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**NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo**

MEETING DATE: April 27, 2021

TO: Board of Supervisors

FROM: County Counsel

SUBJECT: Resolution approving Amendment No. 4 to Personal Services Contract BFS19068 between the County of Nevada and Angelo, Kilday & Kilduff, increasing the maximum Contract price by \$25,000, extending the Contract termination date to June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the Amendment

RECOMMENDATION:

Adopt the attached Resolution.

FUNDING:

Legal services provided under this contract are paid on an as needed basis. This amendment increases the maximum contract price to \$250,000, an increase of \$25,000. The cost of this Amendment will be paid from the Risk Management's General Liability Fund.

BACKGROUND:

Litigation was filed against Nevada County and Nevada County Sanitation District No. 1 in the cases entitled *Lau, et al. vs. County of Nevada, et al.* (Nevada County Superior Court), Case No. CU18-082845, and *Saigh, et al. vs. County of Nevada, et al.* (Nevada County Superior Court), Case No. CU18-082850, on March 6, 2018, March 7, 2018, and respectively. On July 25, 2018, the County entered into a Personal Services Contract with the law firm of Angelo, Kilday & Kilduff with a Maximum Contract Price of \$25,000 to provide legal advice and litigation services in connection with these cases.

A new related case was filed against Nevada County and Nevada County Sanitation District No. 1 entitled *Suarez, et al. vs. County of Nevada, et al.* (Nevada County Superior Court), Case No. CU18-083381. The Board authorized County Counsel to hire outside counsel for this litigation matter on January 7, 2019.

The Contract, as amended by Resolution 20-279, has a maximum contract price of \$225,000 with a Contract Termination date of June 30, 2021. Additional time is necessary to continue defense of these cases. The proposed Amendment increases the Contract by \$25,000 and extends the term of the Contract to June 30, 2022.

Hon. Board of Supervisors

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Angelo, Kilday & Kilduff is well qualified to represent the County in these matters and has done a very good job handling the litigation thus far. I recommend that the Board approve the proposed Amendment as submitted.

Item Initiated by: Kelly McKinley

Item Approved by: Katharine L. Elliott

Submittal Date: April 12, 2021

Revision Date: