

**AMENDMENT NO. 1
TO LTE SITE ACCESS AGREEMENT
33911**

This Amendment No. 1 to Site Access Agreement ("Amendment" or "Amendment No. 1") is made and entered into this 23 day of February, 2017.

BY AND BETWEEN

CITY OF LONG BEACH, a body corporate and politic, hereinafter referred to as "City" or "Owner;"

AND

THE LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY, a Joint Powers Authority, hereinafter referred to as "LA-RICS Authority."

RECITALS

WHEREAS, on July 16, 2015, the City and the LA-RICS Authority entered into an LTE Site Access Agreement ("Agreement"), incorporated herein by reference, whereby the City gave permission to the LA-RICS Authority to use certain portions of the Real Property owned by City, as shown on Exhibit A to the Agreement, for the purpose of construction, maintenance, operation and repair of a Long Term Evolution broadband ("Broadband" or "LTE") communication site;

WHEREAS, City leases certain real property described on Exhibit A attached hereto ("Leased Site") pursuant to a lease dated September 7, 1993 ("Master Lease") with GTE California Incorporated ("Master Lessor");

WHEREAS, City has constructed and is the owner of a communications tower ("City Tower") which is located on the Leased Site;

WHEREAS, City desires to license the use of a portion of the City Tower on the Leased Site to the LA-RICS Authority for use as a Land Mobile Radio ("LMR") communication site; and

WHEREAS, the parties hereto desire to amend the Agreement to add the LMR Site on the City Tower as set forth herein;

NOW, THEREFORE, in consideration of the foregoing recitals, which are hereby deemed a contractual part hereof, and the mutual promises, covenants, and conditions set forth herein, the parties hereto agree as follows:

1. Capitalized Terms; Paragraph References. Capitalized terms used herein without definition (including in the recitals hereto), have the meanings given to such terms in the Agreement, unless otherwise defined in this Amendment No. 1.

Unless otherwise noted, section references in this Amendment No. 1 refer to sections in the Agreement, as amended by this Amendment No. 1.

2. General.

2.01 All references in the Agreement to "LTE Site" or "LTE site" shall be replaced with "LA-RICS Site," as defined in this Amendment No. 1.

2.02 All references in the Agreement to "LTE Vendor" shall be replaced with "LTE Vendor and/or LMR Vendor."

3. Exhibits. The following exhibits to the Agreement are revised as follows:

3.01 Exhibit A to the Agreement (Site List) is hereby deleted and replaced with Exhibit A hereto.

3.02 Exhibit B hereto is hereby added to Exhibit B to the Agreement (Equipment List).

3.03 Exhibit C hereto is hereby added to Exhibit C to the Agreement (Site Plans).

4. Section 1.01 of the Agreement is hereby deleted in its entirety and is replaced with the following:

Owner hereby licenses to the LA-RICS Authority and LA-RICS Authority hereby accepts from Owner on the terms and conditions set forth herein, the use of land within a portion of the Real Property, together with all necessary space and easements for access and utilities to install and operate an unmanned LTE and/or LMR communication facility, as designated and consisting of the parcels of land shown on Exhibit A attached hereto and incorporated herein by this reference (the "LA-RICS Site").

5. Section 2.01 of the Agreement is hereby deleted in its entirety and is replaced with the following:

The sole purpose of this Agreement is to allow the LA-RICS Authority to use the LA-RICS Site for the installation, operation, maintenance, and repair of an LTE and/or LMR communication facility (as designated in Exhibit A hereto). The LA-RICS Authority, (and/or its member agencies, the LTE Vendor and/or LMR Vendor, the First Net Parties and/or other agents): (a) shall have the right to construct, install, repair, remove, replace, maintain, and operate the LA-RICS Authority's LTE and LMR communications system, which typically consists of, without limitation, the infrastructure, shelters, equipment and related improvements listed on Exhibit B (Equipment List) attached hereto and incorporated herein by this reference (such LTE and LMR system, and associated infrastructure, shelters, equipment and related improvements, collectively the "LA-RICS Facility") and other related materials as may be deemed necessary by the LA-RICS AUTHORITY, and (b) shall be allowed access over, through

and across each site comprising the Real Property for ingress to and egress from the applicable LA-RICS Site 24 hours per day, 7 days per week without notice. Each LA-RICS Site shall be used only for the purposes authorized by this Section 2.01, and such other purposes as are directly related thereto, and for no other purposes whatsoever (collectively the "Permitted Activities").

8. Except as otherwise expressly provided herein, the Agreement remains in full force and effect. In the event of any conflict between the terms of this Amendment No. 1 and the Agreement, this Amendment No. 1 shall control.

