



NEVADA COUNTY CALIFORNIA

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NEVADA COUNTY BOARD OF SUPERVISORS Board Agenda Memo

MEETING DATE: June 10, 2025

TO: Board of Supervisors

FROM: County Counsel

SUBJECT: Resolution approving Amendment No. 6 to Personal Services Contract between the County of Nevada and Porter Scott, A Professional Corporation, extending the term of the Contract to June 30, 2026, and authorizing the Chair of the Board to execute the Amendment (4/5 vote required)

RECOMMENDATION:

Adopt the attached Resolution.

FUNDING:

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 May 24, 2019, litigation was filed against Nevada County in a lawsuit entitled *Peterson vs. Nevada County, California, et al.*, Case No. 2:19-cv-00949-JAM-EFB (U.S. Dist. Court, E.D. Cal.). On August 13, 2019, the Board authorized the County to hire outside counsel to provide legal representation in connection with said litigation. Pursuant to Resolution No. 19-463, the County entered into a Personal Services Contract with Carl Fessenden at the Porter Scott law firm to represent the County in this litigation matter. This is a \$0 contract, as PRISM will directly pay all invoices for legal services in this matter. The purpose of the contract was to establish an attorney-client relationship with the Porter Scott law firm and establish non-monetary terms related to this representation.

On June 23, 2020, by Resolution 20-278, the Contract was extended to June 30, 2021. Again, on June 8, 2021, by Resolution No. 21-196, the Contract was extended to June 30, 2022. Also, by Resolution 22-280, on June 14, 2022, the Contract was extended to June 30, 2023, and another extension was obtained on June 13, 2023, by way of Resolution 23-279, and extended again to June 30, 2025 by way of Resolution 24-294.

Additional time is necessary to continue the defense of these cases. The proposed Amendment extends the term of the Contract to June 30, 2026.

Porter Scott 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.

Item Initiated by: Trina Woodward

Item Approved by: Katharine L. Elliott, County Counsel

Submittal Date: 6/9/2025