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FIRST SUPPLEMENTAL TO AGREEMENT NUMBER C-114336 OF
CITY OF LOS ANGELES CONTRACT
BETWEEN
THE CITY OF LOS ANGELES
AND
CITY OF LONG BEACH

THIS FIRST SUPPLEMENTAL ("First Supplemental") to Contract Number C-114336 of City of Los Angeles Contract is made and entered into by and between the City of Los Angeles, a municipal corporation (hereinafter called the "City"), and the City of Long Beach, a municipal corporation (hereinafter called the "City of Long Beach" or "Subrecipient").

WITNESSETH

WHEREAS, the City and the Subrecipient have entered into that certain Agreement Number C-114336 (the "Agreement") related to the Urban Area Security Initiative Grant 2007 ("UASI 07"), whereby the City distributed UASI 07 grant funds to the Subrecipient in accordance with the UASI 07 budget and the Subrecipient agreed to address the unique equipment, training, planning and exercise needs of the area, to assist it in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism, the execution of the Agreement having been authorized by the Los Angeles City Council on or about April 29, 2008 (Council File #07-0609), said Agreement effective October 16, 2007 through March 31, 2010; and

WHEREAS, the amount of UASI 07 grants funds originally allocated to the Subrecipient was increased by One Hundred Fifty Thousand Dollars (\$150,000.00) as approved by the Grantor and the Los Angeles City Council (C.F. #07-0609, 11/21/08), and further increased by Ninety Thousand Dollars (\$90,000.00) pursuant to authorization provided under Section 14.8 of the Los Angeles Administrative Code, such that the Agreement was executed with the total UASI 07 grant funds to be disbursed to the Subrecipient being Six Million Six Hundred Seventy One Thousand Two Hundred Sixteen Dollars (\$6,671,216.00); and

WHEREAS, on or about January 26, 2010, the California Emergency Management Agency ("CalEMA") extended the subgrantee performance period for the UASI 07 grant from March 31, 2010 to April 30, 2011 ("Grant Extension"); and

WHEREAS, on or about June 1, 2010, pursuant to Council File # 10-0455-S1, the Los Angeles City Council authorized the reallocation of certain UASI 07 funds attributed to project changes for UASI 07 partner jurisdictions such that the City of Long Beach's allocation of UASI 07 funds as set forth in the Agreement was increased by Three Million Three Hundred Thirty-Five Thousand Dollars (\$3,335,000.00) of UASI 07 funds (the "Reallocation Amount"); and

WHEREAS, the Subrecipient and the Mayor's Office (as defined below), each desires to decrease the Subrecipient's allocated amount of UASI 07 grant funds by Seven Hundred Forty-Eight Thousand Six Hundred Fifty-Seven Dollars (\$748,657.00), such amount to be reallocated to the City of Los Angeles Fire Department and the Los Angeles County Fire Department for the purchase of Self Contained Breathing Apparatus ("SCBA"), such decrease having been approved by the Grantor and authorized on behalf of the City under Section 14.8 of the Los Angeles Administrative Code (the "Decreased Amount"); and

WHEREAS, the Subrecipient and the Mayor's Office (as defined below), each desires to further increase the Subrecipient's allocated amount of UASI 07 grant funds by One Hundred Seventy-Five Thousand Dollars (\$175,000.00), such amount to be reallocated from the City of Los Angeles Fire Department to the City of Long Beach Fire Department for the development and improvement of plans, protocols, training and exercises to enhance preparedness for the Regional Strategic Plan, such increase having been approved by the Grantor and authorized on behalf of the City under Section 14.8 of the Los Angeles Administrative Code (the "Increased Amount"); and

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

WHEREAS, the Subrecipient and the City, through the Office of the Mayor, Office of Homeland Security and Public Safety ("Mayor's Office"), which has been designated by the City to administer the Agreement and the projects contemplated therein, each desires to amend or modify the Agreement by entering into this First Supplemental for the purpose of (a) extending the time of performance to March 31, 2011 in accordance with the Grant Extension and pursuant to authority provided under Section 14.8 of the Los Angeles Administrative Code, (b) adding the Reallocation Amount to the Agreement as authorized by the Los Angeles City Council (C.F. #10-0455-S1, 6/1/10), such Reallocation Amount to be used by the Subrecipient for the purchase of certain equipment as further set forth below in this First Supplemental, (c) subtracting the Decreased Amount from the Agreement pursuant to authority provided under Section 14.8 of the Los Angeles Administrative Code, to reflect UASI 07 funds reallocated to the City of Los Angeles Fire Department and Los Angeles County Fire Department for the purchase of SCBA equipment, (d) adding the Increased Amount to the Agreement pursuant to authority provided under Section 14.8 of the Los Angeles Administrative Code, to reflect UASI 07 funds reallocated from the City of Los Angeles Fire Department to the City of Long Beach Fire Department for the development and improvement of plans, protocols, training and exercises to enhance preparedness for

the Regional Strategic Plan, and (e) making such other changes as are required in connection with the foregoing, all as detailed elsewhere in this First Supplemental and as authorized by the Los Angeles City Council (C.F. #10-0455-S1, 6/1/10); and

