



NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: May 28, 2024

TO: Board of Supervisors

FROM: County Counsel

SUBJECT: 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 to Execute the Amendment (4/5 vote required)

RECOMMENDATION: Adopt the attached Resolution

FUNDING: Legal services provided under this Agreement are paid on an as needed basis. The cost of this Contract is being paid from the Risk Management's Fiscal Year 2023/2024 and 2024/2025 General Liability Fund. This amendment extends the term; it does not increase the contract amount. No budget Amendment is needed at this time. Eligible litigation costs will be reimbursed from PRISM.

BACKGROUND:

On June 27, 2019, litigation was filed against the County of Nevada, by and through the Nevada County Health and Human Services, Caroline Sheller, and Brandon and Michelle Warmuth, individuals.

The County entered into a Contract with Porter Scott to provide advice and litigation services in connection with this case. The original agreement had a Maximum Contract price of \$50,000. By Resolution 23-332, the parties agreed to increase the contract amount by \$100,000 for a total maximum amount of \$150,000 and extend the term of the contract to June 30, 2024.

While the matter is very near completion, additional time is necessary so that Contractor can provide the continued litigation services under the Contract. No increase to the

Contract amount is needed. It is recommended the Contract be extended to June 30, 2025.

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: Kelly McKinley

Approved by: Katharine L. Elliott, County Counsel

Submittal Date: May 1, 2024