

FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES

This First Amendment to the Agreement for Professional Legal Services (“AGREEMENT”) between the County of Santa Barbara (“COUNTY”) and Liebert Cassidy Whitmore (“ATTORNEY”), wherein ATTORNEY agrees to provide and COUNTY agrees to accept the services specified herein.

WHEREAS, COUNTY continues to require the services of legal counsel to assist in providing legal advice and representation in the specialized area of employment law; and

WHEREAS, under Section 25203 and 31000 of the California Government Code, COUNTY's Board of Supervisors may employ counsel to assist in the conduct of litigation in which COUNTY is a party; and may contract for special services with persons specially trained, experienced, expert and competent to perform such services; 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, on August 15, 2023, the County Board of Supervisors initially entered into an Agreement for Professional Services with ATTORNEY to provide legal advice and representation regarding employment law; and

WHEREAS, COUNTY wishes to extend the term of the AGREEMENT to August 31, 2025 through this First Amendment, update the Schedule of Fees (Attachment B-1), and increase the new maximum contract amount to \$100,000.

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:

Section 4 – TERM is revised to state: ATTORNEY shall commence performance August 15, 2023 and end performance upon completion of services, but no later than August 31, 2025, unless otherwise directed by COUNTY or unless earlier terminated.

Exhibit B, PAYMENT ARRANGEMENTS, paragraph A is revised to state: For ATTORNEY services to be rendered under this Agreement, ATTORNEY shall be paid a total contract amount, including cost reimbursements, not to exceed \$100,000.

Attachment B-1 (to Exhibit B), Schedule of Fees, Hourly Rates is revised to state: ATTORNEY's hourly rates are as follows:

J. Scott Tiedemann, Partner: \$425.00

Steven M. Berliner, Partner: \$425.00

Alexander C. Volberding, Associate: \$300.00

Mr. Volderding will become a partner as October 1, 2023. ATTORNEY agrees Mr. Volderding's rate shall remain at \$300 for his work with COUNTY unless the work requires litigation or arbitration.

The hourly billing rate for partners shall not exceed \$425.00, and shall not exceed \$300.00 for associates. Starting September 1, 2024, the rate for partners shall increase to \$435.

Amounts to be charged to this Agreement shall not exceed \$100,000 without further written authorization from COUNTY.

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

[Signatures on next page.]

SIGNATURE PAGE

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

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board

COUNTY OF SANTA BARBARA:

By: _____
Deputy Clerk

By: _____
Steve Lavagnino, Chair, Board
of Supervisors

Date: _____

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

County Counsel

CONTRACTOR:

Liebert Cassidy Whitmore

By: *Rachel Van Mullem*
Rachel Van Mullem, County Counsel

By: DocuSigned by:
J. Scott Tiedemann
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Authorized Representative

Name: J. Scott Tiedemann

Title: Partner

APPROVED AS TO FORM:

Risk Management

**APPROVED AS TO ACCOUNTING
FORM:**

BETSY SCHAFFER, CPA
Auditor-Controller

By: DocuSigned by:
Greg Milligan
05F555F00209466...
Risk Management

By: DocuSigned by:
C. Edith...
A99ED5BD71D04FB...
Deputy