



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 5 TO PERSONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA AND MEYERS NAVE, INCREASING THE CONTRACT PRICE BY \$25,000 FOR A MAXIMUM CONTRACT PRICE OF \$400,000 AND AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE THE AMENDMENT (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, effective November 20, 2020, the County executed a Personal Services Contract with Meyers Nave, Riback, Silver & Wilson, for legal services in connection with the lawsuit entitled *Tuck's Restaurant and Bar, et al. vs. Gavin Newsom, et al.*; USDC Eastern District, Case No. 20-cv-02256-KJM-CKD; and

WHEREAS, the maximum amount of the Contract was set at \$50,000, with a contract termination date of June 30, 2021; and

WHEREAS, by Resolution 21-086, the parties amended the Contract to increase the contract amount by \$100,000, for a maximum contract price of \$150,000 and extend the termination date to June 30, 2022; and

WHEREAS, by Resolution 22-278, the Contract was extended to June 30, 2023; and

WHEREAS, on January 24, 2023, by Resolution 23-053, the Contract price was increased by \$225,000 for a maximum Contract price of \$375,000, and the term of the Contract was extended to June 30, 2024; and

WHEREAS, by Resolution 23-424, the Scope of Services, of the Legal Services Contract, increased the hourly rate of Counsel; and

WHEREAS, the parties now desire to amend the Contract to increase the Contract amount by \$25,000, for a maximum Contract amount of \$400,000; and

WHEREAS, the cost of this contract will be paid from General Liability Fund; Ord Code 4356920022751000 and account number 521520; and

WHEREAS, the case is ongoing, and an extension of the contract term is necessary to provide for continued litigation services under this contract; and

WHEREAS, the parties now desire to extend the term of the contract to June 30, 2025.

WHEREAS, the County desires that Meyers Nave continue to provide legal services related to the continued defense and trial of the above-referenced claims and litigation, and Contractor is ready, willing and able to provide such services; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 5 to Personal Services Contract [BM321086] by and between the County of Nevada and Meyers Nave (previously Meyers Nave, Riback, Silver & Wilson) increasing the Contract amount by \$25,000 for a maximum Contract amount of \$400,000, and extending the contract term to June 30, 2025, be and hereby is approved in the form attached hereto as Exhibit A, and the Chair of the Board of Supervisors is hereby authorized to execute the amendment (4/5 affirmative vote required).