

**SECOND AMENDMENT FOR FY 2009-2011 TO THE
ANIMAL CONTROL SERVICES AGREEMENT
BETWEEN THE COUNTY OF SANTA BARBARA
AND THE SANTA YNEZ BAND OF CHUMASH INDIANS FOR THE
REGULATION, CONTROL, AND ENFORCEMENT
OF ANIMAL CONTROL ORDINANCES WITHIN
THE BOUNDARIES OF THE CHUMASH RESERVATION**

THIS IS THE SECOND AMENDMENT TO THE AGREEMENT (hereafter **Amendment Two**) to the Agreement for Animal Control Services, March 20, 2007, (hereafter **Contract**), made by and between the **County of Santa Barbara**, a political subdivision of the State of California (hereafter **County**), and the **SANTA YNEZ BAND OF CHUMASH INDIANS** (hereafter **Tribe**.)

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 Two incorporates the terms and conditions set forth in the Contract, the First Amendment, except as modified by this Amendment Two.

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

Section 1:

Paragraph III: Service Charges to Tribe is amended to read in its entirety:

Paragraph III: SERVICE CHARGES TO TRIBE

- a) The Tribe shall pay County ~~\$1,467 each fiscal year~~ **\$1,507 for fiscal year 2009-10 and \$1,575 for fiscal year 2010-11**, for those services set forth in this Agreement, which have been rendered by the County. Reimbursement for those services set forth in this Agreement, which have been rendered by the County shall be paid within thirty (30) days of receipt of invoice.
- b) Agreement is based on a per capita fee methodology. The fee is ~~\$5.94~~ **\$6.10** per capita **for fiscal year 2009-10** and the estimated Reservation population is 247 people. **The contract fee for fiscal year 2010-11 will be increased 4.5%.**
- c) The County will adjust the annual fee based on changes to fees as established by updates to the per capita fee methodology.

Section 2:

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

Paragraph IX. TERM OF CONTRACT

The term of this Contract shall be effective on July 1, ~~2008~~ **2009** and end on June 30, ~~2009~~ **2011**. The Agreement will be reviewed based on County provision and/or change in population. The County shall contact the Tribe for review hearings and agrees to negotiate in good faith any foreseeable changes to Agreement.

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 Two.

Section 4:

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

IN WITNESS WHEREOF, the parties hereto have caused this Amendment Two 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

By: _____
Chair, Board of Supervisors

Date: _____

APPROVED AS TO FORM:
DENNIS MARSHAL
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 Two entered on July 1, 2009, to be executed by their duly authorized officers.

SANTA YNEZ BAND OF CHUMASH INDIANS

By: _____
Vincent Armenta, Chairman