

**SECOND AMENDMENT TO
LEGAL SERVICES AGREEMENT
CITY OF CHULA VISTA
AND
COLANTUONO, HIGHSMITH & WHATLEY, PC**

This Second Amendment to Legal Services Agreement (“Second Amendment”) is entered into this effective day of January 3, 2023 (“Effective Date”), by and between the City of Chula Vista (“City”) and Colantuono, Highsmith & Whatley, PC (“Attorney”) (City and Attorney together, “Parties”).

RECITAL

WHEREAS, Attorney has provided legal services on behalf of the City related to advising the City on local authority regarding gaming operations pursuant to a Legal Services Agreement between City and Attorney effective June 9, 2022 (“Legal Services Agreement”); and

WHEREAS, the Legal Services Agreement, in Section 3.1, provides that the Legal Services Agreement shall not exceed \$10,000.00 without the express written authorization of the City; and

WHEREAS, City and Attorney entered into a First Amendment to Legal Services Agreement on October 24, 2022 (“First Amendment”) amending Section 3.1 of the Original Agreement to change the not to exceed amount from ten thousand dollars (\$10,000.00) to forty thousand dollars (\$40,000.00) (Original Agreement and First Amendment collectively, “Agreements”); and

WHEREAS, the services by Attorney are to include continued assistance in advising the City on local authority regarding gaming operations, which will result in additional costs exceeding \$40,000.00.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. Section 3.1 of the Legal Services Agreement is amended to change the not to exceed amount from forty thousand dollars (\$40,000.00) to fifty thousand dollars (\$50,000.00).
2. Costs that exceeded \$40,000.00 that were incurred under the Legal Services Agreement but prior to this Second Amendment are to be covered and compensated by this Second Amendment.
3. Except as expressly provided herein, all other terms and conditions of the Legal Services Agreement shall remain in full force and effect.

(Signature Page to follow)

**SECOND AMENDMENT TO LEGAL SERVICES AGREEMENT
CITY OF CHULA VISTA AND COLANTUONO, HIGHSMITH & WHATLEY, PC**

SIGNATURE PAGE

IN WITNESS WHEREOF, by executing this Second Amendment where indicated below, City and Attorney agree that they have read and understood all terms and conditions of this Second Amendment, that they fully agree and consent to be bound by same, and that they are freely entering into this Second Amendment as of Effective Date.

CITY OF CHULA VISTA

DocuSigned by:
By: 
CF40650850444BF...

Glen R. Googins, City Attorney

ATTORNEY

DocuSigned by:
By: 
2DFD0B76110B4AA...

Michael G. Colantuono, President