



**NEVADA
COUNTY**
CALIFORNIA

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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: June 24, 2024
TO: Board of Supervisors
FROM: County Counsel
SUBJECT: Resolution approving Amendment No. 5 to Personal Services Contract between the County of Nevada and Manning & Kass, Ellrod, Ramirez, Trester, LLP, increasing the maximum contract price by \$375,000 for a maximum contract amount of \$625,000, extending the term of the Contract to June 30, 2027, and authorizing the Chair of the Board of Supervisors to execute the Amendment (4/5 vote required)

RECOMMENDATION: Adopt the attached Resolution.

FUNDING: As of January 28, 2025, legal services provided under this Contract are being paid by the County's medical malpractice program on an as needed basis. No budget amendment is needed.

BACKGROUND:

On January 1, 2020, the County retained counsel for litigation related to 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, and Amendment No. 3, by way of Resolution No. 23-278, extended the Contract to June 30, 2024. Amendment No. 4, by way of Resolution No. 24-237, extended the Contract to June 30, 2025.

The matter is ongoing and an extension of the Contract term is necessary to provide for continued litigation services under the Contract. It is recommended the Contract be extended to June 30, 2027.

Claims related to the use of force were successfully dismissed from this lawsuit, however other causes of action remain active. Due to the ongoing defense of this case, complexity of issues, and budget analysis provided by our outside counsel, we are requesting to increase the maximum contract amount by \$375,000 through June 30, 2027.

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: Trina Woodward

Item Approved by: Katharine L. Elliott, County Counsel

Submittal Date: June 9, 2025