

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

1    SECOND AMENDMENT TO AGREEMENT NO. 35523

2    **35523**

3    THIS SECOND AMENDMENT TO AGREEMENT NO. 35523 is made and  
4 entered, in duplicate, as of July 6, 2022, for reference purposes only, pursuant to a minute  
5 order adopted by the City Council of the City of Long Beach at its meeting held on July 5,  
6 2022, by and between JARVIS FAY LLP, formerly JARVIS, FAY & GIBSON, LLP (“Special  
7 Counsel”) and 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 entered into a First Amendment to the Agreement to  
12 add \$100,000; and

13    WHEREAS, the Parties desire to add an additional \$20,000 to the  
14 Agreement;

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

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

19    “3.        FEE.    City shall pay to Special Counsel in due course of payments  
20 compensation at the hourly rates identified in the staffing profile and reimbursement of  
21 costs as further described herein and in the “Guidelines” also attached hereto, in a total  
22 not-to-exceed amount of Four Hundred Twenty Thousand Dollars (\$420,000). The “not-  
23 to-exceed” amount may be subsequently modified or changed after a written budget has  
24 been submitted to, and approved by the City Attorney pursuant to Section 7 of this  
25 Agreement. Any new “not-to-exceed” amount shall be set forth in a written amendment  
26 signed by both parties.”

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

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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 LLP, formerly JARVIS, FAY & GIBSON, LLP



DATED: July 13, 2022

By \_\_\_\_\_

Print Name: Benjamin P. Fay

Title: Partner

**“Special Counsel”**

CITY OF LONG BEACH, a municipal corporation



DATED: July 21

By \_\_\_\_\_

City Manager

**“City”**

This Second Amendment to Agreement No. 35523 is approved as to form on July 19, 2022.

CHARLES PARKIN, City Attorney



By \_\_\_\_\_

Deputy