



RESOLUTION No. 18-557

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 1 TO PERSONAL SERVICES CONTRACT PESM3670 BETWEEN THE COUNTY OF NEVADA AND ANGELO, KILDAY & KILDUFF TO INCREASE THE CONTRACT AMOUNT BY \$75,000, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT

WHEREAS, effective July 25, 2018, the County executed a Personal Services Contract with Angelo, Kilday & Kilduff, for legal services in connection with the lawsuit entitled *Sullivan, et al. vs. Lake Wildwood Association, et al.* (Nevada County Superior Court), Case No. CU18-083052; and

WHEREAS, the maximum amount of the contract was set at \$25,000; and

WHEREAS, additional funding is necessary to pay for ongoing litigation costs, including investigative work, motions and discovery; and

WHEREAS, the parties desire to amend the Personal Services Agreement to increase the contract amount by \$75,000, for a Maximum Contract Price of \$100,000; and

WHEREAS, the contract will be paid through the General Liability Fund 4356-92002-275-1000 / 521520.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 1 to Personal Services Contract PESM3670 by and between the County of Nevada and Angelo, Kilday & Kilduff, increasing the contract amount by \$75,000 and establishing a new Maximum Contract Price of \$100,000, 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 13th day of November, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward Scofield, Chair

12/06/2018 cc: CoCo*
AC* (Release)
AK&K

11/13/2018 cc: CoCo*
AC* (Hold)

**AMENDMENT NO. 1 TO PERSONAL SERVICES CONTRACT
WITH ANGELO, KILDAY & KILDUFF
(PESM3670)**

THIS AMENDMENT No. 1 is made and is effective as of August 14, 2018, by and between Angelo, Kilday & Kilduff (“Contractor”), and the County of Nevada (“County”). This Amendment No. 1 amends the Personal Services Contract between the parties for legal services, effective as of July 25, 2018 (“Agreement”).

WHEREAS, the parties entered into an agreement to provide County with legal representation of Nevada County, Nevada County Sanitation District No. 1, and any Nevada County employees and officers that may be named as defendants in connection with claims filed by Tristan Sullivan (a minor), et al. and related litigation, in the case of *Sullivan, et al. vs. Lake Wildwood Association, et al.* (Nevada County Superior Court), Case No. CU18-083052, with a Maximum Contract Amount of \$25,000; and,

WHEREAS, the County desires that Contractor provide it with additional legal services related to the continued defense of this case, and Contractor is ready, willing and able to provide such services; and,

WHEREAS, the parties now desire to increase the maximum amount of the contract by \$75,000, to a Maximum Contract Amount of \$100,000, to pay for the additional legal services.

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

1. That Section 2, Maximum Contract Amount, is hereby increased from \$25,000 to \$100,000.
2. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to Personal Services Contract between the County of Nevada and Angelo, Kilday & Kilduff, effective as of the date first written above.

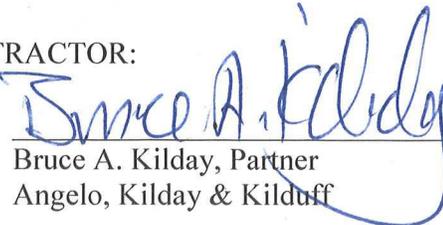
COUNTY OF NEVADA

By:


Hon. Edward C. Scofield
Chair, Board of Supervisors

CONTRACTOR:

By:


Bruce A. Kilday, Partner
Angelo, Kilday & Kilduff

ATTEST:

By:


Julie Patterson-Hunter
Clerk of the Board

APPROVED AS TO FORM:

By:


Alison A. Barratt-Green
County Counsel