

SECOND AMENDMENT TO AGREEMENT NO. 35694

35694

THIS SECOND AMENDMENT TO AGREEMENT NO. 35694 is made and entered, as of September 6, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on October 6, 2020, by and between NATIONAL COUNCIL FOR COMMUNITY DEVELOPMENT, INC., a New York not-for-profit corporation dba The National Development Council ("Consultant"), with a place of business at 1111 Superior Avenue East, Suite 1114, Cleveland, Ohio 44114, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35694 (the "Agreement") whereby Consultant agreed to serve as a Small Business Administration Lender; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to September 30, 2023 and add \$75,000; and

WHEREAS, the Parties desire to utilize their final option to extend the term one (1) additional one-year period, and add the authorized annual amount of \$75,000;

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

1. Section 4 of the Agreement is hereby amended to read as follows:

"4. Term. The term of the Agreement shall commence at midnight on October 1, 2020, and shall terminate at 11:59 p.m. on September 30, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The Parties have no further options to extend the term."

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35694 are ratified and confirmed and shall remain in full force and effect.

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

3 NATIONAL COUNCIL FOR COMMUNITY
4 DEVELOPMENT, INC., a New York not-for-
5 profit corporation dba The National
6 Development Council

7 September 8, 2023

8 By [Signature]
9 Name DANIEL MARSHALL
10 Title THESEAN P. CEO

11 By _____
12 Name _____
13 Title _____

14 EXECUTED PURSUANT
15 TO SECTION 301 OF
16 THE CITY CHARTER.

17 "Consultant"

18 CITY OF LONG BEACH, a municipal
19 corporation

20 September 15, 2023

21 By [Signature]
22 City Manager

23 "City"

24 This Second Amendment to Agreement No. 35694 is approved as to form on

25 9.13, 2023.

26 DAWN MCINTOSH, City Attorney

27 By [Signature]
28 Principal Deputy