



**NEVADA
COUNTY**
CALIFORNIA

OFFICE OF THE COUNTY COUNSEL

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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: September 10, 2024
TO: Board of Supervisors
FROM: County Counsel
SUBJECT: Resolution approving Amendment No. 2 to Professional Services Contract between the County of Nevada and Abbott & Kindermann, Inc., extending the term of the Contract to June 30, 2026, increasing the Contract amount by \$175,000 for a maximum Contract amount of \$225,000, and authorizing the Chair of the Board of Supervisors to execute the Amendment (4/5 affirmative vote required)

RECOMMENDATION: Adopt the attached Resolution.

FUNDING: Legal services provided under this Contract are paid on an as needed basis. The cost of this Contract is being paid from County Counsel's Fiscal Years 2024/2025 and 2025/2026 General Liability Fund. A budget Amendment will be brought in the first quarter.

BACKGROUND:

The Parties entered into a Contract on February 19, 2024, for services related to the application for the Idaho Maryland Mine – Rise Gold project. Subsequently, on May 10, 2024, a Petition for Peremptory Writ of Mandate was filed against Nevada County, entitled *Rise Grass Valley vs. County of Nevada*; Nevada County Superior Court Case No.CU0001386.

The Agreement had a maximum contract price of \$50,000 with a termination date of June 30, 2025.

The matter is ongoing, specifically with the filing of the Writ of Mandate. Additional funding is needed to pay for the litigation costs. Further, an extension of the Contract term is necessary to provide for continued litigation services under the Contract. It is recommended the Contract be extended to June 30, 2026.

Abbott & Kindermann, Inc., is well qualified to represent the County in this matter and has done an excellent job in representing Nevada County in this matter thus far. I recommend that the Board approve the proposed Amendment as submitted.

Item Initiated and Approved by: Katharine L. Elliott, County Counsel

Submittal Date: 8/21/24