



# RESOLUTION No. 22-278

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION APPROVING AMENDMENT NO. 2 TO PERSONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA AND MEYERS NAVE, RIBACK, SILVER & WILSON, EXTENDING THE TERM OF THE CONTRACT TO JUNE 30, 2023, AND AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE THE AMENDMENT

WHEREAS, effective November 20, 2020, the County executed a Personal Services Contract with Meyers Nave, Riback, Silver & Wilson, for legal services in connection with the lawsuit entitled *Tuck's Restaurant and Bar, et al. vs. Gavin Newsom, et al.*; USDC Eastern District, Case No. 20-cv-02256-KJM-CKD; and

WHEREAS, the maximum amount of the Contract was set at \$50,000, with a contract termination date of June 30, 2021; and

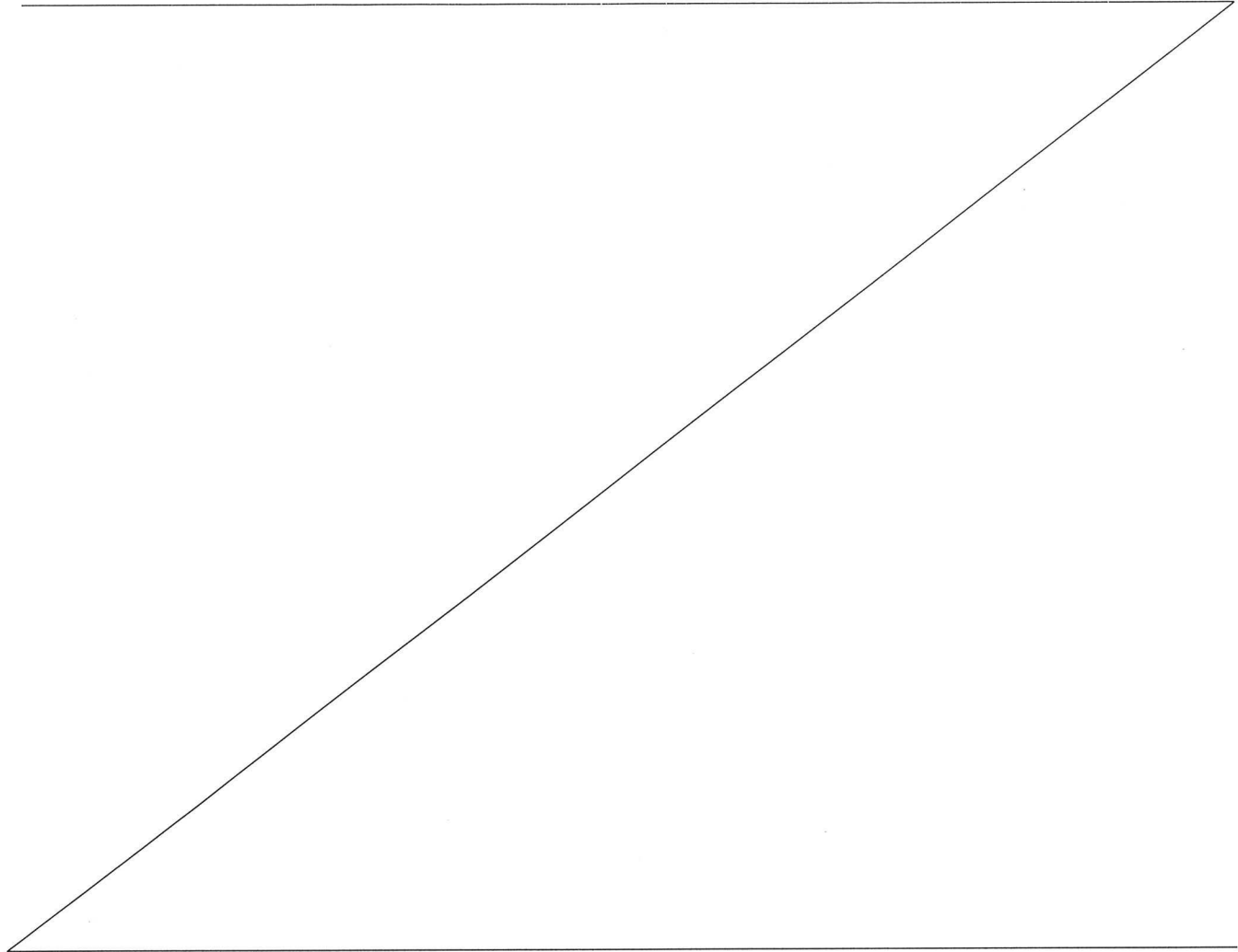
WHEREAS, by Resolution 21-086, the parties amended the Contract to increase the Contract amount by \$100,000, for a Maximum Contract Price of \$150,000 and extend the termination date to June 30, 2022; and

