

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 FIRST AMENDMENT TO AGREEMENT NO. 30350

2 **30350**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 30350 is made and
4 entered, in duplicate, as of September 24, 2008 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 October 23, 2007, by and between MICHAEL J. ARNOLD AND ASSOCIATES, INC.,
7 a California corporation ("Consultant"), with its principle place of business at 1127 11th
8 Street, Suite 820, Sacramento, California 95814, and the CITY OF LONG BEACH, a
9 municipal corporation ("City").

10 WHEREAS, there is a need to hire a legislative advocate to assist City in
11 keeping informed about activities in the State Capitol that may affect the citizens of City
12 and their municipal government; and

13 WHEREAS, there is a need to retain expert assistance to help City
14 formulate and communicate in the most effective ways City's policies and positions to the
15 California Legislature and State agencies, including the members of the Long Beach
16 Legislative Delegation; and

17 WHEREAS, by reason of extensive experience in dealing with
18 governmental agencies and officials, Consultant is particularly and peculiarly qualified to
19 serve City in establishing and maintaining liaison for City and representing City with other
20 governmental entities and officials; and

21 WHEREAS, the parties entered Agreement No. 30350 whereby Consultant
22 agreed to provide said services; and

23 WHEREAS, the parties desire to extend the term of the Agreement;

24 NOW, THEREFORE, in consideration of the mutual terms and conditions
25 contained in Agreement No. 30350 and herein, the parties agree as follows:

26 1. Section 4.A. of Agreement No. 30350 is hereby amended in its
27 entirety to read as follows:

28 "A. For the initial term of this Agreement, City shall pay to

1 Consultant the sum of Eight Thousand Forty Nine Dollars (\$8,049.00) per
2 month, with the first payment due on October 31, 2007 for services, if any,
3 rendered during the month of October. For the first extended term of this
4 Agreement, City shall pay to Consultant the sum of Eight Thousand Three
5 Hundred Eleven Dollars (\$8,311.00) per month, with the first payment due on
6 October 31, 2008 for services, if any, rendered during the month of October.

7 2. Section 4.E. of Agreement No. 30350 is hereby amended in its
8 entirety to read as follows:

9 "E. For the initial term of this Agreement, total compensation
10 hereunder shall not exceed One Hundred Two Thousand Two Hundred
11 Eighty Eight Dollars (\$102,288.00). For the first extended term of this
12 Agreement, total compensation hereunder shall not exceed One Hundred
13 Five Thousand Four Hundred Thirty Two Dollars (\$105,432.00). The parties
14 agree that this compensation represents the reasonable value of services to
15 be rendered by Consultant. If a court of competent jurisdiction or any
16 administrative agency determines that payment of such compensation was
17 otherwise contingent, then this Agreement shall be deemed rescinded ab
18 initio."

19 3. Section 5 of Agreement No. 30350 is hereby amended in its entirety
20 to read as follows:

21 "5. TERM. The initial term of this Agreement shall begin at
22 midnight on October 1, 2007 and shall terminate at 11:59 p.m. on September
23 30, 2008. The first extended term of this Agreement shall commence at
24 midnight on October 1, 2008 and shall terminate at 11:59 p.m. on September
25 30, 2009, unless sooner terminated as provided in this Agreement."

26 3. Except as expressly modified herein, all of the terms and conditions
27 contained in Agreement No. 30350 are ratified and confirmed and shall remain in full
28 force and effect.

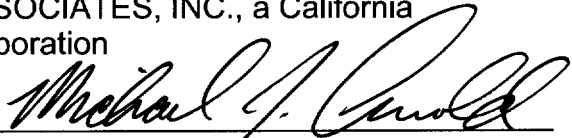
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IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

MICHAEL J. ARNOLD AND ASSOCIATES, INC., a California corporation

October 17, 2008

By 
President

Michael J. Arnold
(Type or Print Name)

October 17, 2008

By 
Secretary

Michael J. Arnold
(Type or Print Name)

"Consultant"

CITY OF LONG BEACH, a municipal corporation

10.30, 2008

By  Assistant City Manager
City Manager

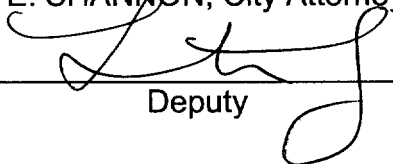
"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This First Amendment to Agreement No. 30350 is approved as to form on

October 22, 2008.

ROBERT E. SHANNON, City Attorney

By 
Deputy