY15 Est.	FY15
Straight Time	(Oct '12-Sep'13)	(Oct '13-Sep'14)	Est % Increase	(Oct '14-Sep'15)	Est % Increase
Police Officer ⁴	\$677,401	\$680,788	0.5%	\$680,788	0%
Police Sergeant	\$175,019	\$175,019	0%	\$175,019	0%
Premium Pay - 1 Officer Car					
Premium Pay ⁴	\$16,877	\$16,961	0.5%	\$16,961	0%
Worker's Compensation					
Sergeant & Officers	\$47,118	\$48,531	3%	\$49,987	3%
Overtime w/Medicare cost					
Police Officer OT	\$21,442	21,549	0.5%	\$21,549	0%
Personnel Total	\$937,857	\$942,849		\$944,305	
EQUIPMENT					
Fleet - Black & White ¹	\$73,998	\$75,477	2%	\$76,987	2%
Tech Svcs - Radios, Computers, PDA	\$12,970	\$13,229	2%	\$13,493	2%
Equipment Total	\$86,967	\$88,706		\$90,480	
TOTAL DIRECT COSTS	\$1,024,824	\$1,031,555		\$1,034,785	
INDIRECT COSTS					
Indirect Costs ^{2,3}	341,432	\$351,675	3%	\$362,225	3%
TOTAL AGREEMENT COSTS	\$1,366,256	\$1,383,230		\$1,397,010	

Notes:

- ¹ Black & White Patrol Vehicles are to be billed at actual costs
 - ² Indirect Costs excludes WC costs, Fleet & Tech Services, which are direct charged
 - ³ From FY13 Matrix Cost Allocation Plan (less exclusions noted above)
 - ⁴ Police Officer Salary Increase of 1% effective April 1, 2014 (shown as .5% increase to reflect mid-year adjustment)
- * Two one-year options to renew are possible (October 1, 2012 first option; October 1, 2013 second option)