

SECOND AMENDMENT TO AGREEMENT BETWEEN  
CITY OF FULLERTON, CALIFORNIA  
AND  
PUBLIC TRUST ADVISORS, LLC

THIS SECOND AMENDMENT ("Second Amendment") is effective as of the 1st day of January 2020, by and between Public Trust Advisors, LLC, a Colorado limited liability company (hereinafter "Investment Manager") and the City of Fullerton, California (hereinafter "Client").

RECITALS

WHEREAS, Client and Investment Manager entered into an agreement dated the 8<sup>th</sup> day of December 2014, for certain Services (the "Original Agreement");

WHEREAS, Section 7.(a) of the Original Agreement, states "Services to be rendered by the Investment Manager shall be for an initial period of three years ending December 31, 2017 with one optional two-year renewal, at the Client's discretion, that would extend this agreement to December 31, 2019. In no case shall this agreement, unless amended by the Client and agreed to by the Client and Investment Manager, extend past December 31, 2019";

WHEREAS, the parties desire to extend the term of the Original Agreement on the same terms and conditions as set forth in the Original Agreement as stated below;

SECOND AMENDMENT

NOW THEREFORE, in consideration of the foregoing and the mutual rights and obligations as set forth below, the parties agree as follows:

1. In accordance with the terms as outlined in Section 7.(a) of the Original Agreement, the Original Agreement shall be amended to extend the term by one (1) year to December 31, 2020, with one (1) optional one-year renewal, at the Client's discretion, that would extend terms of the Original Agreement to December 31, 2021.
2. Capitalized terms in this Second Amendment will have the same meaning as in the Original Agreement. To the extent that the terms and provisions of the Second Amendment conflict with, modify or supplement portions of the Original Agreement, the terms and provisions contained in this Second Amendment shall govern and control the rights and obligations of the parties.
3. Except as expressly altered, modified and changed in this Second Amendment, all terms and provisions of the Original Agreement shall remain in full force and effect, and are hereby ratified and confirmed in all respects as of the date hereof.
4. This Second Amendment shall be binding on the parties hereto, their heirs, executors, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to the Original Agreement as of the date first written above.

CITY OF FULLERTON, CALIFORNIA

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_

PUBLIC TRUST ADVISORS, LLC

By: \_\_\_\_\_

Print Name: John F. Grady III

Title: Managing Director

Date: \_\_\_\_\_

APPROVED AS TO FORM

  
\_\_\_\_\_  
Richard D. Jones, City Attorney