OFFICE OF THE LONG BEACH ATTORNEY CHARLES PARKIN, Long Beach Attorney 333 West Ocean Boulevard, 11th Floor Long Beach. CA 90802-4664

FIRST AMENDMENT TO AGREEMENT NO. 32997

THIS FIRST AMENDMENT TO AGREEMENT NO. 32997 is made and entered, in duplicate, as of October 24, 2018 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on December 11, 2012, and pursuant to a resolution or minute order adopted by the City Council of the City of Hawaiian Gardens at its meeting on February 26, 2013, by and between the CITY OF HAWAIIAN GARDENS, a municipal corporation ("Hawaiian Gardens"), and the CITY OF LONG BEACH, a municipal corporation ("Long Beach").

WHEREAS, Hawaiian Gardens and Long Beach (the "Parties") entered into Agreement No. 32997 whereby Long Beach agreed to provide certain traffic signal maintenance services to Hawaiian Gardens; and

WHEREAS, the Parties desire to extend the term and update the compensation rate;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein contained, the Parties agree as follows:

- 1. Section 3 of Agreement No. 32997 is hereby amended to read as follows:
- "3. Term. The term of this Agreement shall begin on January 1, 2013 and shall end on December 31, 2023. The Parties may extend the term of this Agreement for one (1) additional period of five (5) years, by mutual agreement and amendment hereto following authorization by their respective legislative bodies. Either party may terminate this Agreement by giving at least sixty (60) days prior notice of termination to the other party. In the event of termination, Hawaiian Gardens shall pay to Long Beach for services performed and costs incurred to the effective date of termination for which Long Beach has not been previously paid. The procedure for payment in Section 2 shall apply."
- 2. The Compensation Rate contained in Exhibit "B-1" to this Amendment hereby replace and supersede the rates attached to the Agreement. Exhibit "B-1" to this

Amendment is hereby incorporated into the Agreement as a replacement Exhibit "B".

Except as expressly modified herein, all of the terms and conditions 3. contained in Agreement No. 32997 are ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the	parties have caused this document to be dul
executed with all formalities required by law	as of the date first stated above.
Tom Modica Assistant City Manager EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER 12/2/ , 2018	CITY OF HAWAIIAN GARDENS, a municipal corporation By Gity Manager "Hawaiian Gardens" LONG BEACH OF LONG BEACH, a municipal corporation By City Manager
	"Long Beach"
This First Amendment to Agree	eement No. 32997 is approved as to form or
	CHARLES PARKIN, Long Beach Attorney By Debuty

City Attorney for Hawaiian Gardens

By NORMA COPADO, Deputy C.A.

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 EXHIBIT "B-1"

City of Long Beach labor rate is \$61 per hour.

Long Beach may change this labor rate up to 5% per year, after providing the City of Hawaiian Gardens 60 days prior written notice.

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