

32645

FIRST AMENDMENT TO CONTRACT NUMBER C-119905 OF
CITY OF LOS ANGELES CONTRACT
BETWEEN
THE CITY OF LOS ANGELES
AND
THE CITY OF LONG BEACH

THIS FIRST AMENDMENT to Contract Number C-119905 ("First 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 (the "Subgrantee" or "Subrecipient").

WITNESSETH

WHEREAS, the City and the Subrecipient entered into that certain City of Los Angeles Contract Number C-119905 (the "Agreement") related to the Fiscal Year ("FY") 2010 Urban Areas Security Initiative Grant ("UASI 10" or the "Grant"), whereby the City agreed to disburse UASI 10 grant funds to the Subrecipient in accordance with the UASI 10 approved budget and Subrecipient agreed to use the grant funds to address the unique planning, equipment, training, organization and exercise needs of the area, to assist in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from threats or acts of terrorism, such Agreement having a term of October 28, 2010 through April 30, 2013; and

WHEREAS, on or about July 19, 2011, the Los Angeles City Council authorized the execution of said Agreement between the City and Subrecipient, with a term of October 28, 2010 through April 30, 2013 and an original allocation of UASI 10 grant funds to the Subrecipient in the amount of Three Million Two Hundred Seventy-Eight Thousand Five Hundred Seventy-Three Dollars (\$3,278,573.00) (C.F. 10-1166, dated July 19, 2011); and

WHEREAS, on or about February 26, 2013, April 19, 2013 and May 21, 2013, California Emergency Management Agency ("CalEMA") approved modifications to the UASI 10 budget for contingency projects in the Los Angeles/Long Beach Urban Area ("LA/LB UA") which, in part, reallocated Five Hundred Twenty Six Thousand Twenty Dollars (\$526,020.00) of UASI 10 funds from the LA/LB UA Region to the Subrecipient to fund, in part, its Integrated Ballistic Identification System project, the Modular Training Classroom project, and the Grand Prix Operational Overtime funding (collectively, the "Contingency Modification"), such Contingency Modification having been authorized under Section 14.8 of the Los Angeles Administration Code ("Section 14.8"); and

WHEREAS, the Subrecipient and the City, acting through its Mayor's Office of Homeland Security and Public Safety ("Mayor's Office"), agreed to amend the Agreement, such that the Subrecipient's original allocation of UASI 10 funds as set forth in the Agreement would be increased by Five Hundred Twenty Six Thousand Twenty Dollars (\$526,020.00) (the "Increased Amount") of UASI 10 funds for a new total amount of Three Million Eight Hundred Four Thousand Five Hundred Ninety-Three Dollars (\$3,804,593.00) of UASI 10 funds pursuant to authorization provided by Section 14.8; and

WHEREAS, Section 505 of the Agreement provides for amendments to the Agreement;
and

WHEREAS, the City and the Subrecipient are desirous of entering into this First Amendment for the purpose of amending or modifying the Agreement to (a) increase the funding of the Agreement by the Increased Amount to reflect the Contingency Modification and (b) make any such other changes as are required in connection with the foregoing, all as detailed elsewhere in this First Amendment and as authorized by Section 14.8; and

WHEREAS, this First 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 be amended as follows:

1. Paragraph A of Section 301 of the Agreement entitled "Payment of Grant Funds and Method of Payment" is hereby amended in its entirety to read as stated within the quotation marks in the following 2 paragraphs:


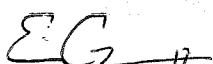


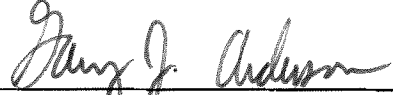


"The City of Los Angeles shall disburse to Subrecipient its allocated Grant Amount of Three Million Eight Hundred Four Thousand Five Hundred Ninety-Three Dollars (\$3,804,593.00) to be used for purchase of equipment, planning, exercises, organizational activities, and training as described in Section 202 above. Such Grant Amount represents the amount allocated to Subrecipient in the FY10 UASI grant and budget, as may be amended. The disbursement shall be made on a reimbursement basis only.

Subrecipient shall maintain procedures to minimize the time elapsing between the award of Grant Funds and the expenditure of funds to be reimbursed by such Grant Funds."

This First Amendment increases Subrecipient's original allocation of UASI 10 grant funds under the Agreement by the Increased Amount, reflecting the Contingency Modification. The Budget (as such term is defined in the Agreement) shall be amended accordingly to reflect such modification and Subrecipient's use of grant funds in connection thereto.

2. Except as herein amended, all terms and conditions of the Agreement shall remain unchanged and in full force and effect by way of this First Amendment.
3. This First 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 First Amendment includes three (3) pages which constitute the entire understanding and agreement of the parties hereto in connection with the matters set forth herein.

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

<p>APPROVED AS TO FORM AND LEGALITY: Michael N. Feuer, City Attorney</p> <p>By <u></u> Deputy City Attorney</p> <p>Date <u>8/28/13</u></p>	<p>For: THE CITY OF LOS ANGELES ERIC GARCETTI, Mayor</p> <p>By <u></u></p> <p>ERIC GARCETTI, Mayor Homeland Security and Public Safety, Mayor's Office</p> <p>Date <u>05 SEP 2013</u></p>
<p>HOLLY WOLCOTT, Interim City Clerk</p> <p>By <u></u> Deputy City Clerk</p> <p>Date <u>09-09-2013</u></p>	
<p>APPROVED AS TO FORM:</p> <p>By <u></u> CHARLES PARKIN, ACTING CITY ATTORNEY</p> <p>Date <u>August 2, 2013</u></p>	<p>For: The City of Long Beach, a municipal corporation</p> <p>By <u></u> PATRICK H. WEST, CITY MANAGER</p> <p>Date <u>8/6/13</u></p>
<p>ATTEST:</p> <p>By <u></u> LARRY G. HERRERA, CITY CLERK</p> <p>Date <u>8-6-2013</u></p>	<p>[SEAL]</p>

City Business License Number: _____
Internal Revenue Service ID Number: _____
Council File/OARS File Number: 10-1166 Date of Approval: July 19, 2011
City Contract Number: C-119905 -1