

FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES

This Fourth Amendment to the Agreement for Professional Legal Services ("AGREEMENT") between the Santa Barbara County Flood Control & Water Conservation District ("DISTRICT") and Rutan & Tucker, LLP ("ATTORNEY"), wherein ATTORNEY agrees to provide and DISTRICT agrees to accept the services specified herein.

WHEREAS, the DISTRICT continues to require the services of legal counsel to assist in providing legal advice and representation in the specialized area of condemnation of certain property; and

WHEREAS, the need for such advice and representation often arises quickly and unexpectedly, so that it is in the DISTRICT's interest to have a contract with Outside Counsel under which those services are readily available as needed; and

WHEREAS, Paragraph 26 of the AGREEMENT states the AGREEMENT may be altered, amended or modified by an instrument in writing, executed by the Parties; and

WHEREAS, the DISTRICT wishes to increase the maximum contract amount by Fifty Thousand Dollars (\$50,000) and extend the term of the AGREEMENT to January 31, 2026.

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

The Parties agree to amend the AGREEMENT as follows:

1. Paragraph 4, Term is revised to state:

ATTORNEY shall commence performance on September 22, 2020 and end performance upon completion, but no later than January 31, 2026, unless otherwise directed by DISTRICT or unless earlier terminated.

2. Exhibit B, Paragraph A is revised to state:

Unless previously agreed in writing by DISTRICT, Douglas J. Dennington shall be the attorney personally responsible for providing services hereunder. For ATTORNEY services to be rendered under this AGREEMENT, ATTORNEY shall be paid a total contract amount, including cost reimbursements, not to exceed \$600,000.

3. Attachment B-1 Schedule of Fees, Hourly Rates is revised to state:

ATTORNEY's hourly rates are as follows:

Partner Attorneys – Hourly rate is \$370
Associate Attorneys – Hourly rate is \$300
Paralegal – Hourly rate is \$175

Amounts to be charged under this AGREEMENT shall not exceed \$600,000 without further written authorization from DISTRICT.

4. In all other respects, the AGREEMENT remains unchanged and in full effect.

SIGNATURE PAGE

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment to the Agreement to be effective on the date executed by DISTRICT.

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

By:

Sheila da Guerra
Deputy Clerk

**SANTA BARBARA COUNTY FLOOD
CONTROL AND WATER
CONSERVATION DISTRICT:**

By:

[Signature]
Chair, Board of Directors

Date:

1-14-25

**RECOMMENDED FOR APPROVAL AND
APPROVED AS TO FORM:**

County Counsel

By:

Rachel Van Mullem
Rachel Van Mullem, County Counsel

CONTRACTOR:

Rutan & Tucker, LLP

DocuSigned by:

[Signature]
835E1676EDB54A5

By:

Authorized Representative

Name:

Douglas Dennington

Title:

Attorney at Law

APPROVED AS TO FORM:

Risk Management

By:

[Signature]
05F555E00269466
Greg Milligan, Risk Manager

**APPROVED AS TO ACCOUNTING
FORM:**

BETSY SCHAFFER, CPA
Auditor-Controller

By:

[Signature]
A99ED58D71D04FB...
Deputy

SIGNATURE PAGE

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment to the Agreement to be effective on the date executed by DISTRICT.

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

By: _____
Deputy Clerk

**SANTA BARBARA COUNTY FLOOD
CONTROL AND WATER
CONSERVATION DISTRICT:**

By: _____
Chair, Board of Directors

Date: _____

**RECOMMENDED FOR APPROVAL AND
APPROVED AS TO FORM:**

County Counsel

By: Rachel Van Mullem
Rachel Van Mullem, County Counsel

CONTRACTOR:

Rutan & Tucker, LLP

By: _____
Authorized Representative
Name: Douglas Dennington
Title: Attorney at Law

APPROVED AS TO FORM:

Risk Management

By: _____
Greg Milligan, Risk Manager

**APPROVED AS TO ACCOUNTING
FORM:**

BETSY SCHAFFER, CPA
Auditor-Controller

By: _____
Deputy