



# RESOLUTION No. 24-292

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

**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)**

WHEREAS, on March 1, 2020, the County executed a Personal Services Contract with Rivera Hewitt Paul, LLC, for legal services in connection with a complaint filed against Nevada County and certain individual County employees in a lawsuit entitled *Hyde vs. County of Sutter, et al.*, Case No.2 20-CV-00577-KJM-DMC; and

WHEREAS, the maximum contract price was set at \$50,000 with a termination date of June 30, 2022; and

WHEREAS, by Resolution No. 22-277, on June 14, 2022, parties extended the term of the contract to June 30, 2024, and increased the contract amount by \$200,000 for a maximum contract price of \$250,000; and

WHEREAS, the case is ongoing, and additional funding is necessary to pay for ongoing litigation costs; and

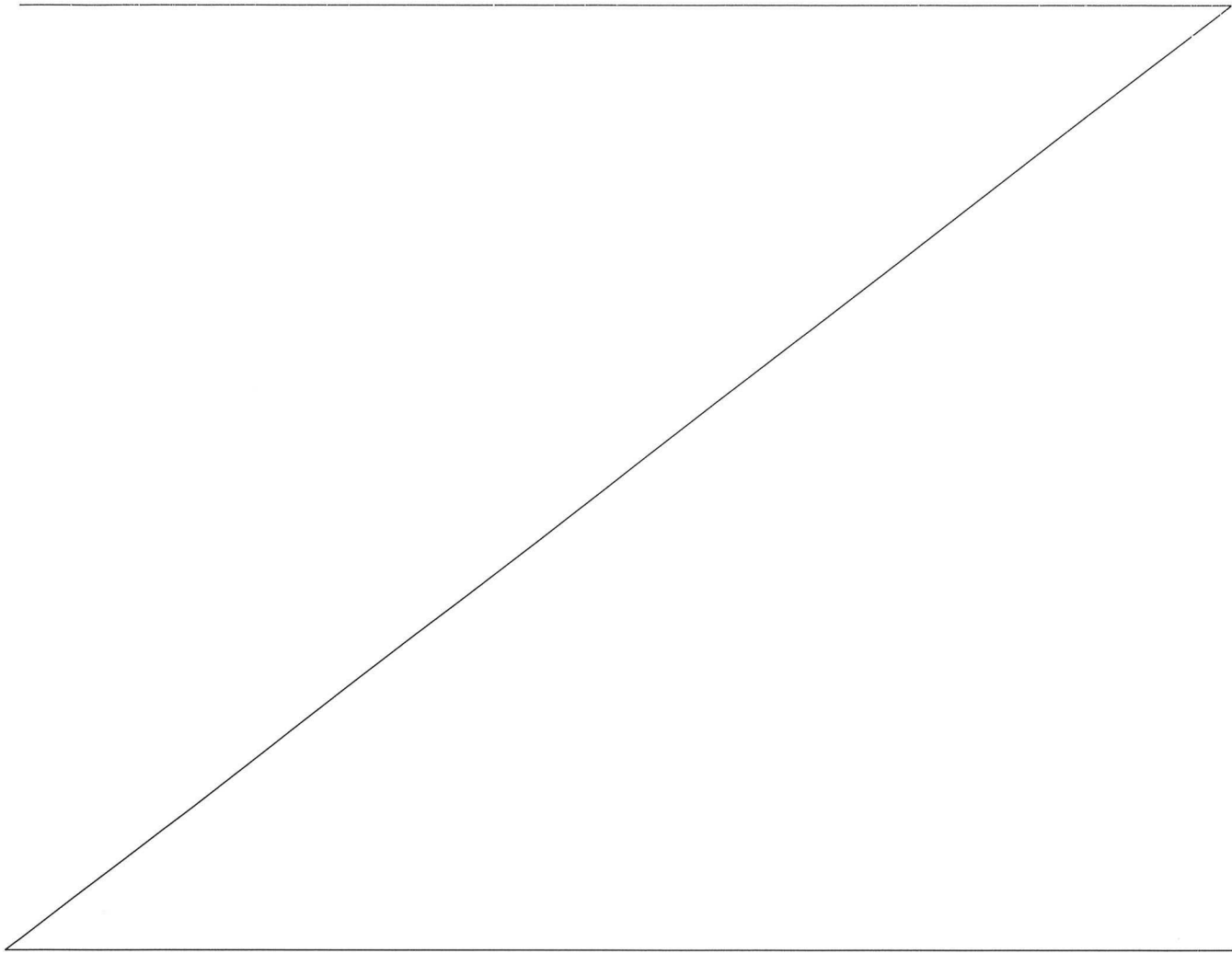
WHEREAS, the parties desire to amend the Personal Services Contract to increase the contract amount by \$50,000, for a maximum contract price of \$300,000; and

