

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

ALISON A. BARRATT-GREEN, COUNTY COUNSEL
AMANDA S. UHRHAMMER, ASSISTANT COUNTY COUNSEL
JAMIE L. HOGENSON, DEPUTY COUNTY COUNSEL
KATHRYN E. JACOBS, DEPUTY COUNTY COUNSEL
SCOTT A. MCLERAN, DEPUTY COUNTY COUNSEL
RHETTA K. VANDER PLOEG, DEPUTY COUNTY COUNSEL



ERIC ROOD ADMINISTRATIVE CENTER
950 MAIDU AVENUE, SUITE 240
NEVADA CITY, CA 95959
TELEPHONE (530) 265-1319
FACSIMILE (530) 265-9840
county.counsel@co.nevada.ca.us

October 13, 2016

Honorable Board of Supervisors
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959

DATE OF MEETING: November 8, 2016

SUBJECT: Resolution Approving Amendment No. 4 to Personal Services Contract Between the County of Nevada and Porter Scott, A Professional Corporation, Increasing the Maximum Contract Price by \$100,000, and Authorizing the Chair of the Board to Execute the Amendment

RECOMMENDATION: Adopt the attached Resolution

FUNDING: Legal services provided under this Agreement are paid on an as needed basis. The cost of this Amendment will be paid from the Sheriff's Fiscal Year 2016/17 Operational Budget. There is no additional impact on the General Fund. No budget amendment is required. Costs in excess of \$100,000 will be reimbursed by CSAC-EIA.

BACKGROUND: On August 24, 2013, litigation was filed against the Nevada County Sheriff's Department in the case entitled *Evans, et al, vs. Nevada County Sheriff's Department, et al.*, (U.S. District Court, E.D. Cal.), Case No. 2:13-cv-01775-TLN-DAD. The Board authorized County Counsel to hire outside counsel for this litigation in the fall of 2013. As of January 1, 2014, the County entered into a Personal Services Contract with the law firm of Porter Scott to provide advice and litigation services in connection with this case.

The Agreement, as amended has a maximum contract amount of \$140,000. Additional funding is necessary to ensure that sufficient funds are available to cover legal costs related to the continued defense and upcoming trial of this case. The proposed Amendment increases the contract amount by \$100,000, for a maximum contract price of \$240,000.

Hon. Board of Supervisors
October 13, 2016
Page 2 of 2

Porter Scott is well qualified to represent the County in this matter and has done a good job handling this and other litigation on behalf of the County. I recommend that the Board approve the proposed Amendment as submitted.

Respectfully submitted,



Alison A. Barratt-Green
County Counsel

Attachments: Resolution Approving Amendment No. 4 to Personal Services Contract
Amendment No. 4 to Personal Services Contract