



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 3 TO PERSONAL SERVICES CONTRACT BM123277 BETWEEN THE COUNTY OF NEVADA AND PORTER SCOTT, A PROFESSIONAL CORPORATION, INCREASING THE MAXIMUM CONTRACT PRICE BY \$40,000, TO A MAXIMUM CONTRACT AMOUNT OF \$140,000, EXTENDING THE TERM OF THE CONTRACT TO JUNE 30, 2025, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT (4/5 VOTE REQUIRED)

WHEREAS, effective February 4, 2021, the County executed a Personal Services Contract with Porter Scott, A Professional Corporation, for legal services in connection with the lawsuit entitled *Thona Tindall, Joshua Tindall, et al. vs Nevada County*, Nevada County Superior Court Case No. CU20-085052 and the related state court action; and,

WHEREAS, by Amendment No. 1, on June 8, 2022, the Contract was amended to extend the term of the Contract to June 30, 2023; and

WHEREAS, by Resolution 23-277, parties agreed to increase the maximum amount of the contract by \$50,000, to a Maximum Contract Amount of \$100,000 and extend the term of the contract to June 30, 2024; and

WHEREAS, the case is on-going, and an extension of the Contract term is necessary to provide for continued litigation services under this Contract; and

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

WHEREAS, the parties now desire to extend the term of the contract from June 30, 2024, to June 30, 2025.

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

WHEREAS, the parties now desire to increase the maximum amount of the contract by \$40,000, to a Maximum Contract Amount of \$140,000, to pay for the additional legal services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 3 to the Personal Services Contract by and between the County of Nevada and Porter Scott, A Professional Corporation, increasing the contract amount by \$40,000, to a Maximum Contract Amount of \$140,000, extend the

term of the contract from June 30, 2024, to June 30, 2025, 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.