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

MEETING DATE: August 27, 2019
TO: Board of Supervisors
FROM: Alison A. Barratt-Green, County Counsel

SUBJECT: Resolution approving a Personal Services Contract between the County of Nevada and Porter Scott for Litigation Services Related to the Case Entitled *Davis vs. Nevada County Health & Human Services Agency Behavioral Health Department, et al.*, in the Maximum Contract Amount of \$100,000 and Authorizing the Chair of the Board to Execute the Contract

RECOMMENDATION: Adopt the attached Resolution.

FUNDING: Legal services provided under this Agreement are paid on an as needed basis. The cost of this Contract will be paid from Risk Management's Fiscal Year 2019/20 through 2021/22 general liability fund. There is no additional impact on the General Fund. No budget amendment is required. Fees and costs in excess of \$100,000 will be reimbursed by CSAC-EIA.

BACKGROUND:

On February 9, 2018, litigation was filed against the Behavioral Health Department in the case entitled *Davis v. Nevada County Health & Human Services Agency Behavioral Health Department, et al.*, (Nevada County Superior Court), Case No. CU18-082733. The County requires the services of outside counsel to provide legal representation in connection with said litigation and the continued legal defense of this case.

Porter Scott is a well-qualified firm with significant experience and expertise in litigation defense on behalf of public agencies and is willing and able to represent the County and the individual defendant in this case. Porter Scott has also done a very good job representing the County in other litigation matters. We recommend that the Board approve the proposed Personal Services Contract with Porter Scott as submitted, in the maximum amount of \$100,000.

Item Initiated and Approved by: Alison A. Barratt-Green, County Counsel

Submittal Date: August 7, 2019

Revision Date: