

ATTACHMENT 2

**AMENDMENT NO. 2 TO THE
AGREEMENT FOR SERVICES WITH THE CONFLICT SOLUTIONS CENTER
ALTERNATE DISPUTE RESOLUTION SERVICES**



County of Santa Barbara
BOARD OF SUPERVISORS
Minute Order

June 19, 2018

Present: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

SUPERIOR COURT

File Reference No. 18-00455

RE: Consider recommendations regarding Amendment No. 2 to Grant Award Funding of Alternate Dispute Resolution (ADR) and Dispute Resolution Programs Act (DRPA) for Fiscal Year 2018-2019, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 2 to the Agreement with Conflict Solutions Center of Santa Barbara County (CSC) for grant funding from the Dispute Resolution Trust Fund (Fund 1073) for an additional annual amount of \$72,000.00 for Fiscal Year 2018-2019, bringing the overall grant award total not to exceed to \$252,000.00, and extending the Agreement for the period of July 1, 2018 through June 30, 2019;
- b) Approve continued funding from the Dispute Resolution Trust Fund (Fund 1073) for the Superior Court, for purposes of Dispute Resolution Program administration during the term July 1, 2018 through June 30, 2019 in an amount not to exceed twenty percent (20%) of the funds available of the Trust Fund in accordance with Section 469 of the California Business and Professions Code; and
- c) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(4), since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

- a) **Approved and authorized; Chair to execute; and**
- b) **and c) Approved**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

AMENDMENT NO. 2 TO
AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR
CONFLICT SOLUTIONS CENTER

This Amendment No. 2 hereby amends and extends the Agreement for Services of Independent Contractor (Agreement) between the Conflict Solutions Center referred to as "CONTRACTOR" and the Superior Court of California, County of Santa Barbara referred to as "COURT" and the County of Santa Barbara, hereinafter referred to as "COUNTY".

WHEREAS, CONTRACTOR has been providing Alternate Dispute Resolution (ADR) services throughout the county in accordance with the California Business and Professions (Cal. B&P) Code sections 465 et seq. and Title 16, chapter 36 of the California Code of Regulations (CCR); and

WHEREAS, the Agreement expires on June 30, 2018; and

WHEREAS the parties wish to extend the Agreement for an additional year up to and including June 30, 2019 at the same rate of annual compensation; and

WHEREAS, the Dispute Resolution Programs Act of 1986 (DRPA) as set forth in the California Business & Professions Code Section 465 et seq., provides for the establishment and funding of local ADR Programs;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereby amend the Agreement as described below.

1. Under continuing consideration, the parties agree to extend the term for an additional year for fiscal year 2018-2019, up to and including June 30, 2019.
2. In Exhibit B, Payment Arrangements, Periodic Compensation, Section A, add the following to the end of the paragraph: "For fiscal year 2018-2019, CONTRACTOR shall be paid a total amount, including cost reimbursements, not to exceed \$72,000 through June 30, 2019."

The terms and provisions set forth in this Amendment No. 2 shall modify and supersede all inconsistent terms and provisions set forth in the Agreement or Amendment No. 1. The terms and provisions of the Agreement and Amendment No. 1, except as expressly modified and superseded by this Amendment No. 2, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding and enforceable obligations of the parties.

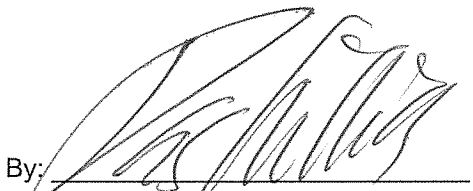
This Amendment No. 2 may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 to be effective on the date executed by COUNTY.

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

COUNTY OF SANTA BARBARA


By: 
Chair, Board of Supervisors


By: 
Deputy Clerk

Date: 6/19/18

COURT

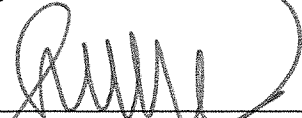
CONTRACTOR:
Conflict Solutions Center

By: 
Patricia Kelly
Superior Court Presiding Judge

By: 
Sherrill Nickerson
Executive Director

APPROVED AS TO FORM:

Michael C. Ghizzoni
County Counsel

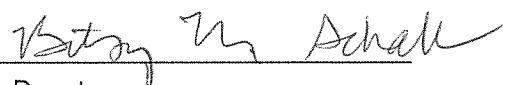
By: 
Deputy County Counsel

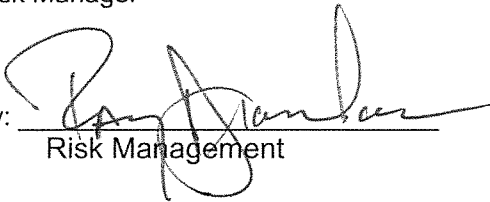
APPROVED AS TO ACCOUNTING FORM:

Theodore A. Fallati, CPA
County Auditor-Controller

APPROVED AS TO FORM:

Ray Aromatorio
Risk Manager

By: 
Deputy

By: 
Risk Management