



NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: June 11, 2024

TO: Board of Supervisors

FROM: Katharine L. Elliott, County Counsel

SUBJECT: Resolution approving Amendment No. 2 to the Personal Services Contract between the County of Nevada and Rivera Hewitt Paul, LLP, increasing the maximum contract price by \$50,000 for a maximum contract price of \$300,000, extending the term of the Contract to June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the Contract (4/5 vote required)

RECOMMENDATION: Adopt the attached Resolution.

FUNDING: The contract will be paid by CSAC-EIA/PRISM insurance through the County General Liability budget. No budget amendment is needed at this time. There is no impact on the General Fund.

BACKGROUND: On March 1, 2020, the County retained the services of Rivera Hewitt Paul, LLP, for representation of the County of Nevada, Sheriff Shannan Moon, and their employees, representatives and officers in connection with claims and/or litigation involving multiple defendants regarding a Complaint for Damages filed by Christina Hyde, et al., on behalf of the Estate of Linda Miller. Shortly after retention of Rivera Hewitt Paul, LLP, a complaint was filed on March 16, 2020. This matter is on-going, and an extension of the Contract term is necessary to provide for continued services under the current Contract.

The Contract had a maximum contract amount of \$50,000, with a termination date of June 30, 2022. By Resolution 22-277, on June 14, 2022, the contract amount was increased to \$250,000 and the term was extended to June 30, 2024. Additional findings and an extension of the contract is necessary to ensure that sufficient funds are available to cover ongoing litigation costs. The proposed Amendment increases the contract amount by \$50,000, for a maximum contract price of \$300,000. The Amendment also extends the term of the contract from June 30, 2024, to June 30, 2025, to cover the scheduling order timeframe ordered by the Court.

Rivera Hewitt Paul, LLC, is a well-qualified firm with significant experience and expertise in the legal aspects of litigation and is willing and able to continue representing the County of

Nevada in this matter. I recommend that the Board approve the proposed Contract Amendment as submitted.

Item Initiated by: Kelly McKinley

Approved by: Katharine L. Elliott, County Counsel

Submittal Date: 5/24/24