

**AMENDMENT NO. 5 TO THAT CERTAIN AGREEMENT
BETWEEN THE CITY OF MANHATTAN BEACH AND
RICHARDS, WATSON & GERSHON, A PROFESSIONAL
CORPORATION, FOR PROSECUTION LEGAL SERVICES**

This Amendment No. 5 dated November 7, 2023, amends that certain agreement dated September 6, 2011 (“Initial Agreement”) between the City of Manhattan Beach, a municipal corporation (“City”) and the law firm of Richards, Watson & Gershon, a professional corporation (“RWG”), for City Attorney services.

WHEREAS, City and RWG entered into the Agreement on September 6, 2011, which Agreement was subsequently amended in June 2014, August 2018, July 2020 and in August 2021 (collectively, “Agreement”);

WHEREAS, City and RWG now desire to amend the Agreement to include additional prosecution services;

WHEREAS, Pursuant to Manhattan Beach Municipal Code Section 2.08.160, “The City Attorney shall also serve as City Prosecutor”; and

WHEREAS, Pursuant to the Agreement, RWG shall use other RWG attorneys as appropriate to serve the City’s legal needs.

NOW THEREFORE, the parties agree as follows:

Section 1. Section 1. Legal Services is hereby amended by adding a new subsection A.13 to read as follows:

“13. *Prosecution Services.* RWG shall provide prosecution services for criminal and municipal code violations, including those addressed through the administrative citation process, as assigned by the City.”

Section 2. Exhibit A, relating to compensation for additional services is hereby amended to reflect the addition of as follows:

“H. *Prosecution Services.* RWG shall provide legal services for Prosecution Services at the rate of \$234 per hour.”

Section 3. All other terms and provisions of the Agreement shall have full force and effect.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS THEREOF, the Parties hereto have executed this Amendment No. 5 on the day and year first shown above.

City:

RWG:

City of Manhattan Beach,
a California municipal corporation

RICHARDS, WATSON & GERSHON,
a professional corporation

By: _____
Name: Bruce Moe
Title: City Manager

DocuSigned by:
Kayser Sume
By: _____
Name: Kayser O. Sume 11/1/2023
Title: Chairman of the Board

ATTEST:

By: _____
Name: Liza Tamura
Title: City Clerk

APPROVED AS TO FISCAL IMPACT:

DocuSigned by:
Steve Charelian
By: _____
Name: Steve S. Charelian 11/1/2023
Title: Finance Director