

**AMENDMENT NUMBER TWO  
TO AMENDED RETAINER AGREEMENT  
FOR  
CITY ATTORNEY SERVICES**

This Amendment Number Two (“Amendment”) is made and entered into this 7th day of January, 2019 (“Effective Date”), by and between the CITY OF COSTA MESA, a municipal corporation (“City”), and RICHARD D. JONES, a professional law corporation DBA JONES & MAYER (“Jones & Mayer”).

WHEREAS, City and Jones & Mayer entered into an Amended Retainer Agreement for City Attorney Services on March 1, 2011 (the “Agreement”); and

WHEREAS, on September 18, 2018, City and Jones & Mayer amended the Agreement to increase the hourly rate for legal services, to designate an Assistant City Attorney, and to clarify certain terms; and

WHEREAS, City and Jones & Mayer now desire to amend the Agreement as set forth herein.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Section 1.A. of the Agreement shall be amended to designate and appoint Kimberly Hall Barlow as the Contract City Attorney. Any and all references in the Agreement to “Thomas P. Duarte” shall be amended to read, “Kimberly Hall Barlow.”
2. Section 1.B. of the Agreement shall be amended to read as follows:
  - B. Tarquin Preziosi and Yolanda M. Summerhill, both of Jones & Mayer, are designated and appointed as the Contract Assistant City Attorneys (each an “Assistant City Attorney”). The City Attorney may also appoint such attorneys from Jones & Mayer as the City Attorney deems appropriate to serve as Deputy City Attorneys for the City. The Assistant City Attorneys and Deputy City Attorneys shall serve in the City Attorney’s absence.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

\_\_\_\_\_  
Katrina Foley  
Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Brenda Green  
City Clerk

JONES & MAYER

\_\_\_\_\_  
Richard D. Jones  
Owner/President

Date: \_\_\_\_\_