

1 FIRST AMENDMENT TO AGREEMENT NO. 35523

2 35523

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 35523 is made and
4 entered, in duplicate, as of September 22, 2020, for reference purposes only, pursuant to
5 a minute order adopted by the City Council of the City of Long Beach at its meeting held
6 on August 4, 2020, by and between JARVIS, FAY & GIBSON, LLP ("Special Counsel") and
7 the CITY OF LONG BEACH, a municipal corporation ("City").

8 WHEREAS, City and Special Counsel (the "Parties") entered into Agreement
9 No. 35523 whereby Special Council agreed to provide legal services in the *Diana Lejins*;
10 *Angela Kimball v City of Long Beach* matter; and

11 WHEREAS, the Parties desire to add \$100,000 to the Agreement;

12 NOW THEREFORE, in consideration of the mutual terms, covenants and
13 conditions contained herein, the Parties agree as follows:

14 1. Section 3 of Agreement No. 35523 is hereby amended to read as
15 follows:

16 "3. FEE. City shall pay to Special Counsel in due course of payments
17 compensation at the hourly rates identified in the staffing profile and reimbursement of
18 costs as further described herein and in the "Guidelines" also attached hereto, in a total
19 not-to-exceed amount of Four Hundred Thousand Dollars (\$400,000) (including funds
20 already expended). The "not-to-exceed" amount may be subsequently modified or
21 changed after a written budget has been submitted to, and approved by the City Attorney
22 pursuant to Section 7 of this Agreement. Any new "not-to-exceed" amount shall be set
23 forth in a written amendment signed by both parties."

24 2. Except as expressly amended herein, all terms and conditions in
25 Agreement No. 35523 are ratified and confirmed and shall remain in full force and effect.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664


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IN WITNESS WHEREOF, the Parties have caused this document to be executed with all of the formalities required by law as of the date first stated above.

JARVIS, FAY & GIBSON, LLP

DATED: September 22, 2020

By 

Print Name: Benjamin P. Fay

Title: Partner

“Special Counsel”

CITY OF LONG BEACH, a municipal corporation

DATED: September 24

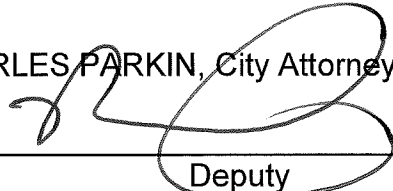
By 
City Manager

“City”

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This First Amendment to Agreement No. 35523 is approved as to form on September 23, 2020.

CHARLES PARKIN, City Attorney

By 
Deputy