WHEREAS, an extension of the contract term is also necessary to provide for continued litigation services under this Contract; and

WHEREAS, the parties desire to extend the term of the contract from June 30, 2024, to June 30, 2025; and

WHEREAS, the Contract will be paid by CSAC-EIA/PRISM, so there is no impact on the General Funds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 2 to the Personal Services Contract by and between the County of Nevada and Rivera Hewitt Paul, LLP, A Professional Corporation, increasing the maximum contract price by \$50,000 for a maximum amount of \$300,000, extending the Contract Term to June 30, 2025, 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. This Amendment is contingent upon the adoption of the fiscal year 2024/25 County budget and will begin on July 1, 2024.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 11th day of 2024, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward C. Scofield, Susan Hoek, Lisa Swarthout and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.
- Recuse: None.

ATTEST:

TINE MATHIASSEN  
Chief Deputy Clerk of the Board of Supervisors

By: 

  
Hardy Bullock, Chair

**EXHIBIT A**

**AMENDMENT No 2 TO PERSONAL SERVICES CONTRACT  
WITH RIVERA HEWITT PAUL, LLP**

THIS AMENDMENT No. 2 is made and is effective as of July 1, 2024, by and between Rivera Hewitt Paul, LLP (“Contractor”), and the County of Nevada (“County”). This Amendment No. 2 amends the Personal Services Contract between the parties for legal services, effective as of March 1, 2020 (“Contract”).

WHEREAS, the parties executed a Personal Services Contract [PESN3978] for legal services in connection with a complaint for damages filed by Christina Hyde, et al. on behalf of the Estate of Linda Miller; *Hyde vs. County of Nevada*, USDC Case No. 2:20-at-00269; and

WHEREAS, the matter is ongoing, and an extension of the Contract term is necessary to provide for continued litigation services under this Contract; and

WHEREAS, the parties desire to extend the term of the Contract from June 30, 2024, to June 30, 2025; and

WHEREAS, additional funding is necessary to pay for ongoing litigation costs, including trial expenses; and

WHEREAS, the parties now desire to increase the maximum Contract amount by \$50,000, for a maximum Contract price of \$300,000; and

WHEREAS, the Contract will be paid by CSAC-EIA/PRISM, so there is no impact on the General Funds.

WHEREAS, the County desires that Contractor continue to provide legal services related to the continued project, and Contractor is ready, willing, and able to provide such services; and

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

1. The Contract is contingent upon the adoption of the fiscal year 2024/25 County Budget.
2. The contract begins on July 1, 2024.
3. That Section 2, Maximum Contract Amount, is hereby increased by \$50,000, from \$250,000 to \$300,000.


4. Section 3, Contract Termination Date, is hereby extended to June 30, 2025.
5. That in all other respects the prior Contract of the parties shall remain in full force and effect except as amended herein.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 to Personal Services Contract between the County of Nevada and Rivera Hewitt Paul, LLP, effective as of the date first written above.

COUNTY OF NEVADA


CONTRACTOR:


By:   
Hon. Hardy Bullock  
Chair, Board of Supervisors

By:   
Jonathan B. Paul, Partner  
Rivera Hewitt Paul, LLP

ATTEST:

APPROVED AS TO FORM:

By:   
Tine Mathiasen  
Chief Deputy Clerk of the Board of  
Supervisors

By:   
[Kit Elliott \(Jun 13, 2024 09:42 PDT\)](#)  
Katharine L. Elliott  
County Counsel