

**AMENDMENT NUMBER ONE  
TO PERFORMANCE AGREEMENT  
WITH  
DATA TICKET, INC.**

This Amendment Number One ("Amendment") is made and entered into this 1st day of July, 2017 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and DATA TICKET, INC., a California corporation ("Contractor").

WHEREAS, City and Contractor entered into a Performance Agreement on or about September 23, 2015 for Contractor to provide parking citation processing services (the "Agreement"); and

WHEREAS, Section 7.1 of the Agreement provides for a one (1) year term, with the option to renew the Agreement for four (4) additional one (1) year periods; and

WHEREAS, City and Contractor desire to amend Section 7.1 to provide for automatic renewals of the Agreement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Section 7.1 of the Agreement is deemed deleted in its entirety and shall be replaced as follows:

7.1 Terms and Renewals: This Agreement shall be for one (1) year, commencing as of the last date of signature. Thereafter, the Agreement shall automatically renew for successive one (1) year periods for up to four (4) years, unless terminated sooner as provided herein.

2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.

3. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

*Manuel Hatch*  
City Manager

Date: 6/23/17

CONTRACTOR

*Brook Westcott*  
Signature  
BROOK WESTCOTT, COO  
Name and Title

Date: 6/19/17

ATTEST:

*Brenda Green*  
City Clerk



APPROVED AS TO FORM:

*[Signature]* ACA  
City Attorney

Date: 6/22/17

APPROVED AS TO INSURANCE:

*[Signature]*  
Risk Management

Date: 6/21/17

APPROVED AS TO CONTENT:

*[Signature]*  
Project Manager

Date: 6/21/17

DEPARTMENTAL APPROVAL

B. Hession FOR  
Police Chief

Date: 06-21-17

APPROVED AS TO PURCHASING:

Stephen Dumivent  
Interim Finance Director

Date: 6-22-17