



## Monterey County Board of Supervisors

### Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066  
[www.co.monterey.ca.us](http://www.co.monterey.ca.us)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to:

**Agreement No.: A-13923; Amendment No.: 4**

Authorize the County Counsel to execute amendment No. 4 to the agreement (A-13923) with Best Best & Krieger, LLP for specialized attorney services, extending the term an additional two (2) year period through April 30, 2024 for a total revised term of May 1, 2017 through April 30, 2024, with no change to the total agreement amount of \$465,000.

PASSED AND ADOPTED on this 26<sup>th</sup> day of April 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

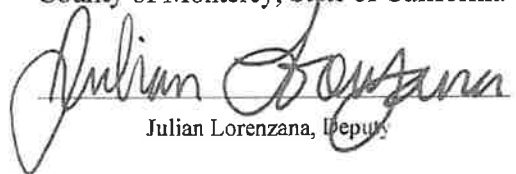
ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting April 26, 2022.

Dated: May 3, 2022  
File ID: A 22-133  
Agenda Item No.: 31

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California



Julian Lorenzana, Deputy

**AMENDMENT NO. 4  
TO AGREEMENT FOR SPECIALIZED  
ATTORNEY SERVICES BY AND  
BETWEEN COUNTY OF MONTEREY  
AND BEST BEST & KRIEGER, LLP**

**THIS AMENDMENT NO. 4** to Agreement for Specialized Attorney Services ("AGREEMENT") for the provision of legal services is made by and between the COUNTY OF MONTEREY, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), on behalf of Natividad Medical Center, and **Best Best and Krieger, LLP** (hereinafter referred to as "ATTORNEY"), with respect to the following.

**WHEREAS**, COUNTY and ATTORNEY entered into AGREEMENT in the amount of \$80,000 with a term of May 1, 2017 to April 30, 2019; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 1, increasing the total contract liability to \$198,000 with no change to the term of the AGREEMENT; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 2, increasing the total contract liability to \$325,000 and extending the term of the AGREEMENT to April 30, 2022; and

**WHEREAS**, COUNTY and ATTORNEY entered into an AMENDMENT NO. 3 increasing the total contract liability to \$465,000 with no change to the term of the AGREEMENT; and

**WHEREAS**, COUNTY and ATTORNEY wish to amend the AGREEMENT to extend the term of the AGREEMENT by two years.

**NOW THEREFORE**, COUNTY and ATTORNEY hereby agree to amend AGREEMENT in the following manner:

1. Paragraph 1.02. Paragraph 1.02, Termination and Termination Upon Written Notice, shall be amended and restated in its entirety as follows:

"1.02. Termination and Termination Upon Written Notice. The term of this Agreement shall be May 1, 2017 through April 30, 2024. ATTORNEY and COUNTY agree that COUNTY may terminate the services of ATTORNEY effective immediately for any reason by giving written notice to ATTORNEY and that ATTORNEY may withdraw from representation of COUNTY upon written notice to COUNTY.

2. Exhibit C. Exhibit C, Fees and Expenses, shall be deleted and replaced in its entirety and attached hereto as Exhibit C. Fees and Expenses.

3. Except as provided herein, all remaining terms, conditions and provisions of

Agreement for Specialized Attorney Services with BEST BEST and KRIEGER, LLP

Term: May 1, 2017 to April 30, 2024

NTE: \$465,000

the AGREEMENT that are unchanged and unaffected by this AMENDMENT NO. 4 shall continue in full force and effect as set forth in the AGREEMENT.

3. This AMENDMENT NO. 4 shall be effective May 1, 2022.

4. A copy of this AMENDMENT NO. 4 shall be attached to the original AGREEMENT executed by the County.

**IN WITNESS WHEREOF**, County and ATTORNEY have executed this AGREEMENT as of the day and year written below.

DATED: 5/16/22

COUNTY

By   
Leslie J. Girard  
County Counsel-Risk Manager  
County of Monterey

DATED: March 17, 2022

ATTORNEY

By   
Leeann Habte, Partner  
Best Best and Krieger, LLP

APPROVED AS TO FORM AND LEGALIT

DATED: 3/17/2022

By   
Stacy L. Sacta  
Chief Deputy County Counsel

REVIEWED AND APPROVED AS TO FISCAL PROVISIONS

  
Joey Nolasco  
Property Tax Manager  
3/22/22

Agreement for Specialized Attorney Services with BEST BEST and KRIEGER, LLP  
Term: May 1, 2017 to April 30, 2024  
NTE: \$465,000

## EXHIBIT C

### **Fees and Expenses**

The current billing rate for Leeann Habte is \$390.00 per hour. Associate fee range is \$ 245.00 to \$ 280.00 and Other (non-health care) Partner fee range is \$300.00 - \$330.00. Time is accrued on an actual basis for all work.

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