

**FOURTH AMENDMENT FOR FY 2009-11 TO THE
ANIMAL CONTROL SERVICES AGREEMENT
BETWEEN THE COUNTY OF SANTA BARBARA
AND THE CITY OF GOLETA FOR THE
REGULATION, CONTROL, AND ENFORCEMENT
OF ANIMAL CONTROL ORDINANCES WITHIN
THE CITY OF GOLETA**

THIS IS THE FOURTH AMENDMENT TO THE AGREEMENT (hereafter **Amendment Four**) to the Agreement for Animal Control Services, July 1, 2005, (hereafter **Contract**), made by and between the **County of Santa Barbara**, a political subdivision of the State of California (hereafter **County**), and **City of Goleta** (hereafter **City**).

WHEREAS, the parties desire to amend the Contract to extend the term of the Contract and to adjust the compensation payable to County for services performed under the Contract; and

WHEREAS, this Amendment Four incorporates the terms and conditions set forth in the Contract, the First, Second, and Third Amendments, except as modified by this Amendment Four.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **County** and **City** enter into this Amendment Four on July 1, 2009, and hereby agree to amend the Contract as follows:

Section 1:

Paragraph III: Annual Fee to City is amended to read in its entirety:

Paragraph III: ANNUAL FEE TO CITY

Between July 1, 2007 ~~2008~~ through June 30, 2008 ~~2009~~, City shall pay to the County \$171,091 ~~\$179,204~~. **City shall pay County \$185,440 between July 1, 2009 through June 30, 2010 (FY 2009-10), and \$191,930 between July 1, 2010 through June 30, 2011 (FY 2010-11)** for those services rendered under this Agreement in Section II by County to the City for those animal control services. City agrees to pay County a per capita fee of ~~\$5.94~~ **\$6.10** per year for each City resident. The population count for ~~FY 08-09~~ **FY 09-10** is based on the Department of Finance figures of ~~30,169~~ **30,400**.

Section 2:

Paragraph X. Term of Contract is amended to read in its entirety:

Paragraph X. TERM OF CONTRACT

The term of this contract shall commence on July 1, ~~2008~~ **2009** and end on June 30, ~~2009~~ **2011**, unless sooner extended or terminated, pursuant to Section XI of this Agreement. The fee of ~~\$179,204~~ **\$185,440** is valid as the annual contract fee for the period of July 1, ~~2008~~ **2009** through June 30, ~~2009~~ **2010** only. **The fee of \$191,930 is valid as the annual contract fee for the period of July 1, 2010 through June 30, 2011 only.** The County shall notify the City prior to the end of the Agreement term of their intent to negotiate in good faith to reach agreement prior to the end of the Agreement term.

If the parties have not entered into a new agreement for the services set forth herein to commence after the termination of the Agreement, the Agreement shall automatically extend for a period of not to exceed ninety (90) days from its expiration date under the same terms and conditions as are set forth in the Agreement together with CPI increase (based on all urban consumers: Los Angeles, Anaheim, Riverside, etc.) in service charges payable to the County by the City, unless thirty (30) days prior to such expiration date either of the parties notifies the other in writing that such extension is not accepted.

Section 3: Relationship of Amendment(s) to Original Contract

All the provisions of the Contract shall continue in effect except as modified by this Amendment Four.

Section 4:

In the event of any conflict or inconsistency between the provisions of this Amendment Four and the original Contract, including any amendments thereto, the provisions of this Amendment Four shall control in all respects.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment Four entered on July 1, 2009, to be executed by their duly authorized officers.

COUNTY OF SANTA BARBARA

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By: _____
Deputy
Date: _____

By: _____
Chair, Board of Supervisors

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
ROBERT W GEIS, CPA
AUDITOR-CONTROLLER

By: _____
Deputy County Counsel

By: _____
Deputy

PUBLIC HEALTH DEPARTMENT
ELLIOT SCHULMAN, MD, MPH
DIRECTOR

APPROVED AS TO INSURANCE FORM:
RAY AROMATORIO
RISK MANAGEMENT

By: _____
Director

By: _____
Risk Management

IN WITNESS WHEREOF, the parties hereto have caused this Amendment Four entered on July 1, 2009, to be executed by their duly authorized officers.

CITY OF GOLETA

By: _____
Tim Giles, City Attorney

By: _____
Daniel Singer, City Manager

By: _____
Roger S. Aceves, City Mayor