



RESOLUTION No. 24-236

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 3 TO PROFESSIONAL SERVICES CONTRACT [BFS23332] BETWEEN THE COUNTY OF NEVADA AND PORTER SCOTT, A PROFESSIONAL CORPORATION, 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 August 26, 2021, the County entered into a Professional Services Contract with Porter Scott, A Professional Corporation, for legal services in connection with the lawsuit entitled *E.P., a minor individual, by and through his Guardian Ad Litem, Barbara Lipton vs. County of Nevada et al.*, Nevada County Superior Court Case No. CU19-083938; and

WHEREAS, the original maximum contract was not to exceed \$50,000 and the term of the contract was until June 30, 2022; and

WHEREAS, on July 1, 2022, the parties extend the term of the Contract to June 30, 2023; and

WHEREAS, by Resolution 23-332, parties increased the maximum contract price by \$100,000 to a maximum Contract amount of \$150,000 and extended 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 the Contractor continue to provide legal services related to the final stages of this 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 3 to the Professional Services Contract by and between the County of Nevada and Porter Scott, A Professional Corporation, 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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of May 2024, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Susan Hoek,
Lisa Swarthout and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: 


Hardy Bullock, Chair

**AMENDMENT No. 3 TO PROFESSIONAL SERVICES CONTRACT [BFS23332]
WITH PORTER SCOTT, A PROFESSIONAL CORPORATION**

THIS AMENDMENT No. 3 is made effective as of July 1, 2024, by and between Porter Scott, A Professional Corporation (“Contractor”), and the County of Nevada (“County”). This Amendment No. 3 amends the Professional Services Contract between the parties for legal services, entered on August 26, 2021 (“Contract”).

WHEREAS, on August 26, 2021, parties entered into a Professional Services Contract [BFS23332] for legal services in connection with the lawsuit entitled *E.P., a minor individual, by and through his Guardian Ad Litem, Barbara Lipton vs. County of Nevada et al.*, Nevada County Case No. CU19-083938; 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 the 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.

NOW, THEREFORE, the Parties hereto agree as follows:

1. This Amendment begins on July 1, 2024.
2. Section 3, Term, is hereby extended to June 30, 2025.
3. That in all other respects, the prior Contract of the parties shall remain in full force and effect except as amended herein.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 3 to Professional Services Contract between the County of Nevada and Porter Scott, A Professional Corporation, effective as of the date first written above.

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COUNTY OF NEVADA

By:

H.S.V.L.

Hon. Hardy Bullock
Chair, Board of Supervisors

ATTEST:

By:

Tine Mathiasen

Tine Mathiasen
Chief Deputy Clerk of the Board of
Supervisors

CONTRACTOR:

By:

John Whitefleet

John Whitefleet (Jun 4, 2024 09:09 PDT)

John R. Whitefleet, Esq.
Porter Scott

APPROVED AS TO FORM:

By:

Kit Elliott

Kit Elliott (Jun 4, 2024 16:02 PDT)

Katharine L. Elliott
County Counsel