9. This Amendment No. 1 may be executed in one or more original, PDF or facsimile counterparts, all of which when taken together shall constitute one in the same instrument.

IN WITNESS WHEREOF, the LA-RICS AUTHORITY and the City have executed this Amendment No. 1 to the Agreement or caused it to be duly executed on the day, month and year first above written.

THE LOS ANGELES REGIONAL
INTEROPERABLE COMMUNICATIONS
SYSTEM AUTHORITY

CITY OF LONG BEACH

A California Joint Powers Authority

By: 

By: 
City Manager

Print Name: JOHN RADELEFF
Its: INTERIM EXECUTIVE DIRECTOR

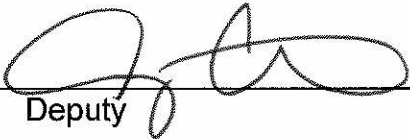
Assistant City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

APPROVED AS TO FORM:

ATTEST:

MARY C. WICKHAM
COUNTY COUNSEL

By: 
Deputy

By: 

APPROVED AS TO FORM

February 8, 2017
CHARLES PARKIN, City Attorney

By: 
MONICA J. KILAITA
DEPUTY CITY ATTORNEY

EXHIBIT A - SITE LIST

SITE FS5

7575 E. Wardlow Road, L.B. APN: 7075-002-906/901

SITE LBFD012

1199 E. Artesia Boulevard, L.B. APN: 7115-008-908

SITE LBPDHQ

400 W. Broadway L.B. APN: 7280-25-902

SITE SIGNAL HILL

2321 Stanley Avenue, Signal Hill APN: 7214-015-802

EXIBIT B LMR Equipment

- Land Mobile Radio Antennas (LMR) – 4 each = UHF and 700 MHz bands.
- Microwave Dishes – 3 each, 6/ 11 GHz.
- Antenna System hardware, LMR/ Microwave.
- Transmission and coax lines.
- 80 kW Generator/ Fuel Tank – dimensions 16 ft. x 20 ft.
- Prefabricated Equipment Shelter - dimensions 10 ft. x 17 ft.
 - 9 each LMR/ DC Power Radio Racks installed in Shelter.
 - 4 GPS antennas located on the Shelter.

Note: All equipment listed on this "Exhibit B" shall be installed at the locations specified in the final drawings titled "LMR-SGH", including all revisions approved by Owner.



Title Report
THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT.

Legal Description
LOT 7, MAP NO. 52885, TRACT MAP NO. 1256/15-20, A.P.N. 724-015-000, PART OF THE CITY OF SIGNAL HILL, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

Assessor's Parcel No.
724-015-000

Easements
SEE DRAWING.

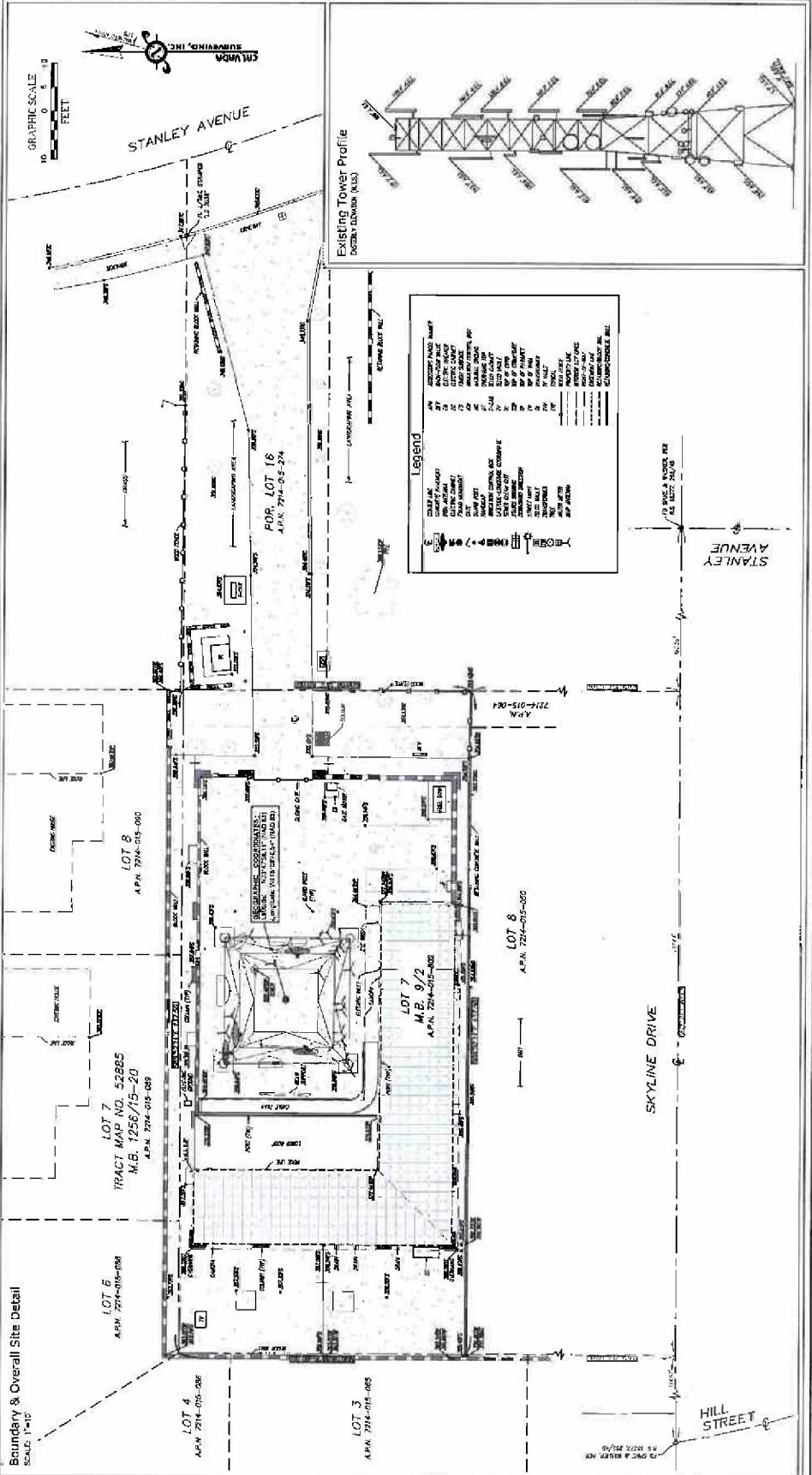
Access Easement/Lease Area
SEE DRAWING.

Geographic Coordinates at Existing Tower
SEE DRAWING.

Basis of Bearings
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NATIONAL GRID SYSTEM, NAD 83, AS SHOWN ON THE CURRENT PLAT RECORD FOR THIS SURVEY.

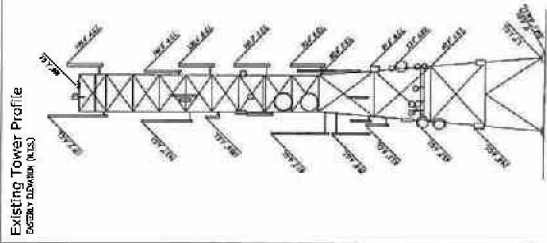
Benchmark
THE BENCHMARK USED FOR THIS SURVEY IS THE NATIONAL GRID SYSTEM, NAD 83, AS SHOWN ON THE CURRENT PLAT RECORD FOR THIS SURVEY.

Date of Survey
MARCH 15, 2015



Legend

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Los Angeles Regional Interoperable Communications System

2321 STANLEY AVE., SIGNAL HILL, CA 90755

SGH

REVISIONS

NO.	DATE	DESCRIPTION
0	10/27/14	ISSUE FOR PERMIT
1	12/10/14	REVISED PER PERMIT
2	03/10/15	REVISED PER PERMIT
3	03/10/15	REVISED PER PERMIT
4	03/10/15	REVISED PER PERMIT

CONSTRUCTION

DATE: 03/10/15

PROJECT: 15-000000

CLIENT: 15-000000

SCALE: AS SHOWN

REVISIONS

DATE: 03/10/15

DESCRIPTION: REVISED PER PERMIT

CONSTRUCTION

DATE: 03/10/15

PROJECT: 15-000000

CLIENT: 15-000000

SCALE: AS SHOWN

CONSTRUCTION

DATE: 03/10/15

PROJECT: 15-000000

CLIENT: 15-000000

SCALE: AS SHOWN

LA-RICS
Los Angeles Regional Interoperable Communications System

MOTOROLA SOLUTIONS


MITCHELL J. ARCHITECTURE, INC.
4883 S. BAYVIEW BLVD., SUITE 100
SIGNAL HILL, CA 90755
(916) 835-0000

CAL VADA SURVEYING, INC.
1818 W. BROADWAY
SIGNAL HILL, CA 90755
(916) 835-0000


TOPOGRAPHIC SURVEY
C1

LMP-SGH-C1


3



LA-RICS
Los Angeles Regional Interoperable
Communications System



**MOTOROLA
SOLUTIONS**



SGH
Los Angeles Regional Interoperable Communications System

2321 STANLEY AVE., SIGNAL HILL, CA 90755

MITCHELL & ARCHITECTURE, INC.
4823 Overton Court, Suite N
San Diego, CA 92111
(619) 556-5931 (ext.)

