



## **RESOLUTION No. \_\_\_\_\_**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

#### **RESOLUTION APPROVING AMENDMENT NO. 4 TO PERSONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA, ACTING ON BEHALF OF NEVADA COUNTY COMMUNITY FACILITIES DISTRICT NO. 1990-1 (WILDWOOD ESTATES), AND ALLEN MATKINS LEEK GAMBLE MALLORY & NATSIS LLP INCREASING THE MAXIMUM CONTRACT AMOUNT BY \$14,544.55, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT**

WHEREAS, effective October 1, 2014, the County executed a Personal Services Contract with Allen Matkins Leek Gamble Mallory & Natsis LLP (“Allen Matkins LLP”) for legal services in connection with the analysis and development of a strategy to retire, redeem or restructure the special tax bonds issued by Nevada County Community Facilities District 1990-1 (Wildwood Estates) (“CFD”) with a Maximum Contract Amount of \$25,000; and

WHEREAS, by Resolution 14-541, the parties amended the Contract to expand the scope of services to be provided and increase the Maximum Contract Amount to \$100,000; and

WHEREAS, by Resolution 15-193, the parties amended the Contract to extend the term of the contract and increase the Maximum Contract Amount to \$260,000; and

WHEREAS, by Resolution 15-498, the parties amended the Contract to increase the maximum amount of the contract to \$385,000; and

WHEREAS, at the close of bankruptcy, additional legal services were necessary to resolve last minute issues related to locating lost bondholders and final distribution of lost bondholder funds and additional funding is required to cover the additional legal costs; and

WHEREAS, the parties now desire to increase the maximum amount of the contract by \$14,544.55, to a Maximum Contract Amount of \$399,544.55, to pay for the additional legal costs.

NOW, THEREFORE, BE IT RESOLVED that Amendment No. 4 to the Personal Services Contract by and between the County of Nevada, acting on behalf of the Nevada County Community Facilities District No. 1990-1 (Wildwood Estates), and Allen Matkins Leek Gamble Mallory & Natsis LLP, to increase the Maximum Contract Amount from \$385,000 to \$399,544.55, be and hereby is approved in the form attached hereto as Exhibit A, and that the Chair of the Board of Supervisors is hereby authorized to execute the Amendment.

EXHIBIT "A"

**AMENDMENT NO. 4 TO PERSONAL SERVICES CONTRACT  
WITH ALLEN MATKINS LLP, A PROFESSIONAL CORPORATION**

THIS AMENDMENT No. 4 is made and is effective as of January 1, 2016, by and between Allen Matkins Leek Gamble Mallory and Natsis LLP ("Contractor") and the County of Nevada ("County"), acting on behalf of Nevada County Community Facilities District 1990-1 (Wildwood Estates) ("CFD"). This Amendment No. 4 amends the Personal Services Contract between the parties for legal services, effective as of October 1, 2014 ("Agreement").

WHEREAS, the parties entered into an agreement for services in connection with the analysis and development of a strategy to retire, redeem or restructure the special tax bonds issued by Nevada County Community Facilities District 1990-1 (Wildwood Estates) ("CFD"), with a Maximum Contract Amount of \$25,000; and

WHEREAS, by Resolution No. 14-541, the parties amended the Contract to expand the scope of services to be provided and increase the maximum amount of the contract to \$100,000; and

WHEREAS, by Resolution No. 15-193, the parties amended the Contract to extend the term of the contract and to increase the maximum amount of the contract to \$260,000; and

WHEREAS, by Resolution No. 15-498, the parties amended the Contract to increase the maximum amount of the contract to \$385,000; and

WHEREAS, at the close of bankruptcy, additional legal services were necessary to resolve last minute issues related to locating lost bondholders and final distribution of lost bondholder funds and additional funding is required to cover the additional legal costs; and

WHEREAS, the parties now desire to increase the maximum amount of the contract by \$14,544.55, to a Maximum Contract Amount of \$399,544.55, to pay for the additional legal services.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the parties hereto agree as follows:

1. Section 2, Maximum Contract Amount, is hereby increased from \$385,000 to \$399,544.55.
2. In all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

COUNTY OF NEVADA

By: \_\_\_\_\_  
Hon. Dan Miller  
Chair, Board of Supervisors

ATTEST:

By: \_\_\_\_\_  
Julie Patterson-Hunter  
Clerk of the Board

CONTRACTOR:

By: \_\_\_\_\_  
Debra A. Riley, Esq.  
Allen Matkins Leek Gamble Mallory & Natsis LLP

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Alison A. Barratt-Green  
County Counsel