

**SECOND AMENDMENT TO AGREEMENT #021-A-06/07-BOS  
FOR LEGAL SERVICES BETWEEN  
EL DORADO COUNTY AND THE LAW OFFICES OF THOMAS M. BRUEN**

This Second Amendment to Agreement #021-A-06/07-BOS made and entered into the 9<sup>th</sup> day of January, 2007 and the First Amendment made and entered into the 30<sup>th</sup> day of October, 2007 by and between EL DORADO COUNTY, a political subdivision of the State of California (hereinafter referred to as "County"), acting by and through County Service Area No. 10, a lawfully established county service area as defined by Government Code Section 25210 et seq., and THE LAW OFFICES OF THOMAS M. BRUEN (hereinafter referred to as the "Firm"), a California Professional Corporation, duly qualified to conduct business in the State of California, whose principal place of business is 1990 North California Boulevard, Suite 940, Walnut Creek, California 94596, effective on the date services were first performed for the County in the matters described below, for the performance of specified legal services for the County.

**WHEREAS**, THE LAW OFFICES OF THOMAS M. BRUEN, a California Professional Corporation, has been engaged by the County under Agreement #021-A-06/07-BOS and the First Amendment to Agreement #021-A-06/07-BOS to provide legal services, which may include the following:

(a) Review and drafting of waste flow control legislation; research and examination of applicable law, and preparing memoranda and rendering opinions in connection therewith;

(b) Preparation, drafting and review of memoranda, contracts, resolutions, municipal service agreements, construction and operation contracts, grant agreements, trust indentures, rate setting policies, and procedures and other documents necessary in connection with structuring the program and financing the facilities;

(c) Review, analysis and application of environmental law as it applies to environmental and waste management;

(d) Review and drafting of solid and hazardous waste ordinances; research and examination of applicable law, and preparing memoranda and rendering opinions in connection therewith;

(e) Participation in meetings, personal conferences, telephone conferences, discussions, and other communications and proceedings held in furtherance of County requirements; and

(f) Assisting as counsel in litigation matters as directed by County Counsel.

The parties hereto have determined and agreed that additional services and a change in the hourly rate will be needed and have therefore agreed to amend "Section 5" of Agreement #021-A-06/07-BOS executed on the 9<sup>th</sup> day of January, 2007 and the First Amendment to Agreement #021-A-06/07-BOS executed on the 30<sup>th</sup> day of October, 2007 as follows:

1.

**SECTION 5.** Shall be amended to increase the Firm for services rendered hereunder by increasing the hourly rate by \$25.00 per

attorney hour bringing the new rate of \$250.00 per attorney hour for partners, and a new rate of \$235.00 per associate hour.

2.

**SECTION 5.** Shall also be amended to increase the total amount of the Agreement, which has been legislatively authorized for an amount of Three Hundred Thousand Dollars and No Cents (\$300,000), by Two Hundred Thousand Dollars and No Cents (\$200,000) so the total Agreement including this Second Amendment and the First Amendment to Agreement #021-A-06/07-BOS SHALL NOT EXCEED **FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$500,000)**.

All other sections of the Agreement #021-A-06/07-BOS dated the 9<sup>th</sup> day of January, 2007 and the First Amendment to Agreement #021-A-06/07-BOS dated the 30<sup>th</sup> day of October, 2007 shall remain unchanged and in full force.

**CONTRACT ADMINISTRATOR CONCURRENCE:**

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Gerri Silva, M.S., REHS  
Director, Environmental Management Department

**REQUESTING DEPARTMENT CONCURRENCE:**

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Gerri Silva, M.S., REHS  
Director, Environmental Management Department

**IN WITNESS WHEREOF**, COUNTY and the FIRM have executed this Second Amendment to Agreement #021-A-06/07-BOS the day and year first below written.

- - C O U N T Y O F E L D O R A D O - -

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Chair,

Board of Supervisors

ATTEST:

Cindy Keck, Clerk

Board of Supervisors

Dated: \_\_\_\_\_

By: \_\_\_\_\_

- F I R M -

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Thomas M. Bruen, President

State Bar Number 63324

Law Offices of Thomas M. Bruen,

A California Professional Corporation

ATTEST:

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Thomas M. Bruen, Secretary

Law Offices of Thomas M. Bruen,

A California Professional Corporation