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

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**MEETING DATE:** June 13, 2023

**TO:** Board of Supervisors

**FROM:** County Counsel

**SUBJECT:** Resolution approving Amendment No. 3 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, 2024, and authorizing the Chair of the Board of Supervisors to execute the Amendment (4/5 vote required)

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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 Contract is being paid from the Risk Management's Fiscal Year 2023/24 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 an 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 Agreement 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 Amendment extended the term of the Contract to June 30, 2022. Amendment No. 2 extended the term of the Contract to June 30, 2023.

The matter is ongoing and an extension of the Contract term is necessary to provide for continued litigation services under the Agreement. It is recommended the Contract be extended to June 30, 2024.

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:** 5/17/23