

1 SECOND AMENDMENT TO AGREEMENT NO. 28885

2 **28885**

3 THIS SECOND AMENDMENT TO AGREEMENT NO. 28885 is made and
4 entered, in duplicate, as of August 15, 2006 for reference purposes only, pursuant to a
5 minute order of the City Council of the City of Long Beach at its meeting on August 3,
6 2004, and a minute order of the City Council of the City of Los Alamitos at its meeting on
7 July 12, 2004, by and between the CITY OF LONG BEACH ("Long Beach" and the
8 CITY OF LOS ALAMITOS ("Los Alamitos").

9 WHEREAS, the parties entered Agreement No. 28885 whereby Long Beach
10 agreed to provide animal control services to Los Alamitos; and

11 WHEREAS, the Agreement contains a provision allowing the parties, by
12 mutual agreement, to extend the term of the Agreement and the parties desire to do so;

13 NOW, THEREFORE, in consideration of the mutual terms and conditions in
14 the Agreement and in this Second Amendment, the parties agree as follows:

15 1. Section 1 of the Agreement is hereby amended in its entirety to read as
16 follows:

17 "SECTION 1. TERM. The original term of this Agreement shall commence
18 at 12:01 a.m. on July 1, 2004, and shall terminate at midnight on June 30, 2005, and the
19 first extended term shall begin on July 1, 2005 and end at midnight on June 30, 2006, and
20 the second extended term shall begin on July 1, 2006 and end at midnight on June 30,
21 2007, unless sooner terminated as provided below."

22 2. Section 4 is hereby amended by the addition of the following subsection
23 "H" to read as follows:

24 "H. During in the second extended term, in the event and to the extent that
25 the total amount of any and all license fees retained by Long Beach does not equal or
26 exceed Seventy-Eight Thousand One Hundred Eight Dollars (\$78,108) for the period from
27 July 1, 2006 through June 30, 2007, then Los Alamitos shall pay to Long Beach the
28 difference between the total amount of all license fees retained by Long Beach and

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1 Seventy-Eight Thousand One Hundred Eight Dollars (\$78,108). Payment of the difference
2 shall be made on or before July 31, 2007. In the event and to the extent that the total
3 amount of all license fees retained by Long Beach exceeds Seventy-Eight Thousand One
4 Hundred Eight Dollars (\$78,108) on June 30, 2007, then the excess shall be divided
5 equally between Long Beach and Los Alamitos."

6 3. Section 4 is hereby amended by the addition of the following subsection
7 "I" to read as follows:

8 "I. In the event of termination of this Agreement pursuant to Section 7 or
9 Section 9, Long Beach shall retain fees as compensation for services provided by Long
10 Beach through the effective date of termination. In the event and to the extent that the
11 total amount of any and all fees retained by Long Beach to the effective date of termination
12 does not equal or exceed Six Thousand Five Hundred Nine Dollars (\$6,509.00) for each
13 month that the Agreement has been in effect, then Los Alamitos shall pay to Long Beach
14 the difference between the total fees to the effective date of termination and the dollar
15 figure obtained by multiplying \$6,509.00 times the number of months that the Agreement
16 was in effect prior to its early termination. A partial month shall be deemed a full month.
17 Los Alamitos shall pay the difference within thirty (30) days after the effective date of
18 termination. Long Beach shall pay any excess fees to Los Alamitos."

19 4. Exhibit "A" is hereby replaced with Exhibit "A-1" effective October 1, 2006.

20 5. Except as expressly amended in this Second Amendment, all terms and
21 conditions in Agreement No. 28885 are ratified and confirmed and shall remain in full force
22 and effect.

23 IN WITNESS WHEREOF, the parties have caused this document to be

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1 executed with all formalities required by law as of the date first stated above.

2 CITY OF LOS ALAMITOS, a municipal corporation

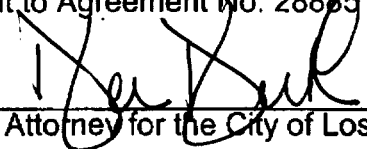
3 10/2, 2006

By 
Mayor

"Los Alamitos"

5 This Second Amendment to Agreement No. 28885 is approved as to form

6 on 10/2, 2006.

7 
City Attorney for the City of Los Alamitos

9 CITY OF LONG BEACH, a municipal corporation

10 10.19, 2006

By 
City Manager

"Long Beach"

13 This Second Amendment to Agreement No. 28885 is approved as to form

14 on 10/12, 2006.

