

**MEMORANDUM OF UNDERSTANDING BETWEEN
CITY AND COUNTY OF SAN FRANCISCO; CITY OF OAKLAND;
CITY OF SAN JOSE; ALAMEDA COUNTY; AND SANTA CLARA COUNTY**

Second Amendment

This Amendment (“Amendment”) is made this **May 1, 2011**, by and between the City and County of San Francisco, the City of Oakland, the City of San Jose, the County of Alameda and the County of Santa Clara (collectively, “the Parties”).

RECITALS

WHEREAS, The Parties entered an Agreement (defined below); and

WHEREAS, The Parties wish to amend the Agreement to extend the term for up to six months; and

WHEREAS, At its noticed public meeting on April 22, 2011, the Bay Area UASI Approval Authority voted to extend the term of the Agreement;

NOW THEREFORE, The Parties agree as follows:

1. Definitions. The following definitions shall apply to this Amendment:

a. Agreement. The term Agreement shall mean the “Memorandum of Understanding between City and County of San Francisco; City of Oakland; City of San Jose; Alameda County; and Santa Clara County,” with an effective date of July 1, 2007, entered by the Parties, as amended by the First Amendment dated December 29, 2010.

b. Other Terms. Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

2. Modifications to the Agreement. The Agreement is hereby modified as follows:

a. Section 12, Term. Section 12 of the Agreement currently reads as follows:

This MOU shall take effect on the Effective Date as described in Section 17 below and shall extend until June 30, 2011, unless sooner terminated as provided below (“Term”). If the Parties negotiate and fully approve a successor Memorandum of Understanding before the expiration of the Term, this MOU shall expire on final execution of the successor Memorandum of Understanding.

Such section is hereby amended in its entirety to provide as follows:

This MOU shall take effect on the Effective Date as described in Section 17 below and shall extend until December 31, 2011, unless sooner terminated as provided below ("Term"). If the Parties negotiate and fully approve a successor Memorandum of Understanding before the expiration of the Term, this MOU shall expire on final execution of the successor Memorandum of Understanding.

3. Effective Date. The modification set forth in Section 2 shall be effective on and after the date of this Amendment.

4. Legal Effect. Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

The individuals executing this Amendment represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

The undersigned approve the terms and conditions of this Amendment.

City and County of San Francisco, California

Signature: Anne Kronenberg

By: Anne Kronenberg

Title: Executive Director

SF Department of Emergency Management

City of Oakland, California

Signature

By: G. Grant Twell

Title: _____

APPROVED AS TO FORM & LEGALITY

AS Attorney
Deputy City Attorney 5/13/11

City of San Jose, California,

Signature: Norberto Duenas

By: Norberto Duenas
Deputy City Manager
Title:

6/20/2014

APPROVED AS TO FORM



Brian Boyle
Senior Deputy City Attorney
City of San Jose

Alameda County, California

Signature: Gregory J. Aher

By: _____

Title: Sheriff 7/21/11

Santa Clara County, California,

Signature: Justin H. Orman

By: _____

Title: Office of Emergency Services Director