## CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor **DFFICE OF THE CITY ATTORNEY**

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## FIRST AMENDMENT TO AGREEMENT NO. 35514

## 35514

THIS FIRST AMENDMENT TO AGREEMENT NO. 35514 is made and entered, in duplicate, as of August 26, 2020 for reference purposes only, by and between the CITY OF LONG BEACH, a municipal corporation ("City"), and THOMAS B. MODICA ("City Manager").

WHEREAS, City and City Manager entered into Agreement No. 35514 to incorporate certain conditions of employment, working conditions and benefits of the City Manager into a written agreement; and

WHEREAS, City and City Manager desire to amendment Agreement No. 35514 to allow City Manager to voluntarily participate in a work furlough program on the same terms and conditions as those applied to other City employees for Fiscal Year 2021;

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

- 1. Section 5.D is hereby added to Agreement No. 35514 to read as follows:
- "D. To minimize layoffs during Fiscal Year 2021, City Manager voluntarily agrees to participate in an unpaid work furlough program equivalent to ten percent (10%) of City Manager's pay (208 hours) to be taken during the pay period including September 26, 2020 to the pay period including September 30, 2021. City Manager is expected to be available in the event of an emergency or other situation that cannot be reasonably delayed to a non-furlough day."
- 2. Except as expressly amended in this Amendment, all terms and conditions in Agreement No. 35514 are ratified and confirmed and shall remain in full force and effect.

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| 1  | IN WITNESS WHEREOF, the parties hereto have caused this document to     |
|----|---|
| 2  | be executed, in duplicate, with all of the formalities required by law. |
| 3  |   |
| 4  | CITY OF LONG BEACH, a municipal corporation                             |
| 5  | May 19, 2020 By Sinda F. Jahun City Manager                             |
| 6  | City Manager  |
| 7  | "City"  |
| 8  | May 19, 2020 By R. M. Thomas B. Madiso                                  |
|    | Thomas B. Modica  |
| 10 | "Manager"   |
| 11 | This First Amendment to Agreement No. 35514 is approved as to form on   |
| 12 | May 19, 2020.   |
| 13 |   |
| 14 | CHARLES PARKIN, City Attorney   |
| 15 | By  |
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