

## ATTACHMENT C

### AMENDMENT NO. 2 TO MEMORANDUM OF UNDERSTANDING BY AND AMONG THE COUNTY OF MONTEREY, EL SUR RANCH and DON SMYTHE

This Amendment No. 2 to Memorandum of Understanding (“MOU”) is by and among and between the County of Monterey on behalf of the Monterey County Sheriff’s Office (“MCSO”), James J. Hill, III dba El Sur Ranch (“ESR”), and Don Smythe (“Smythe”), hereinafter collectively referred to as “the parties”.

#### **RECITALS:**

A. On December 13, 2011, the Board of Supervisors authorized the Monterey County Sheriff to execute for and on behalf of the County of Monterey a Memorandum of Understanding (“MOU”) by and among the County, El Sur Ranch and Don Smythe regarding the role and services of Mr. Smythe acting as a reserve Deputy Sheriff.

B. The MOU became effective as of January 23, 2012, to expire on January 22, 2013, unless extended by the parties.

C. On December 11, 2012, the Board of Supervisors authorized the Monterey County Sheriff to execute for and on behalf of the County, El Sur Ranch and Don Smythe Amendment No. 1 to MOU to extend the MOU for a two-year period, to expire on January 5, 2015.

D. It is the mutual desire of the MCSO, ESR, and Smythe to extend the MOU for another two-year period, to expire at the close of business on January 5, 2017.

NOW, THEREFORE, and in order to achieve the foregoing goals, each party agrees to the following:

1. Paragraph 9 of the MOU is hereby amended to read as follows:

9. Term: This MOU shall become effective on the last date of execution by all parties and shall remain in effect until the close of business January 5, 2017. This MOU may be extended upon review and mutual agreement of the parties, so long as such extension is agreed to thirty (30) days before the end of the two year term.

2. Except as specifically amended, all other terms and conditions of the MOU remain in effect.

[signatures on next page][Amendment No. 1 Signature Page]

COUNTY OF MONTEREY

\_\_\_\_\_  
Scott K. Miller, Sheriff  
Monterey County Sheriff's Office

\_\_\_\_\_  
Date

Approved as to form:

CHARLES J. MCKEE, County Counsel

By: \_\_\_\_\_  
Leslie J. Girard  
Chief Assistant County Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
James J. Hill, III  
dba El Sur Ranch

\_\_\_\_\_  
Date

\_\_\_\_\_  
Don Smythe

\_\_\_\_\_  
Date