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COUNTY OF NEVADA**

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

MEETING DATE: June 14, 2022

TO: Board of Supervisors

FROM: County Counsel

SUBJECT: Resolution approving Amendment No. 2 to Personal Services Contract between the County of Nevada and Manning & Kass, Ellrod, Ramirez, Trester, LLP, extending the term of the Contract to June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the Amendment

RECOMMENDATION: Adopt the attached Resolution.

FUNDING: Legal services provided under this Agreement are paid on an as needed basis. The cost of this Contract is being paid from the Risk Management's Fiscal Years 2021/2022 and 2022/23 General Liability Fund. No budget Amendment is needed at this time. Eligible litigation costs will be reimbursed from PRISM.

BACKGROUND:

On January 1, 2020, the County retained counsel for the officer involved shooting. Subsequently, on February 1, 2021, litigation was filed against Nevada County, Sheriff's Office and certain individual County employees in a lawsuit entitled *Estate of Gabriel Strickland, N.S. and Shawna Alexander vs. Nevada County, et al.*

The Contract had a maximum contract price of \$40,000 with a termination date of June 30, 2021.

By way of Resolution 21-195, on June 8, 2021, parties amended the Contract to increase the contract maximum price by \$210,000, for a maximum contract amount of \$250,000. In addition, the Contract was amended to extend the term to June 30, 2022.

The matter is ongoing, and an extension of the Contract term is again necessary to provide for continued litigation services. It is recommended the Amendment is approved to extend the Contract to June 30, 2023.

Manning & Kass, Ellrod, Ramirez, Trester, LLP, is well qualified to represent the County in this matter and has done an excellent job in representing Nevada County in this matter thus far. I recommend that the Board approve the proposed Amendment as submitted.

Item Initiated by: Kelly McKinley

Item Approved by: Katharine L. Elliott, County Counsel

Submittal Date: 5/20/22