

**AMENDMENT 2 TO AGREEMENT FOR LEGAL SERVICES
BETWEEN EL DORADO COUNTY AND ABBOTT & KINDERMANN
621-S1211**

This Amendment 2 to Agreement is made and entered into between EL DORADO COUNTY ("County"), a political subdivision of the State of California, and ABBOTT & KINDERMANN, LLP ("Law Firm"), a limited liability partnership duly authorized to do business in the State of California, whose address is 2100 Twenty-First Street, Sacramento, California 95818.

WHEREAS, County and Law Firm entered into an Agreement for Legal Services ("Agreement") on June 26, 2012 and thereafter executed Amendment 1 to that Agreement modifying the term; and

WHEREAS, the County is currently processing applications for numerous Specific Plans, including the following: (1) Lime Rock Valley Specific Plan, SP12-0001 (G3 Enterprises, Inc.); (2) Central El Dorado Hills Specific Plan, SP12-0002 (Serrano Associates, LLC; and (3) Village of Marble Valley Specific Plan, SP12-0003 (Marble Valley Company, LLC) (collectively referred to herein as the "Specific Plans"); and

WHEREAS, the County has caused to be prepared Environmental Impact Reports for each of the Specific Plans ("EIRs"); and

WHEREAS, the County wishes to engage the services of Law Firm to review and provide comment on the EIRs.

NOW, THEREFORE, County and Law Firm mutually agree to amend the Agreement as follows:

1. Section 1, entitled "Scope of Services," shall be amended to add the following:

The County also retains Law Firm as special legal counsel to provide legal services to assist the County in review of the EIRs. Law Firm shall review the EIRs and provide written comment to County. Such legal services may also include, but are not necessarily limited to, providing advice to County boards, commissions, officers and staff, preparing and/or reviewing such documents as may be requested by the County, attending meetings as may be required by County, and providing direction to other consultants which may be employed on the project.

2. Section 4, entitled "Billings," shall be amended to add the following:

Law Firm acknowledges that fees for services related to the Specific Plans will be paid by County but are being funded through agreements between the County and the project applicants. Accordingly, Law Firm shall submit separate invoices for each Specific Plan.

3. Section 10, entitled "Attorney-Client Relationship," shall be amended to add the following:

Law Firm recognizes that, although fees for services related to the Specific Plans are being funded through agreements between the County and the project applicants, County shall remain the client and no attorney-client relationship is established as between Law Firm and the project applicants.

4. Section 16, entitled "Contract Administrator," shall be amended to specify Robyn Truitt Drivon as the Contract Administrator and to designate the following address for notices provided to County:

Robyn Truitt Drivon
County Counsel
330 Fair Lane
Placerville, CA 95667

5. Exhibit A, "Rate Schedule," shall be supplemented to reflect Law Firm's adjusted hourly rates, as shown on the rate schedule attached hereto, which shall be applicable only to the additional services described in this Amendment 2.

6. Except as specifically amended herein, all terms of the Agreement shall remain in force and effect. This Amendment, which may be executed in counterparts, is deemed effective on the date first written below and authorizes the commencement of the above-described additional services as of that date.

-COUNTY OF EL DORADO-

Dated: _____

By: _____
Brian Veerkamp, Chairman
Board of Supervisors
"County"

ATTEST:
James S. Mitrisin
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

-LAW FIRM -

Dated: 6/11/15

ABBOTT & KINDERMANN, LLP
By: _____
"Law Firm"

ABBOTT & KINDERMANN, LLP
RATE SCHEDULE

PARTNERS	\$ 375.00 per hour
SENIOR COUNSEL	\$ 340.00 per hour
ASSOCIATE IV	\$ 285.00 per hour
ASSOCIATE III	\$ 225.00 per hour
ASSOCIATE II	\$ 200.00 per hour
ASSOCIATE I	\$ 160.00 per hour
PLANNER II	\$ 150.00 per hour
PLANNER I	\$ 110.00 per hour
PARALEGAL II	\$ 150.00 per hour
PARALEGAL I	\$ 100.00 per hour
LAW CLERK II	\$ 110.00 per hour
LAW CLERK I	\$ 60.00 per hour
STAFF RESEARCHER	\$ 65.00 per hour

INDIRECT EXPENSES:

A charge of 4.25% of monthly fees is added to offset ordinary copying, secretarial, postage, including overnight deliveries, faxing, local and long distance telephone charges.

Court Calls and fax filing for court documents are not included.

COSTS:

Costs (including filing fees, court reporter fees, special deliveries, on-line computer research, etc.) will be billed as incurred.

SERVICES:

The following services will be billed as incurred at the following rates:

ACCOUNTING - \$50.00 per hour
OFFICE CLERK - \$15.00 per hour
MILEAGE - Current IRS rate

- * Distribution from a client trust account for payment of a bill and all other payments received shall be allocated to amounts owing in the following order: (1) accrued interest; (2) costs advanced; and (3) attorney's fees.
- ** This Rate Schedule is adjusted December 21st of each year. This schedule may also be adjusted at any time upon thirty (30) days prior notice to client.
- *** Telephone calls to or from a client, or other parties involved in matters pertaining to the client's legal affairs, are subject to a minimum charge of 0.2 hour times the applicable billing rate.
- **** There are two categories of staff researcher: 1) legal secretary/staff researcher I (\$35 per hour); and 2) staff researcher II (\$65 per hour).

UPDATED 12/20/13 JB