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**COUNTY OF NEVADA**

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

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**MEETING DATE:** September 26, 2017  
**TO:** Board of Supervisors  
**FROM:** Alison A. Barratt-Green, County Counsel  
**SUBJECT:** Resolution Approving Amendment No. 6 to Personal Services Contract BFS15295 Between the County of Nevada and Porter Scott, A Professional Corporation, Increasing the Maximum Contract Price by \$50,000, and Authorizing the Chair of the Board to Execute the Amendment

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**RECOMMENDATION:** Adopt the attached Resolution

**FUNDING:** Legal services provided under this Agreement are paid on an as needed basis. The cost of this Amendment will be paid from the Sheriff's Fiscal Year 2017/18 Operational Budget. There is no additional impact on the General Fund. No budget amendment is required. Costs in excess of \$100,000 will be reimbursed by CSAC-EIA.

**BACKGROUND:** On August 24, 2013, litigation was filed against the Nevada County Sheriff's Department in the case entitled Evans, et al, vs. Nevada County Sheriff's Department, et al., (U.S. District Court, E.D. Cal.), Case No. 2:13-cv-01775-TLN-DAD. The Board authorized County Counsel to hire outside counsel for this litigation in the fall of 2013. As of January 1, 2014, the County entered into a Personal Services Contract with the law firm of Porter Scott to provide advice and litigation services in connection with this case.

The Agreement, as amended has a maximum contract amount of \$240,000, with a termination date of June 30, 2018. Additional funding is necessary to ensure that sufficient funds are available to cover legal costs related to the continued defense and upcoming trial of this case. The proposed Amendment increases the contract amount by \$50,000, for a maximum contract price of \$290,000.

Porter Scott is well qualified to represent the County in this matter and has done a good job handling this and other litigation on behalf of the County. I recommend that the Board approve the proposed Amendment as submitted.

**Item Initiated and Approved by:** Alison A. Barratt-Green, County Counsel

Submittal Date: 9/7/17  
Revision Date: