



# RESOLUTION No. 15-062

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

### RESOLUTION APPROVING AMENDMENT NO. 1 TO PERSONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA AND PORTER SCOTT TO INCREASE THE CONTRACT AMOUNT BY \$75,000 AND EXTEND THE CONTRACT TERM, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT

WHEREAS, effective January 1, 2014, the County executed a Personal Services Contract with Porter Scott, A Professional Corporation, for legal services in connection with claims and related litigation entitled *Soga vs. County of Nevada, et al.* (U.S. Dist. Court, E.D. Cal.), Case No. 2:14-cv-01084-KJM-KJN; and

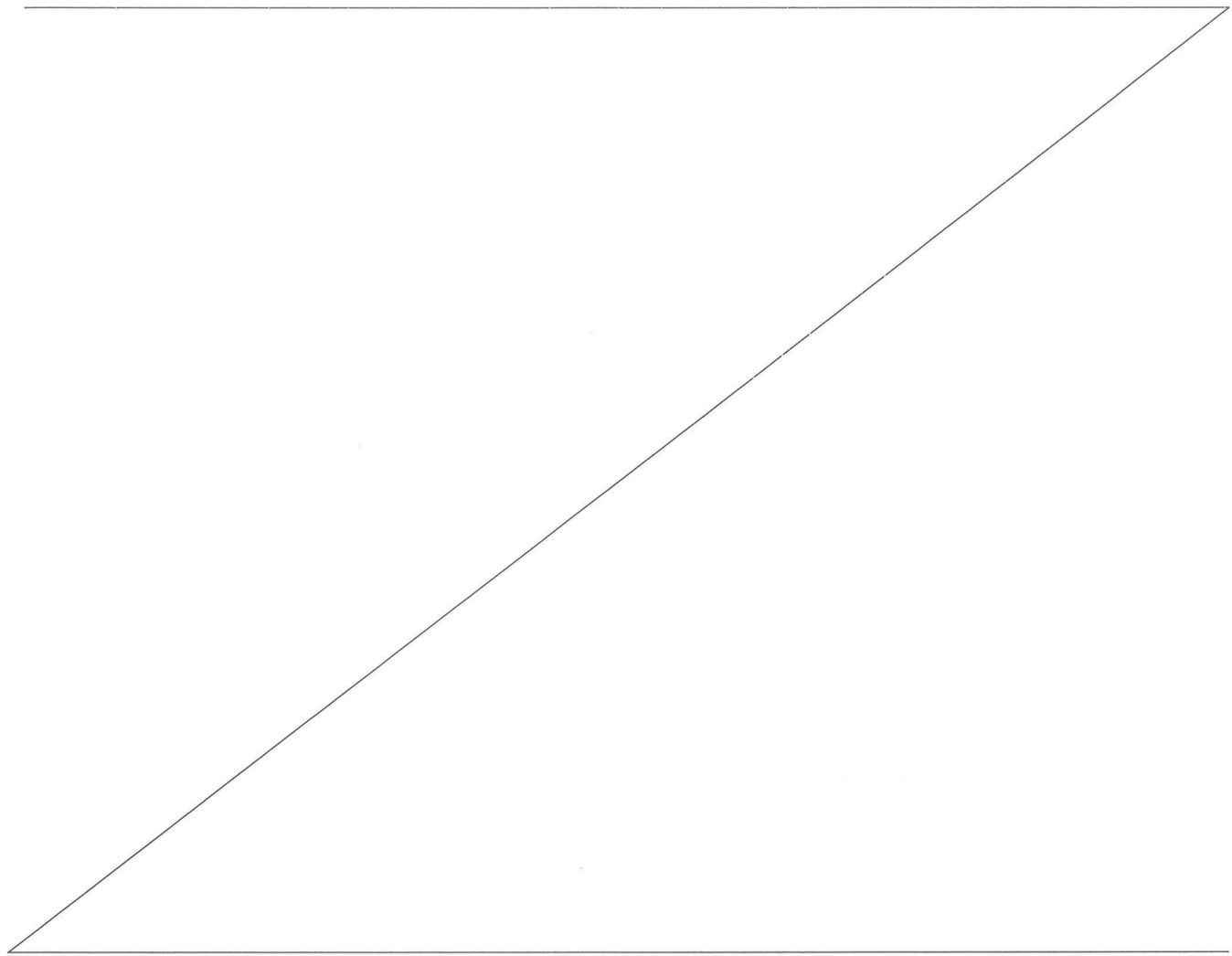
WHEREAS, the maximum amount of the contract was set at \$25,000; and

WHEREAS, additional funding is necessary to pay for ongoing litigation costs, including motions and discovery, and additional time on the contract will be necessary to complete the litigation process; and

WHEREAS, the parties desire to amend the Personal Services Contract to increase the contract amount by \$75,000, for a Maximum Contract Price of \$100,000 and to extend the contract term an additional year, to and including June 30, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 1 to Personal Services Contract by and between the County of Nevada and Porter Scott, A Professional Corporation, (a) increasing the contract amount by \$75,000 and establishing a new Maximum Contract Price of \$100,000, and (b) extending the contract term to and including June 30, 2016, 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.

BE IT FURTHER RESOLVED that the Auditor Controller is authorized to encumber the funds in account number 0101-20201-151-1000/521520/15100000, in an amount not to exceed \$100,000.00.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10th day of February, 2015, by the following vote of said Board:

- Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

DONNA LANDI  
Clerk of the Board of Supervisors

By: *Jude Salgado*, Deputy

*Edward C. Scofield*  
Edward C. Scofield, Chair

2/10/2015 cc: CC\*  
AC\*(hold)

2/12/2015 cc: CC\*  
Porter Scott  
AC\*(release)

**AMENDMENT NO. 1 TO PERSONAL SERVICES CONTRACT  
WITH PORTER SCOTT, A PROFESSIONAL CORPORATION**

THIS AMENDMENT No. 1 is made and is effective as of December 1, 2014, by and between Porter Scott, A Professional Corporation ("Contractor"), and the County of Nevada ("County"). This Amendment No. 1 amends the Personal Services Contract between the parties for legal services that was effective as of January 1, 2014 ("Agreement").

WHEREAS, the parties entered into an agreement to provide County with legal representation of Nevada County and any Nevada County employees and officers in connection with claims and litigation involving former County employee Kathleen Soga, with a Maximum Contract Amount of \$25,000; and,

WHEREAS, the County desires that Contractor provide it with additional legal services related to the continued defense of the above-referenced claims and litigation, and Contractor is ready, willing and able to provide such services; and,

WHEREAS, the Agreement is scheduled to expire as of June 30, 2015, and additional time will be necessary to complete the litigation process; and,

WHEREAS, the parties now desire to increase the maximum amount of the contract by \$75,000, to a Maximum Contract Amount of \$100,000, to pay for the additional legal services, and to extend the contract term to and including June 30, 2016.

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

1. That Section 2, Maximum Contract Amount, is hereby increased from \$25,000 to \$100,000.
2. That Section 3, Contract Termination Date, is hereby extended from June 30, 2015, to and including June 30, 2016.
3. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

COUNTY OF NEVADA


CONTRACTOR:

By:   
Hon. Edward C. Scofield  
Chair, Board of Supervisors

By:   
Carl Fessendon, Shareholder  
Porter Scott, A Professional Corporation

ATTEST:

APPROVED AS TO FORM:

By:   
Donna R. Landi  
Clerk of the Board

By:   
Alison A. Barratt-Green  
County Counsel