

32645

SECOND 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 SECOND AMENDMENT to Contract Number C-119905 ("Second 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 September 9, 2013, the City and Subrecipient entered into that certain First Amendment to the Agreement ("First Amendment"), which increased Subrecipient's allocation of UASI 10 grant funds set forth in the Agreement by Five Hundred Sixty Thousand Twenty Dollars (\$526,020.00) for a new allocation amount of Three Million Eight Hundred Four Thousand Five Hundred Ninety-Three Dollars (\$3,804,593.00), the execution of said First Amendment having been authorized under Section 14.8 of the Los Angeles Administrative Code; and

WHEREAS, on or about August 23, 2013, the California Emergency Management Agency ("CalEMA") retroactively approved modifications to the UASI 10 budget for the Los Angeles/Long Beach Urban Area ("LA/LB UA") which, in part, reallocated Two Thousand Five Hundred Twenty-Four Dollars (\$2,524.00) of UASI 10 funds from the LA/LB UA Region to the Subrecipient to fund Operational Overtime for Long Beach Grand Prix (the "Overtime Modification"), resulting in a total allocated

amount of UASI 10 funds to Subrecipient of Three Million Eight Hundred Seven Thousand One Hundred Seventeen Dollars (\$3,807,117.00), such Overtime Modification having been authorized under Section 14.8 of the Los Angeles Administration Code ("Section 14.8"); and

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

WHEREAS, the City, through its Office of the Mayor, Office of Homeland Security and Public Safety ("Mayor's Office"), and the Subrecipient each desire to enter into this Second Amendment for the purpose of amending and/or modifying the Agreement to (a) increase Subrecipient's allocation of UASI 10 funds as set forth in the Agreement to reflect the Overtime Modification; and (b) make any such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Second Amendment and as authorized under Section 14.8 of the Los Angeles Administrative Code; and

WHEREAS, this Second 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, as previously amended, be further amended effective April 29, 2013 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 Seven Thousand One Hundred Seventeen Dollars (\$3,807,117.00) 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."



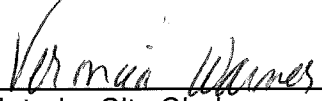

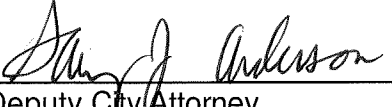

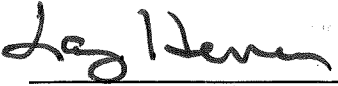
The foregoing amendment increases Subrecipient's allocation of UASI 10 grant funds under the previously amended Agreement to reflect the Overtime Modification. The Budget (as such term is defined in the Agreement) shall be amended accordingly to reflect such modification and Subrecipient's use of grant 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 Second Amendment.

3. This Second 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 Second Amendment includes four (4) 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 Second 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>12/12/13</u></p>	<p>For: THE CITY OF LOS ANGELES ERIC GARCETTI, Mayor</p> <p>By <u></u> Eric Garcetti, Mayor Homeland Security and Public Safety, Mayor's Office</p> <p>Date <u>1/2/14</u></p>
<p>ATTEST:</p> <p>HOLLY L. WOLCOTT, Interim City Clerk</p> <p>By <u></u> Interim City Clerk</p> <p>Date <u>1/2/2014</u></p> 	
<p>APPROVED AS TO FORM:</p> <p>By <u></u> Deputy City Attorney</p> <p>Date <u>November 8, 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>11/15/13</u></p>
<p>ATTEST:</p> <p>By <u></u> City Clerk</p> <p>Date <u>11-22-2013</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