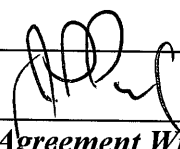


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Alameda Corridor Transportation Authority

June 13, 2019

To:	Governing Board
From:	James P. Preusch, Chief Financial Officer 
Subject:	<i>Amendment No. 2 to the Memorandum of Agreement With the City of Long Beach and the City of Los Angeles increasing the Annual Reimbursement Amount paid to the Cities for Legal Services (APPROVAL)</i>

Recommendation:

Approve the Second Amendment to the Memorandum of Agreement (“MOA”) with the City of Los Angeles and the City of Long Beach, increasing the annual reimbursement for legal services provided to ACTA from \$125,000 to \$150,000 for each city and authorize the Chief Executive Officer or the Chief Financial Officer to execute said amendment.

Discussion:

As set forth in ACTA’s Joint Powers Authority agreement, in-house legal services are provided to ACTA by the City Attorney’s Offices of Los Angeles and Long Beach. One attorney from each office, based out of the Los Angeles and Long Beach Harbor Departments, provides on-call, as-needed services to ACTA. In return, ACTA reimburses each City’s Harbor Department a fixed annual sum for the legal services provided by the attorneys acting as ACTA’s Co-General Counsel. The amount agreed upon between the parties covers compensation for time expended on ACTA matters, estimated at 33% for each assigned attorney’s time. Payment for these legal services was originally established by the MOA in 2005, in the amount of \$100,000. A first amendment to the MOA was executed by the parties in 2009, increasing the annual compensation amount to \$125,000. At the March 14, 2019 Governing Board meeting, the Board approved increasing the annual payment amount from \$125,000 to \$150,000 to be paid to each City beginning July 1, 2019 (FY20). This board report requests approval of the second amendment increasing the annual payment to \$150,000 for each city.

Budget Impact:

The increased amount is incorporated in the FY20 Program Budget.



Co-General Counsel Review:

ACTA's Co-General Counsel has reviewed and approved the proposed Amendment as to form.

Transmittal:

Transmittal 1 – MOA Second Amendment