WHEREAS, this First Supplemental 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 as follows:

1. The Agreement, which is attached hereto as Exhibit 1, is revived by this First Supplemental and incorporated herein by this reference. The terms and conditions of said Agreement shall be the terms and conditions of this First Supplemental, except as expressly modified herein.
2. Term: The term of this First Supplemental shall be from October 16, 2007 to March 31, 2011.

Such term modifies the original term of the Agreement, which was from October 16, 2007 through March 31, 2010.

3. Paragraph A of Section 301 entitled Payment of Grant Funds and Method of Payment, is hereby amended in its entirety to read as follows:

"The City of Los Angeles shall pay to City of Long Beach the grant amount of Nine Million Four Hundred Thirty-Two Thousand Five Hundred Fifty-Nine Dollars (\$9,432,559.00) ("Grant Amount") 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 City of Long Beach in the FY '07 UASI grant award notice and budget, as may be amended."

Such amendment increases the original allocation under the Agreement by the Reallocation Amount, decreases the original allocation by the Decreased Amount and increases the original allocation by the Increased Amount. Subrecipient hereby agrees to use the Reallocation Amount for the following:

Infrastructure Physical Security Enhancements for
Regional Critical Infrastructure and Other Critical Assets
enhancement of the Long Beach Harbor Department;

Waterside Detection Cameras and Backup Portable
Generators for Regional Critical Infrastructure and Other
Critical Assets enhancement of the Long Beach Harbor
Department;

Backup Portable Generators for Regional Critical Infrastructure and Other Critical Assets enhancement of the Long Beach Harbor Department;

Encrypted Emergency Radios for Interoperability enhancement of the Long Beach Harbor Department;

Joint Regional Intelligence Center (JRIC) Command and Control Unit for Information and Intelligence Gathering, Analysis and Sharing Capabilities enhancement of the Long Beach Harbor Department; and

P-25 Compliant Mobile and Portable Radios and Encrypted Emergency Radios for Interoperability enhancement of the Long Beach Police Department; and


Subrecipient hereby agrees to use the Increased Amount for the following:

Develop and improve plans, protocols, training and exercises to enhance preparedness for the Regional Strategic Plan

The Budget (as such term is defined in the Agreement) shall be amended accordingly to reflect the added Reallocation Amount, the subtracted Decreased Amount, the added Increased Amount and Subrecipient's use of such Reallocation Amount and Increased Amount as specified above.

4. Except as herein amended or modified, all terms and conditions of the Agreement shall remain unchanged and in full force and effect by way of this First Supplemental.
5. Ratification Clause: Due to the need for Subrecipient's services to be provided continuously on an ongoing basis, Subrecipient may have provided services prior to the execution of this First Supplemental. To the extent that said services were performed in accordance with the terms and conditions of this First Supplemental, those services are hereby ratified.
6. This First Supplemental 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 Supplemental includes five (5) pages and one (1) Exhibit which constitute the entire understanding and agreement of the parties.

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

<p>APPROVED AS TO FORM AND LEGALITY: CARMEN A. TRUTANICH, City Attorney</p> <p>By <u>[Signature]</u> Deputy City Attorney</p> <p>Date <u>1/4/11</u></p>	<p>For: THE CITY OF LOS ANGELES ANTONIO R. VILLARAIGOSA, Mayor</p> <p>By <u>[Signature]</u> Antonio R. Villaraigosa, Mayor Homeland Security and Public Safety, Mayor's Office</p> <p>Date <u>JAN 06 2011</u></p>
<p>ATTEST:</p> <p>JUNE LAGMAY, City Clerk</p> <p>By <u>[Signature]</u> Deputy City Clerk</p> <p>Date <u>1-7-11</u></p>	
<p>APPROVED AS TO FORM:</p> <p>By <u>[Signature]</u> Deputy City Attorney</p> <p>Date <u>December 2, 2010</u></p>	<p>For: City of Long Beach, a municipal corporation</p> <p>By <u>[Signature]</u></p> <p>Date <u>12-8-10</u></p>
<p>ATTEST:</p> <p>By <u>[Signature]</u> City Clerk</p> <p>Date <u>12-8-2010</u></p>	<p>[SEAL]</p>

City Business License Number: _____
Internal Revenue Service ID Number: _____
Council File/OARS File Number: _____ Date of Approval _____
City Contract Number C-114336-1st Supplemental