

**AMENDMENT NUMBER FIVE
TO PROFESSIONAL SERVICES AGREEMENT
WITH
RODELL R. FICK**

This Amendment Number Five ("Amendment") is made and entered into this 1st day of September, 2018 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and RODELL R. FICK, a sole proprietor ("Consultant").

WHEREAS, City and Consultant entered into an agreement on October 1, 2014 for Consultant to preside as the Hearing Officer at Administrative Hearings of Civil Citations (the "Agreement"); and

WHEREAS, Section 4.1 of the Agreement provides for a term of twelve (12) months, with the option to extend the Agreement for three (3) additional one (1) year periods; and

WHEREAS, City and Consultant, through Amendment Number One, extended the term of the Agreement through September 30, 2016; and

WHEREAS, City and Consultant, through Amendment Number Two, extended the term of the Agreement through September 30, 2017; and

WHEREAS, City and Consultant, through Amendment Number Three, increased Consultant's maximum compensation; and

WHEREAS, City and Consultant, through Amendment Number Four, extended the term of the Agreement through September 30, 2018 and amended the Scope of Services; and

WHEREAS, City and Consultant now desire to extend the term for one (1) additional year, through September 30, 2019, and to set forth Consultant's compensation for the extended period.

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

1. The term of the Agreement shall be extended through September 30, 2019.
2. For the period commencing October 1, 2018 and ending September 30, 2019, Consultant's compensation shall not exceed Eleven Thousand Dollars (\$11,000.00).
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

Thomas R. Fatch
City Manager

Date: 8/22/18

CONSULTANT

Rodell Fick
Signature

Date: 8-6-18

Rodell Fick, Esq. - Hearing Officer
Name and Title

ATTEST:

Brenda Green 8-22-18
City Clerk



APPROVED AS TO FORM:

[Signature]
City Attorney

Date: 08/21/18

APPROVED AS TO INSURANCE:

[Signature]
Risk Management

Date: 8/9/18

APPROVED AS TO CONTENT:

[Signature]
Project Manager

Date: 8-9-18

DEPARTMENTAL APPROVAL



Economic and Development
Services Director

Date: 8.10.18

APPROVED AS TO PURCHASING:



Finance Director

Date: 8/16/18