

**AMENDMENT NUMBER ONE TO
PROFESSIONAL SERVICES AGREEMENT
WITH
EVERETT DOREY LLP**

This Amendment Number One ("Amendment") is dated _____, 2025, ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City") and EVERETT DOREY LLP ("Consultant").

WHEREAS, City and Consultant entered into an agreement on February 19, 2019, for Consultant as an independent contractor to provide legal services to the City, (the "Agreement"); and

WHEREAS, City and Contractor now desire to update Exhibit "C" in the Agreement and increase the compensation reflected in Section 2 of the Agreement;

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

1. The foregoing recitals in this Amendment are hereby declared to be true and correct and are incorporated as if fully set forth herein.
2. Section 2 and Exhibit "C" of the Agreement are amended to reflect the increase in hourly rates. Revised Exhibit "C" is attached to this Amendment.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.
4. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.
5. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement.

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 above written.

CONSULTANT

Seymour B. Everett

Date: _____

CITY OF COSTA MESA

Cecilia Gallardo Daly
Interim City Manager

Date: _____

ATTEST:

Brenda Green
City Clerk

Date: _____

APPROVED AS TO FORM:

Kimberly Hall Barlow
City Attorney

Date: _____

APPROVED AS TO INSURANCE:

Ruth Wang
Risk Management

Date: _____

PURCHASING APPROVAL:

Carol Molina
Finance Director

Date: _____

REVISED EXHIBIT "C"

FEE SCHEDULE

A. Hourly rates for legal personnel

\$365 Partners
\$315 Associates
\$140 Paralegals

B. Standard charges

Time to be charged in minimum increments of .1 hours (6 minutes).

Everett Dorey will charge the City for the services provided pursuant to the Agreement based on the amount of time (including travel) we devote to the matter at the hourly rates for the particular professionals involved.

C. Costs/Expenses

Everett Dorey will incur on the City's behalf various costs and expenses in performing legal services under the Agreement. The City agrees to pay for those costs and expenses, in addition to the hourly fees. Costs and expenses incurred on the City's behalf may include but are not limited to:

Process server fees	At cost
Filing fees or other fees fixed by law or assessed by public agencies	At cost
Meals	At cost
Parking	At cost
Travel expenses, including lodging, air fare, taxis, public transportation, car rental, and meals	At cost
Deposition costs	At cost
Experts, consultants, or investigators	At cost
Mileage	At the Internal Revenue Service's business mileage reimbursement guidelines
Messenger and other delivery fees	At cost

D. Outside Consultants/Other Vendors

In addition to the costs of the type set forth above, it may become necessary to hire persons or entities outside Everett Dorey, including but not limited to consultants, experts, investigators, co-counsel, or other professionals. We will select any consultants or investigators to be hired after notice to and consultation with, and approval of, the City and the City Attorney and the City agrees to honor the terms and conditions of any agreement that we enter into on the City's behalf with any such outside person or entity. to honor the terms and conditions of any agreement that we enter into on the City's behalf with any such outside person or entity.