



1                   **SECOND AMENDMENT TO AGREEMENT FOR CITY ATTORNEY SERVICES**

2                   **THIS SECOND AMENDMENT** ("Second Amendment") to the Amended and Restated  
3 Agreement for City Attorney Services ("Agreement"; Contract #C11-17b) is entered into effective  
4 January 1, 2018 by and between the City of Albany, a California charter city ("City") and the Law  
5 Offices of Craig Labadie and Craig Labadie, Esq. ("Attorney"), a sole proprietor law firm providing  
6 municipal law services.

7                   **WHEREAS**, effective on January 1, 2012, City retained Attorney to serve as the City  
8 Attorney for the City of Albany; and

9                   **WHEREAS**, effective on September 1, 2013, City and Attorney entered into an Amended and  
10 Restated Agreement for City Attorney Services; and

11                   **WHEREAS**, effective on December 1, 2015, City and Attorney entered into an Amendment  
12 to Agreement for City Attorney services; and

13                   **WHEREAS**, City and Attorney mutually wish to continue the arrangement whereby Attorney  
14 serves as the City Attorney for the City of Albany, subject to certain amended terms and conditions as  
15 set forth in this Second Amendment.

16                   **NOW, THEREFORE**, in consideration of the mutual covenants and conditions set forth in  
17 this Second Amendment, the parties agree as follows:

18                   **A.     Second Amendment to Agreement.** This Second Amendment makes certain specific  
19 changes to the Agreement, as previously Amended. Except for the provisions expressly modified in  
20 this Second Amendment, the remaining terms and conditions of the Agreement, as previously  
21 Amended, remain in full force and effect. The following provisions of the Agreement are hereby  
22 amended, to read as follows:

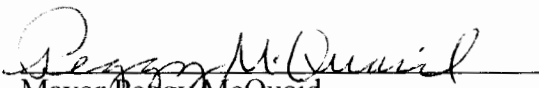
23                   **3.     Term.** The term of this Agreement shall commence on January 1, 2018 and  
24 shall continue for a period of two years, subject to the provisions set forth in Paragraph 7 of the  
25 Agreement.

26                   **4.     Compensation.** In consideration for the General Services to be performed by  
27 Attorney, City shall pay a monthly retainer in the amount of \$12,000 for the period from January 1,  
28 2018 through December 31, 2018. Commencing on January 1, 2019, the monthly retainer shall be

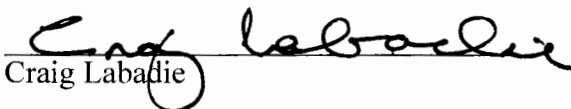
1 \$12,500. City shall continue to pay Attorney for Special Services at the rate of \$195 per hour, upon  
2 submission and approval of invoices. Out-of-pocket expenses such as travel and mileage (not  
3 including travel or mileage from Attorney's office to the Albany City Hall), photocopying, overnight  
4 delivery, and messenger services shall be reimbursed at a reasonable rate. City shall use its best  
5 efforts to cause invoices and expense reimbursement requests to be paid within thirty (30) days after  
6 receipt.

7 **IN WITNESS WHEREOF**, the parties have executed this Second Amendment as of the day  
8 and year written above.

9  
10 **CITY OF ALBANY**

11  
12 By:   
13 Mayor Peggy McQuaid

14  
15 **ATTORNEY**

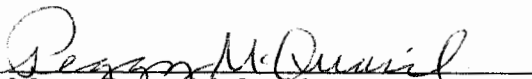
16  
17 By:   
18 Craig Labadie

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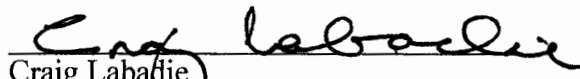
9 **CITY OF ALBANY**

10  
11  
12 By:

  
Mayor Peggy McQuaid

13  
14 **ATTORNEY**

15  
16  
17 By:

  
Craig Labadie



# City of Albany

1000 San Pablo Avenue • Albany, California 94706  
(510) 528-5710 • [www.albanyca.org](http://www.albanyca.org)

## RESOLUTION NO. 2018-10

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 8th day of January, 2018, by the following votes:

AYES: Council Members Barnes, Maass, Nason, Pilch and Mayor McQuaid.

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

9th day of January, 2018.

Eileen Harrington  
DEPUTY CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.*