



**County of Santa Barbara**  
**BOARD OF SUPERVISORS**

**Minute Order**  
**October 15, 2013**

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**Present:** 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam,  
and Supervisor Lavagnino

COUNTY COUNSEL

File Reference No. 13-00780

**RE:** Approve and authorize the Chair to execute an Agreement for Professional Legal Services between the County of Santa Barbara and Boornazian, Jensen and Garthe, a Professional Corporation, extending the term of the Agreement for one year and increasing the maximum amount of payments from \$25,000.00 to \$50,000.00. (4/5 Vote Required)

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

**Ayes:** 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam,  
and Supervisor Lavagnino



**BOARD OF SUPERVISORS  
AGENDA LETTER**

**Agenda Number:**

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

2013 SEP 32 AM 10: 13

COUNTY OF SANTA BARBARA  
CLERK OF THE  
BOARD OF SUPERVISORS

**Department Name:** County Counsel  
**Department No.:** 013  
**For Agenda Of:** October 15, 2013  
**Placement:** Administrative  
**Estimated Tme:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Supervisors  
**FROM:** Department Director: Dennis A. Marshall, County Counsel (568-2950)  
Contact Information: Martin G. McKenzie, Chief of Litigation (568-2950)  
**SUBJECT:** Approve amendment to agreement for legal services with Boornazian, Jensen & Garthe, a Professional Corporation.

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

**Recommended Actions:** County Counsel recommends that the Board of Supervisors:

Approve and authorize the Chair to execute the attached Amendment to Agreement for Professional Legal Services between the County of Santa Barbara and Boornazian, Jensen & Garthe, a Professional Corporation, extending the term of the Agreement for one year and increasing the maximum amount of payments from \$25,000.00 to \$50,000.

**Summary Text:** On October 16, 2012, the Board executed the attached Agreement for Professional Legal Services between the County and the law firm of Boornazian, Jensen & Garthe, a Professional Corporation. The primary purpose of the Agreement was to retain a law firm with expertise in insurance coverage issues to advise Risk Management on such issues, and to represent the County in disputes and litigation regarding insurance coverage. The one-year term of the current contract ends on October 15, 2013. This amendment will extend the contract by one year, during which the payment limit will again be \$25,000.

**Fiscal and Facilities Impacts:**

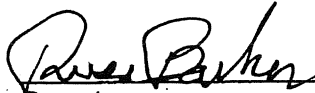
Budgeted – Outside Counsel Designation

**Special Instructions:** Please forward a signed copy to County Counsel.

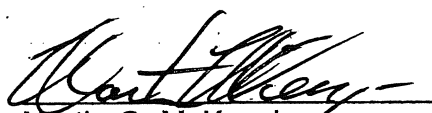
**Attachments:** (1) Agreement for Professional Legal Services [current]  
(2) Amendment to Agreement for Professional Legal Services [proposed]

**Authored by:** Martin G. McKenzie, Chief of Litigation

ATTEST:  
CHANDRA WALLAR  
CLERK OF THE BOARD

By:   
Deputy

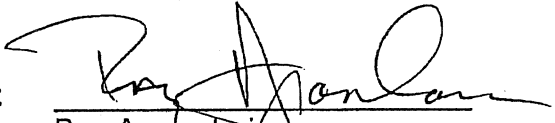
APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

By:   
Martin G. McKenzie  
Chief of Litigation

APPROVED AS TO ACCOUNTING FORM:  
ROBERT W. GEIS, CPA  
AUDITOR-CONTROLLER

By:   
Deputy

APPROVED AS TO FORM:  
RISK PROGRAM ADMINISTRATOR

By:   
Ray Aromatorio  
Risk Program Administrator

A-10

**AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES**

Pursuant to Paragraph 26 of the AGREEMENT FOR PROFESSIONAL LEGAL SERVICES ("AGREEMENT") between the County of Santa Barbara ("COUNTY") and Boornazian, Jensen & Garthe, a Professional Corporation ("ATTORNEY"), the COUNTY and ATTORNEY amend the AGREEMENT as follows:

Paragraph 4 of the AGREEMENT (which currently reads, "TERM. ATTORNEY shall commence performance on October 16, 2012 and end performance upon completion, but no later than October 15, 2013, unless otherwise directed by COUNTY or unless earlier terminated") is amended to read as follows:

*TERM. ATTORNEY shall commence performance on October 16, 2012 and end performance upon completion, but no later than October 15, 2014, unless otherwise directed by COUNTY or unless earlier terminated.*

Paragraph A of the attachment to the AGREEMENT entitled "EXHIBIT B/ PAYMENT ARRANGEMENTS/ Periodic Compensation" (which currently reads, "For ATTORNEY services to be rendered under this Agreement, ATTORNEY shall be paid a total contract amount, including cost reimbursements, not to exceed \$25,000.00") is amended to read as follows:

*For ATTORNEY services to be rendered under this Agreement between October 16, 2013 and October 15, 2014, ATTORNEY shall be paid a total contract amount, including cost reimbursements, not to exceed \$25,000.*

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

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

COUNTY OF SANTA BARBARA

By: 

Salud Carbajal  
Chair, Board of Supervisors

Date: October 15<sup>th</sup>, 2013

ATTORNEY [Boornazian, et al.]

By: 

Alan Swerdlow  
Tax ID Number: 94-2247953

Date: October 4, 2013



# County of Santa Barbara

## BOARD OF SUPERVISORS

### Minute Order

October 16, 2012

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**Present:** 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray,  
and Supervisor Lavagnino

COUNTY COUNSEL

File Reference No. 12-00815

**RE:** Approve and authorize the Chair to execute an Agreement for Professional Legal Services with Boornazian, Jensen and Garthe, A Professional Corporation from October 16, 2012 to October 15, 2013, in an amount not to exceed \$25,000.00. (4/5 Vote Required)

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote.**

**Ayes:** 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray,  
and Supervisor Lavagnino