

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 33882

2 **33882**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 33882 is made and  
4 entered, in duplicate, as of April 6, 2021 for reference purposes only, pursuant to a minute  
5 order adopted by the City Council of the City of Long Beach at its meeting on August 11,  
6 2020, by and between FRASCA & ASSOCIATES, LLC, a New York limited liability  
7 company ("Consultant"), with a place of business at 521 Madison Avenue, Seventh Floor,  
8 New York, New York 10022, and the CITY OF LONG BEACH, a municipal corporation  
9 ("City").

10 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.  
11 33882 (the "Agreement") whereby Consultant agreed to provide financial advisory  
12 services; and

13 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
14 extend the term to May 31, 2018; and

15 WHEREAS, the Parties entered into a Second Amendment to the Agreement  
16 to extend the term to May 31, 2019; and

17 WHEREAS, the Parties entered into a Third Amendment to the Agreement  
18 to extend the term to May 31, 2020; and

19 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement  
20 to extend the term to May 31, 2021; and

21 WHEREAS, the Parties desire to extend the term one (1) additional one-year  
22 period;

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

25 1. Section 2 of the Agreement is hereby amended to read as follows.

26 "2. TERM. The term of this Agreement shall commence at midnight on  
27 June 1, 2015, and shall terminate at 11:59 p.m. on May 31, 2022, unless sooner terminated  
28 or extended as provided in this Agreement, or unless the services are completed sooner."

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2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33882 are ratified and confirmed and shall remain in full force and effect.

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.

FRASCA & ASSOCIATES, LLC, a New York limited liability company

April 13, 2021

By Kenneth J. Cushman  
Name Kenneth J. Cushman  
Title Principal

\_\_\_\_\_, 2021

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

"Consultant"

CITY OF LONG BEACH, a municipal corporation

May 18, 2021

By Joselyn F. Tatum  
City Manager

"City" EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER

This Fifth Amendment to Agreement No. 33882 is approved as to form on

5-4, 2021.

CHARLES PARKIN, City Attorney

By Charles Parkin  
Deputy

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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.

FRASCA & ASSOCIATES, LLC, a New York limited liability company

April 13, 2021

By Kenneth Ashburn  
Name Kenneth J. Ashburn  
Title Principal

\_\_\_\_\_, 2021

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

"Consultant"

CITY OF LONG BEACH, a municipal corporation

\_\_\_\_\_, 2021

By \_\_\_\_\_  
City Manager

"City"

This Fifth Amendment to Agreement No. 33882 is approved as to form on \_\_\_\_\_, 2021.

CHARLES PARKIN, City Attorney

By \_\_\_\_\_  
Deputy

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