WHEREAS, the case is ongoing and an extension of the contract term is necessary to provide for continued litigation services; and

WHEREAS, the County desires that 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 to June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 2 to Personal Services Contract by and between the County of Nevada and Meyers Nave, Riback, Silver & Wilson, extending the Contract Term to June 30, 2023, be 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 14th day of June, 2022, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Susan K. Hoek, Chair

6/14/2022 cc: CoCo\*  
AC\*(hold)

7/8/2022 cc: CoCo\*  
AC\*(release)

**EXHIBIT A**

**AMENDMENT NO. 2 TO PERSONAL SERVICES CONTRACT [BMS21086]  
WITH MEYERS NAVE, RIBACK, SILVER & WILSON**

THIS AMENDMENT No. 2 is made and is effective as of July 1, 2022, by and between Meyers Nave, Riback, Silver & Wilson (“Contractor”), and the County of Nevada (“County”). This Amendment No. 2 amends the Personal Services Contract between the parties for legal services, effective as of November 20, 2020 (“Contract”).

WHEREAS, the parties entered into an Contract [BMS21086] to provide the legal services reasonably required to represent and advise HEIDI HALL, in her capacity as a Member of the Board of Supervisors of Nevada County, California; ED SCOFIELD, in his capacity as a Member of the Board of Supervisors of Nevada County, California; DAN MILLER, in his capacity as a Member of the Board of Supervisors of Nevada County, California; SUSAN HOEK, in her capacity as a Member of the Board of Supervisors of Nevada County, California; RICHARD ANDERSON, in his capacity as a Member of the Board of Supervisors of Nevada County, California; RICHARD O. JOHNSON, in his capacity as Public Health officer for Nevada County, California; AMY IRANI, Director, Environmental Health Services and KATHARINE ELLIOTT, County Counsel (hereafter collectively “You” or “the Individual County Defendants”) in connection with the lawsuit entitled *Tuck’s Restaurant and Bar, et al. v. Gavin Newsom, et al.*, USDC Eastern District, Case No. 20-CV-02256-KJM-CKD; and

WHEREAS, the case is ongoing and an extension of the contract term is necessary to provide for continued litigation services under this Contract; and

WHEREAS, the parties now desire to extend the term of the contract to June 30, 2023.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the parties hereto agree as follows:

1. This Amendment shall be effective as of July 1, 2022;
2. Section 5, Termination of Services, is hereby extended to June 30, 2023.
3. That in all other respects the prior Contract of the parties shall remain in full force and effect except as amended herein.

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IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 to Personal Services Contract between the County of Nevada and Meyers Nave, Riback, Silver & Wilson, effective as of the date first written above.

COUNTY OF NEVADA

By: *Susan Hoek*  
Susan Hoek (Jul 6, 2022 15:56 PDT)  
Hon. Sue Hoek  
Chair, Board of Supervisors

CONTRACTOR:

By: *Deborah J. Fox*  
Deborah J. Fox (Jun 16, 2022 12:51 PDT)  
Deborah J. Fox  
Principal, Meyers Nave, Riback,  
Silver & Wilson

ATTEST:

By: *Julie Patterson-Hunter*  
Julie Patterson-Hunter  
Clerk of the Board

APPROVED AS TO FORM:

By: *K.L. Elliott*  
K.L. Elliott (Jul 8, 2022 09:19 PDT)  
Katharine L. Elliott  
County Counsel