

OFFICE OF THE COUNTY COUNSEL
COUNTY OF NEVADA

ALISON A. BARRATT-GREEN, COUNTY COUNSEL
JAMIE L. HOGENSON, DEPUTY COUNTY COUNSEL
DOUGLAS M. JOHNSON, DEPUTY COUNTY COUNSEL
SCOTT A. MCLERAN, DEPUTY COUNTY COUNSEL
RHETTA K. VANDER PLOEG, DEPUTY COUNTY COUNSEL



ERIC ROOD ADMINISTRATIVE CENTER
950 MAIDU AVENUE, SUITE 240
NEVADA CITY, CA 95959
TELEPHONE (530) 265-1319
FACSIMILE (530) 265-9840
county.counsel@co.nevada.ca.us

October 30, 2018

Honorable Board of Supervisors
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959

DATE OF MEETING: November 13, 2018

SUBJECT: Resolution Approving Amendment No. 1 to Personal Services Contract PESM3670 between the County of Nevada and Angelo, Kilday & Kilduff, Increasing the Maximum Contract Price by \$75,000, and Authorizing the Chair of the Board 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 Amendment will be paid from the Risk Management's Fiscal Year 2018/19 and 2019/20 general liability fund. There is no additional impact on the General Fund. No budget amendment is required. Costs in excess of \$100,000 are expected to be reimbursed by CSAC-EIA.

BACKGROUND: On June 15, 2018, litigation was filed against Nevada County and Nevada County Sanitation District No. 1 in the case entitled *Sullivan, et al. vs. Lake Wildwood Association, et al.* (Nevada County Superior Court), Case No. CU18-083052. The Board authorized County Counsel to hire outside counsel for this litigation. On July 25, 2018, the County entered into a Personal Services Contract with the law firm of Angelo, Kilday & Kilduff to provide legal advice and litigation services in connection with this case.

The original agreement had a Maximum Contract Price of \$25,000. Additional funding is necessary to ensure that sufficient funds are available to cover ongoing litigation costs, including investigative work, motions and discovery. The proposed Amendment increases the contract amount by \$75,000, for a maximum contract price of \$100,000.

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Angelo, Kilday & Kilduff is well qualified to represent the County in this matter and has done a very good job handling the litigation thus far. I recommend that the Board approve the proposed Amendment as submitted.

Respectfully submitted,

Alison A. Barratt-Green
County Counsel

Attachments: Resolution Approving Amendment No. 1 to Personal Services Contract
Amendment No. 1 to Personal Services Contract