

**FOURTH AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002270
WITH GEARY, SHEA, O'DONNELL, GRATTAN & MITCHELL, P.C.**

This Fourth Amendment to Agreement Number F002270, dated October 2, 2019, ("Agreement") is made as of this ____ day of _____, 2023, by and between the City of Santa Rosa, a municipal corporation ("City"), and Geary, Shea, O'Donnell, Grattan & Mitchell, P.C. ("Consultant").

RECITALS

- A. City and Consultant entered into the Agreement for Consultant to provide legal representation in connection with the matter of *Pelayo, et al. v. Utility Partners of America, City of Santa Rosa, et al.*, Sonoma County Superior Court Case Number SCV264530.
- B. City and Consultant have previously entered into a First, Second and Third Amendment to the Agreement, increasing compensation for continued legal services.
- B. City and Consultant now desire to amend the Agreement for the purpose of increasing compensation for continued legal services.

AMENDMENT

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. Section 2. Compensation

Section 2(c) is amended to increase the compensation payable to Consultant under the Agreement by \$75,000 to read as follows:

"Notwithstanding any other provision in this Agreement to the contrary, the total maximum compensation to be paid for the satisfactory accomplishment and completion of all tasks set forth above shall in no event exceed the sum of Three Hundred Fifty Thousand Dollars and no cents (\$350,000). The City's Chief Financial Officer is authorized to pay all proper claims from JL Key 55675."

All other terms of the Agreement shall remain in full force and effect.

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Executed as of the day and year first above stated.

CONSULTANT:

CITY OF SANTA ROSA
a Municipal Corporation

Name of Firm: GEARY, SHEA, O'DONNELL,
GRATTAN & MITCHELL, P.C.

TYPE OF BUSINESS ENTITY (*check one*):

- Individual/Sole Proprietor
- Partnership
- Corporation
- Limited Liability Company
- Other (please specify: _____)

By: _____

Print Name: _____

Title: _____

APPROVED AS TO FORM:

Signatures of Authorized Persons:

By: _____

Print Name: Raymond J. Fullerton

Title: Chief Financial Officer

By: _____

Print Name: John F. Geary

Title: Chief Executive Officer

Office of the City Attorney

ATTEST:

City Clerk