

**First Amendment to
Legal Services Agreement**

This Agreement is made between the County of Sonoma (“County”) and Colantuono, Highsmith & Whatley, PC (“Attorney” or “Attorneys”). This Agreement is required by Business and Professions Code Section 6148 and is intended to fulfill its requirements.

Recitals

Whereas, Attorneys have significant experience and recognized expertise in civil litigation and employee benefits; and

Whereas, in October of 2017, County retained Attorneys to provide legal services related to the case of *Luke v. Sonoma County and its Board of Supervisors, et al.*, SCV-261187, and any related matters and /or advice on public law issues, including judicial proceedings;

Whereas, Attorneys also represented County in the subsequent appeal (A155286) and in *Luke v. Sonoma County, et al.*, SCV-261999;

Whereas, although County prevailed in the trial court on both actions and on the appeal in A155286, Plaintiff has indicated he intends to file further appeals;

Whereas, there is a need to extend the term of the contract for an additional two years and to increase the total compensation payable under the Legal Services Agreement by an additional \$200,000 to cover ongoing defense costs and other matters as needed;

Now, therefore, in consideration of the mutual covenants contained herein, the parties agree as follows:

Agreement

1. Section 2, “Term,” of the Agreement is amended as follows.

“Term. The term of this Agreement shall run from September 1, 2017 to September 1, 2022, unless otherwise renewed or extended.”
2. Section 3., “Compensation,” of the Agreement is amended to increase the total potential compensation over the term of the contract from \$300,000 to \$500,000, billed at Attorneys’ hourly rates set forth in Exhibit A to the original agreement.
3. In all other respects, the terms and conditions of the Legal Services Agreement between the County of Sonoma and Attorneys shall remain in full force and effect.

In Witness Whereof, the parties hereto have executed this Agreement as of the Effective Date.

Dated: February __, 2020

County of Sonoma

By: _____
David Rabbitt

Dated: February __, 2020

Colantuono, Highsmith & Whatley, LP

By: _____
Michael G. Colantuono

Certificates of Insurance on File:

By: _____
Department Analyst

Dated: February ____, 2020