

AMENDMENT NO. 2 TO LEGAL SERVICES AGREEMENT

THIS AMENDMENT NO. 2 TO LEGAL SERVICES AGREEMENT ("Amendment No. 2") is made and entered into as of July 1, 2024, by and between the City of Upland ("City") and the law firm Richards, Watson & Gershon ("Agreement").

A. Recitals.

(i) On December 21, 2021, the parties hereto entered into a Legal Services Agreement which provided that hourly fees charged for services provided would increase pursuant to a formula set forth therein, provided that any increase of three percent (3%) or more would require City Council approval.

(ii) The formula increase for 2024 is on the order of 3.9% and therefore requires City Council approval and that approval is provided by approval of this Amendment No. 2.

B. Amendment No. 2.

(i) Commencing on July 1, 2024, the Compensation Rate Schedule stated in Exhibit 1 attached hereto shall replace and supersede the Compensation Rate Schedule stated in Exhibit 2 to the Agreement.

(ii) Other than as amended hereby, the Agreement and each and every term thereof shall remain in full force and effect.


IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to sign below.

July 22, 2024



Michael Blay, City Manager

Attest:



Keri Johnson, City Clerk

Approved:

RICHARDS, WATSON & GERSHON,
A Professional Corporation



James L. Markman

EXHIBIT 1

Compensation Rate Schedule

Richards, Watson & Gershon ("RWG") shall be compensated for legal services provided in the amount of rates per hour of service performed as follows:

1. For water rights matters, including the Chino Basin Adjudication:
 - a. For services performed by James L. Markman - \$458.00 per hour;
 - b. For services performed by all other firm shareholders and senior attorneys - \$377.00 per hour;
 - c. For services performed by firm associates - \$297.00 per hour;
 - d. For services performed by firm paralegals - \$189.00 per hour.
2. For all other services performed:
 - a. For services performed by firm shareholders and senior attorneys - \$377.00 per hour;
 - b. For services performed by firm associates - \$297.00 per hour;
 - c. For services performed by firm paralegals - \$189.00 per hour.

In addition to fees, RWG will be reimbursed for out-of-pocket expenses including duplication and printing costs, telecommunications, deposition fees, travel, court fees, expert witness fees and other fees and costs customarily charged back to RWG clients.

CITY OF UPLAND

FEE CPI INCREASE AS OF 07/01/24 PER APRIL 24 CPI INCREASE

Consumer Price Index for All Urban Consumers (CPI-U)														
Original Data Value											CURRENT CPI INCR.		NEW	
Series Id:	CUURS49ASA0,CUUSS49ASA0											\$182	3.90%	\$189
Not Seasonally Adjusted												\$286	3.90%	\$297
Series Title:	All items in Los Angeles-Long Beach-Anaheim, CA,											\$363	3.90%	\$377
Area:	Los Angeles-Long Beach-Anaheim, CA											\$441	3.90%	\$458
Item:	All items													
Base Period:	1982-84=100													
Years:	2014 to 2024													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec		
2014	239.857	241.059	242.491	242.437	243.362	243.528	243.727	243.556	243.623	243.341	241.753	240.475		
2015	239.724	241.297	243.738	243.569	246.093	245.459	247.066	246.328	245.431	245.812	245.711	245.357		
2016	247.155	247.113	247.873	248.368	249.554	249.789	249.784	249.700	250.145	251.098	250.185	250.189		
2017	252.373	253.815	254.525	254.971	255.674	255.275	256.023	256.739	257.890	258.883	259.135	259.220		
2018	261.235	263.012	264.158	265.095	266.148	265.522	266.007	266.665	268.032	269.482	268.560	267.631		
2019	269.468	269.608	271.311	273.945	274.479	274.380	274.682	274.579	276.054	278.075	277.239	275.553		
2020	277.755	278.657	276.589	275.853	276.842	278.121	279.899	280.116	279.366	279.947	280.102	279.560		
2021	280.178	281.347	282.648	285.808	287.620	289.218	290.890	291.333	292.209	294.961	296.790	297.925		
2022	301.209	302.164	306.679	308.302	310.649	314.072	313.415	313.608	315.033	317.014	314.633	312.601		
2023	318.591	317.571	317.873	320.089	320.514	322.055	321.931	324.050	324.984	324.545	323.341	323.456		
2024	326.640	328.232	330.671	332.572	332.956									
CPI increase											12.483			
% of CPI increase											3.90%			