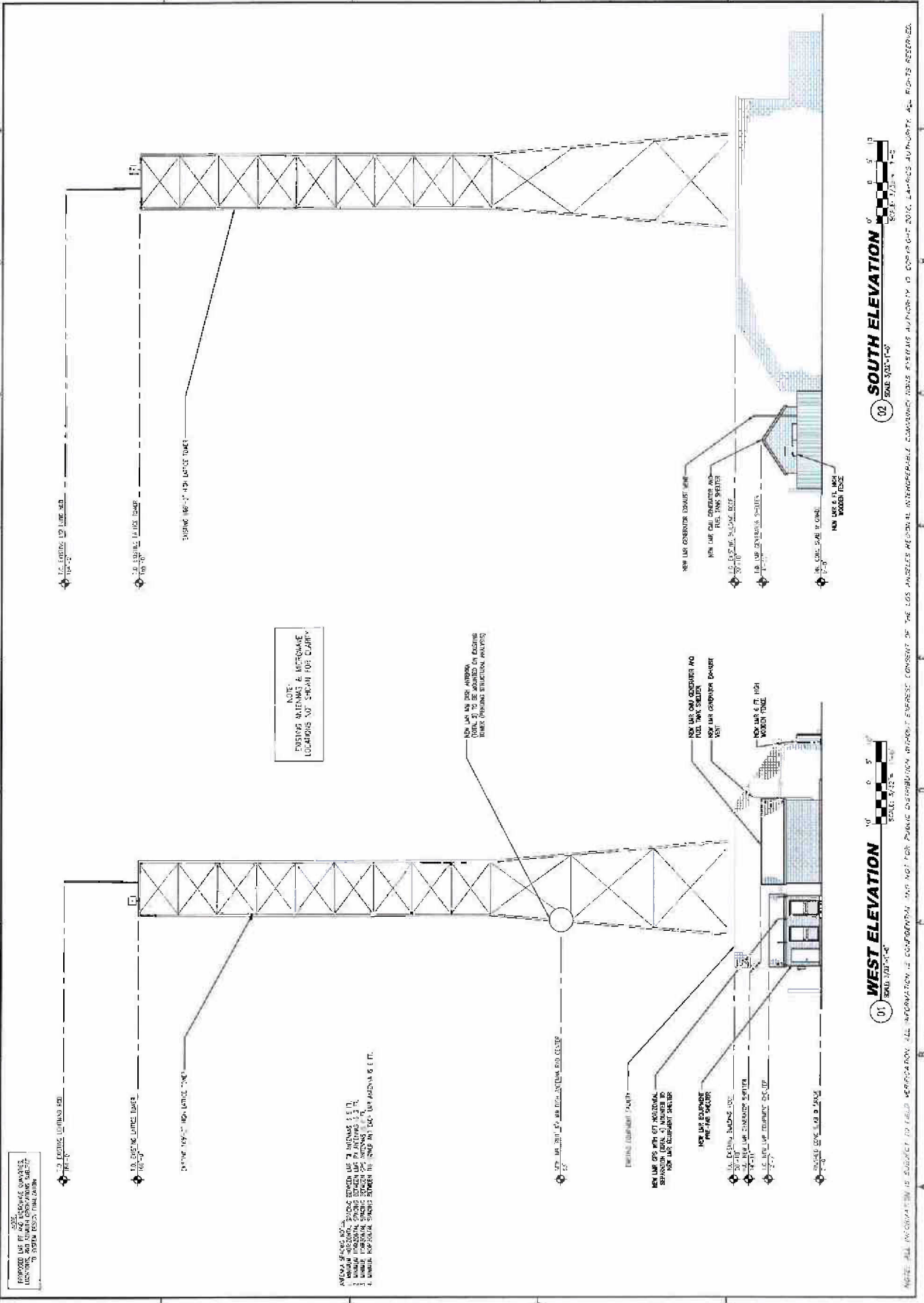
DATE: 04-27-11
DRAWING NO.: 11-03
PROJECT: 11-03
SHEET: 11-03

ZONING DRAWINGS

NO.	DATE	DESCRIPTION
1	10/17/10	ISSUANCE
2	10/18/10	REVISED: 205
3	12/15/10	REVISED: 205
4	01/08/11	REVISED: 205

**EXTERIOR
ELEVATION
A3.1**

LMR-SGH-A3.1 3



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