

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Lana Beach, CA 90802-4664

1 FIFTH AMENDMENT TO AGREEMENT NO. 35237

2 35237

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 35237 is made and
4 entered, in duplicate, as of February 7, 2023, for reference purposes only, pursuant to
5 minute orders adopted by the City Council of the City of Long Beach at its meetings on
6 March 5, 2019 and November 17, 2020, by and between GRUEN ASSOCIATES, a
7 California general partnership ("Consultant"), with a place of business at 6330 San Vicente
8 Boulevard, Suite 200, Los Angeles, California 90048, and the CITY OF LONG BEACH, a
9 municipal corporation ("City").

10 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
11 35237 (the "Agreement") whereby Consultant agreed to provide on-call environmental,
12 planning, affordable housing, and community engagement consultant services; and

13 WHEREAS, the Parties entered into a First Amendment to the Agreement to
14 add \$100,000 for a total not to exceed amount of \$200,000 and update Consultant's Key
15 Employee; and

16 WHEREAS, the Parties entered into a Second Amendment to the Agreement
17 to add \$100,000 for a total not to exceed amount of \$300,000 and extend the term to March
18 5, 2022; and

19 WHEREAS, the Parties entered into a Third Amendment to extend the term
20 to March 5, 2023; and

21 WHEREAS, the Parties entered into a Fourth Amendment to add \$700,000
22 to the Agreement for a total not to exceed amount of \$1,000,000; and

23 WHEREAS, the Parties desire to add \$250,000 to the Agreement for a total
24 not to exceed amount of \$1,250,000 and extend the term one (1) additional one-year
25 period;

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

- 28 1. Section 1.A. of the Agreement is hereby amended to read as follows:

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1 “A. Consultant shall furnish specialized services more particularly
2 described in Exhibit “A”, attached to this Agreement and incorporated by this reference, in
3 accordance with the standards of the profession, and City shall pay for these services in
4 the manner described below, not to exceed One Million Two Hundred Fifty-Thousand
5 Dollars (\$1,250,000), at the rates or charges shown in Exhibit “B”.”

6 2. Section 2. of the Agreement is hereby amended to read as follows:

7 “2. TERM. The term of this Agreement shall commence at midnight on
8 March 16, 2019, and shall terminate at 11:59 p.m. on March 5, 2024, unless sooner
9 terminated as provided in this Agreement, or unless the services or the Project is
10 completed sooner.”

11 3. Except as expressly modified herein, all of the terms and conditions
12 contained in Agreement No. 35237 are ratified and confirmed and shall remain in full force
13 and effect.

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

GRUEN ASSOCIATES, a California general partnership

FEBRUARY 23, 2023

By 
Name LORETTA SCHWOLSKY
Title PARTNER

_____, 2023

By _____
Name _____
Title _____

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"Consultant"

CITY OF LONG BEACH, a municipal corporation

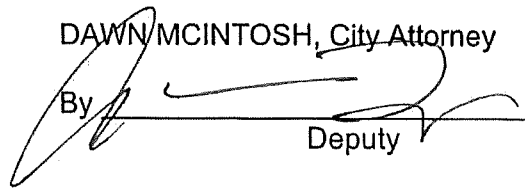
March 10, 2023

By Sandra J. Tatum
City Manager

"City"

This Fifth Amendment to Agreement No. 35237 is approved as to form on February 20, 2023.

DAWN MCINTOSH, City Attorney

By 
Deputy

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