

FIFTH AMENDMENT TO AGREEMENT

for

ANIMAL CONTROL SERVICES

between

COUNTY OF SANTA BARBARA

and

CITY OF GOLETA

Effective July 1, 2018

THIS IS THE FIFTH AMENDMENT (hereafter Fifth Amendment) to the Agreement for Animal Control Services, (hereafter Agreement), 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 Agreement was originally entered into on July 1, 2012 and was first amended to extend the term through June 30, 2015; and

WHEREAS, the County and City (collectively referred to as "parties") have amended the Agreement on four prior occasions (such amendments shall be referred to individually as the First Amendment, Second Amendment, Third Amendment, and Fourth Amendment); and

WHEREAS, the parties desire to further amend the Agreement to extend the term and adjust the compensation payable to COUNTY for services performed under the Agreement; and

WHEREAS, this Fifth Amendment incorporates the terms and conditions set forth in the Agreement, First Amendment, Second Amendment, Third Amendment, and Fourth Amendment, except as modified by this Fifth Amendment.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, COUNTY and CITY hereby agree to amend the Agreement as follows:

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Definitions.** Capitalized terms used in this Fifth Amendment, to the extent not otherwise defined herein shall have the same meanings as in the Agreement and subsequent amendments.

2. **Amendments.**

The Agreement is amended as follows:

3. **NOTICES.**

Any notice or consent required or permitted to be given under this Agreement shall be given to the respective parties in writing, by first class mail, postage prepaid, delivered as follows:

To COUNTY: Director of Animal Services
548 W. Foster Road
Santa Maria, CA 93455

To CITY: City Manager
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

or at such other address or to such other person that the parties may from time to time designate. Notices and consents under this section, which are sent by mail, shall be deemed to be received five (5) days following their deposit in the U.S. mail.

5. **TERM.** The term of this Agreement shall be from July 1, 2018, through June 30, 2020.
6. **COMPENSATION OF COUNTY.** For services rendered from the COUNTY-operated shelter in Goleta between July 1, 2018 and June 30, 2019, CITY shall pay COUNTY \$249,188, billed in four equal quarterly payments of: \$62,297. For services rendered from the COUNTY-operated shelter in Goleta between July 1, 2019 and June 30, 2020, CITY shall pay COUNTY \$252,926, billed in four equal quarterly payments of: \$63,231.50. Quarterly payments to COUNTY shall be made within thirty (30) days of receipt of invoice. Invoices shall be delivered to the CITY address specified in Section 3, NOTICES of Agreement.

10. **REGULAR BUSINESS HOURS AND COUNTY HOLIDAYS.**

Specific hours may change pending approval of shelter hours. However, the shelter will be open to the public no less than the following hours:

- 10.1 Open for office operations and kennel visitation:
Tuesday through Friday from 9:00 a.m. to 4:45 p.m.
Saturday from 10:00 a.m. to 3:45 p.m.

3. **Counterparts.** This Fifth Amendment may be executed in several counterparts, all of which taken together shall constitute a single agreement between the parties.

Fifth Amendment to Agreement for Animal Control Services between the **County of Santa Barbara** and **City of Goleta**.

IN WITNESS WHEREOF, the parties have executed this Fifth Amendment to be effective July 1, 2018.

COUNTY OF SANTA BARBARA

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

COUNTY OF SANTA BARBARA:

By: _____
Deputy Clerk

By: _____
Chair, Board of Supervisors

Date: _____

RECOMMENDED FOR APPROVAL:
Van Do-Reynoso, MPH, PhD

APPROVED AS TO ACCOUNTING FORM:
Theodore A. Fallati, CPA
Auditor-Controller

By: _____
Department Head

By: _____
Deputy

APPROVED AS TO FORM:
Michael C. Ghizzoni
County Counsel

APPROVED AS TO FORM:
Risk Management

By: _____
Deputy County Counsel

By: _____
Risk Management

APPROVED:
Jan E. Glick, MS
Director of Animal Services
Public Health Department

By: _____

Fifth Amendment to Agreement for Animal Control Services between the **County of Santa Barbara** and **City of Goleta**.

IN WITNESS WHEREOF, the parties have executed this Fifth Amendment to be effective July 1, 2018.

CITY OF GOLETA

APPROVED AS TO ADMINISTRATION:

By: _____
Michelle Greene, City Manager

ATTEST:

By: _____
Deborah S. Lopez, City Clerk

APPROVED AS TO FORM:

By: _____
Winnie Cai, Deputy City Attorney