

**OFFICE OF THE COUNTY COUNSEL  
COUNTY OF NEVADA**

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

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**MEETING DATE:** September 27, 2022  
**TO:** Board of Supervisors  
**FROM:** County Counsel  
**SUBJECT:** Resolution granting County Counsel, in coordination with the County Executive Officer, the authority to retain specialized outside counsel for general legal services not to exceed \$50,000 consistent with the monetary authority limit as defined by the Nevada County Administrative Code (4/5 vote required)

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**RECOMMENDATION:** Adopt the attached Resolution

**FUNDING:** The Resolution memorializes historical practice. There is no fiscal impact to the General Fund.

**BACKGROUND:** The Office of the County Counsel serves as in-house counsel and provides a wide array of legal services for the County of Nevada, including to its agencies, boards, commissions, and employees acting in the course and scope of their employment. At times, in order to provide the County with the best, most cost-effective service, the County must retain specialized outside counsel to assist in the provision of legal services. Historically, County Counsel, in coordination with the County Executive Officer, has retained outside counsel where necessary and has entered into contracts with outside counsel up to the Purchasing Agent's monetary authority limit. Contracts that exceed this amount have gone to the Board.

This Resolution memorializes historical practice within the County. County Counsel is generally in the best position to determine whether outside counsel is necessary and to select the appropriate outside counsel. Litigation and/or legal questions routinely occur on an expedited timeline inconsistent with the Board's scheduled meetings. This Resolution will permit County Counsel to continue to make these decisions within the Purchasing Agent's monetary authority limits, which is

not to exceed \$50,000. Contracts exceeding the Purchasing Agent's monetary authority must be approved by the Board.

I recommend the Board adopt the Resolution

**Item Initiated by:** Kelly McKinley

**Approved by:** Katharine L. Elliott, County Counsel

Submitted Date: September 14, 2022