

**SECOND AMENDMENT  
TO PROFESSIONAL SERVICES AGREEMENT  
WITH  
DE NOVO PLANNING GROUP**

**THIS SECOND AMENDMENT** is made and entered into this 17th day of February, 2023, by and between the CITY OF FORT BRAGG, hereinafter referred to as "City," and DE NOVO PLANNING GROUP, hereinafter referred to as "Consultant."

**WHEREAS**, the City and Consultant entered into a Professional Services Agreement ("Contract") on April 26, 2022 to prepare an Environmental Impact Report for the proposed Grocery Outlet at 825, 848 and 851 South Franklin Street, pursuant to City Council Resolution 4538-2022 adopted April 25, 2022; and

**WHEREAS**, the parties amended the Contract on September 23, 2022 to increase the scope of work and compensation; and

**WHEREAS**, the Consultant has been performing tasks for the City, a few of which are still in various stages of completion and need to be finished; and

**WHEREAS**, City and Consultant desire to amend the Contract to extend the time of completion to May 31, 2023 and the term of the contract to August 31, 2023; and

**WHEREAS**, there are still sufficient funds budgeted for these activities;

**NOW, THEREFORE**, for the aforementioned reasons and other valuable consideration, the receipt and sufficiency of which is acknowledged, City and Consultant hereby agree that the Professional Services Agreement for preparation of an Environmental Impact Report for the proposed Grocery Outlet between City and Consultant dated April 26, 2022, is hereby amended as follows:

1. **Time of Performance:**  
Paragraph 3.1 (Commencement and Completion of Work) is hereby amended to extend the time of completion of the project to **May 31, 2023**.
2. **Term and Termination:**  
Paragraph 4.1 (Term) is hereby amended to extend the expiration date of the Contract to **August 31, 2023**.
3. Except as expressly amended herein, the Professional Services Agreement between the City and Consultant dated April 26, 2022, as amended by the First Amendment to Contract dated September 23, 2022, is hereby reaffirmed.

**IN WITNESS WHEREOF**, the parties have executed this First Amendment the day and year first above written.

[SIGNATURES ON NEXT PAGE]

CITY OF FORT BRAGG:

DocuSigned by:  
*Peggy Ducey*  
By: \_\_\_\_\_  
16089B8E3607478...  
Peggy Ducey  
City Manager

CONSULTANT:

DocuSigned by:  
*Steve McMurtry*  
By: \_\_\_\_\_  
8378972DD8C5494...  
Steve McMurtry  
Principal Planner

ATTEST:

DocuSigned by:  
*June Lemos, MMC*  
\_\_\_\_\_  
57EA75A35DBA43D...  
June Lemos, MMC  
City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
*Keith Collins*  
\_\_\_\_\_  
3F00B7A744114...  
Keith Collins  
City Attorney