

**AGREEMENT BETWEEN  
COUNTY OF SANTA BARBARA AND  
SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION  
FOR APPOINTMENT OF COUNTY COUNSEL AS  
COMMISSION'S LEGAL COUNSEL**

This Agreement is made by and between the County of Santa Barbara ("County") and the Santa Barbara Local Agency Formation Commission ("LAFCO" or "Commission") with respect to services for legal counsel.

Whereas, on July 1, 2001, County and the Commission entered into the "Services Agreement" that memorialized the relationship between County and LAFCO in light of amendments to the Cortese Knox Hertzberg Act, Government Code section 56000 et seq., and provided a mechanism for County to recover the cost of services provided to LAFCO.

Whereas, the Services Agreement is still in effect and covers a wide array of County services for LAFCO including office space, financial systems, acquisition and purchasing, risk management, and communication services.

Whereas, Paragraph 4 of the Services Agreement recognized the Commission had appointed County Counsel to serve as the Commission's legal counsel pursuant to Government Code section 56384 and that such appointment would continue.

Whereas, on February 7, 2019, the Commission appointed private counsel to serve as the Commission's legal counsel, thereby, ending County Counsel's appointment.

Whereas, the Commission's legal counsel position is about to become vacant and the Commission wishes to appoint County Counsel as the Commission's legal counsel and County Counsel is prepared to accept that appointment.

Whereas, it is the intent of the parties that this Agreement shall supersede the Services Agreement as it pertains to legal services and that in all other respects the Service Agreement shall remain in full force and effect.

NOW, THEREFORE, IT IS HEREBY AGREED by the parties as follows:

1. The Commission hereby appoints County Counsel as the Commission's legal counsel pursuant to Government Code section 56384 and County Counsel hereby accepts that appointment.

2. LAFCO shall reimburse County for the cost of services, including approved expenses, provided by County Counsel to LAFCO. The cost of services shall be billed at hourly rates that reflect the cost of services provided, as established by County annually. The initial cost shall not exceed \$65,000 for the first full fiscal year. Such amount may be increased for any fiscal year through the Commission's budget adoption and modification process.

3. If County Counsel is subject to a conflict of interest on a matter before the Commission, and such conflict cannot be addressed through appropriate "ethical walls" within County Counsel, the Commission will appoint alternative legal counsel to advise on such matter.

4. This agreement shall automatically renew each fiscal year unless notice to terminate the agreement is given by County or Commission at least sixty (60) days before the end of the fiscal year.

The Agreement shall be effective on February 13, 2024 or on such later date when fully executed by the parties.

**COUNTY OF SANTA BARBARA**

Chair, Board of Supervisors

By: \_\_\_\_\_  
Steven Lavagnino  
Date \_\_\_\_\_

**ATTEST:**  
Clerk of the Board

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

**Approved as to Form**

Auditor/Controller

DocuSigned by:  
By: C. Edith  
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Risk Management

DocuSigned by:  
By: Greg Milligan  
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County Counsel  
Rachel Van Mullem

By: Rachel Van Mullem

**SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION**

Chair of the Commission

By: Jay Freeman  
Jay Freeman  
Date: Feb 8th, 2024

**ATTEST**  
Clerk of the Commission

By: Natasha Carbajal  
Natasha Carbajal

**Approved as to Form**

LAFCO Counsel

By: William M. Dillon  
William M Dillon