15 ROBERT E. SHANNON, City Attorney for the
16 City of Long Beach

17 By 
Senior Deputy

EXHIBIT "A-1"

**CITY OF LONG BEACH
HEALTH DEPARTMENT: FEE SCHEDULE**

Code	Description	Notes	Fee
A001	Redemption of animal previously released by owner		10.00
A002		Additional day or portion thereof	8.00
A010	Pick-up Fee		40.00
A020	Dog Spay and Neuter Fee/Deposit (Rescue Group Only)		Actual Cost
A030	Cat Spay and Neuter Fee/Deposit (Rescue Group Only)		Actual Cost
Fees for Impounding			
A040	Fees for impounding	For each hour (or fraction of an hour) spent per officer in the capture & impounding	26.00 minimum
A050	For each Dog	First Time	25.00
A051		Second Time	35.00
A052		Third Time	65.00
A053	STATE CITATION - unaltered at large - \$35.00 1ST	Fourth and Subsequent Impounds	\$65.00 + \$50.00 per add'l impound after third impound
A060	For Livestock (cows, goats, sheep, pigs, etc.)		60.00
A070	Fowl and Birds		20.00
A080	For each Cat	First Time	25.00
A081		Second Time	35.00
A082		Third Time	65.00
A083		Fourth and Subsequent Impounds	\$65.00 + \$50.00 per add'l impound after third impound
Fees for Boarding or Keeping			
A090	Livestock		\$7/day + actual cost
A100	For each animal, other than livestock and exotic animals		8.00 per day
A110	Exotic Animals		\$5.00 + actual cost
Dog Tag Fees			
A120	Puppies under 12 months but over 4 months can be licensed on a monthly basis. Minimum charge of 8 months or pro-rated for each month accordingly.		Prorate A121-A142
A121	12 Months - Unaltered		36.00
A122	12 Months - Altered		18.00
A123	24 Months - Unaltered		72.00
A124	24 Months - Altered		36.00
A125	36 Months - Unaltered		108.00
A126	36 Months - Altered		54.00
A130	Monthly Portions - Unaltered	Rate includes add'l fee for admin. costs	3.00 or fraction
A131	Monthly Portions - Altered		1.80 or fraction
A141	Senior Citizen Rate-12 Month (One pet/household only)-Altered Animals Only		9.00
A142	Senior Citizens Rate-Second and Third years-Altered Animals Only		1 year rate x the # of years
Penalties			
A150	Unaltered/Altered Dog Late Fee		25.00
Issue Duplicate Tag			
A170	Unaltered/Altered		5.00
Inoculations			
A180	Anti-Rabies	Inoculation	7.00
A190	Distemper/Parvo	Inoculation	14.00
A200	Feline Viral Rhinotracheitis CP	Inoculation	14.00

**CITY OF LONG BEACH
HEALTH DEPARTMENT: FEE SCHEDULE**

Code	Description	Unit	Fee
Drop Off/Owner Relinquished Animals (dogs, cats, other)			
A215	Placeable dog with current license and placeable cat/other	Animal	50.00
A216	Non-placeable dog with current license and non-placeable cat/other	Animal	70.00
A217	Placeable dog without current license	Animal	75.00
A218	Non-placeable dog without current license	Animal	95.00
A223	Stray/Non-owner Relinquished - Dead/Alive		No Charge
A222	Non-resident Owner Relinquished - Dead/Alive	Animal	\$100.00 + applicable relinquishment fee
A218	Commercial trapping relinquishment fee (wildlife)	Animal	25.00
Dead Animal Disposal			
A220	Dead Animal Disposal - Owner Relinquished	Animal	20.00
A221	Veterinarian Relinquished - (dead only) - per animal / barrel	Animal	20.00
		Barrel	100.00
A224	Institution (School, Business, etc) - per animal/barrel	Animal	20.00
		Barrel	100.00
A225	Large Animal (livestock, etc) Disposal - Owner Relinquished		Cost of actual disposal + \$100.00
Cat Traps			
A230	Deposit (Forfeited after 30 days if not returned or damaged)		80.00
A248	Charge (Starts on First Day)	Day	3.00
A250	Trap Pick-up or Drop off		40.00
Euthanasia			
A260	Euthanasia + Additional Drop-off Fee (Only For Animals That Can, By Law, Be Immediately Euthanized.)		65.00
Permits			
A310	Animal Menagerie (Petting Zoo)	First Day	100.00
		Each Add'l Day	25.00
A320	Animal Exhibition (Circus, Rodeo, Etc.)	First Day	300.00
		Each Add'l Day	100.00
A330	Wild / Exotic Animal - First Animal	Annual	\$25.00 1st animal
		Annual	\$5.00 each add'l animal
A340	Guard Dog Companies - Site Permit	Annual	175.00
A350	Filming Animals (Movies, Commercials)	First Day	100.00
		Each Add'l Day	25.00
A360	Animal related events not specified above such as dog shows, etc.	First Day	100.00
		Each Add'l Day	25.00
A364	Vicious Animal Permit	Annual	350.00
A366	Vicious Animal Re-Inspection	Each Re-Inspection	175.00
Animal Sales			
A370	Cat Sales (Rescue Group Only)	Animal	10.00
A371	Dog Sales (Rescue Group Only)	Animal	10.00
Investigative Services			
A372	Court Restitution	Each hour spent on case	30.00/hour
A370	Cat Sales (Rescue Group Only)	Animal	10.00
A371	Dog Sales (Rescue Group Only)	Animal	10.00