



# RESOLUTION No. 14-338

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

### RESOLUTION APPROVING AMENDMENT NO. 1 TO PERSONAL SERVICES CONTRACT #PESG 2610 BETWEEN THE COUNTY OF NEVADA AND PORTER SCOTT TO INCREASE THE CONTRACT AMOUNT BY \$40,000, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT

WHEREAS, effective January 1, 2014 the County executed a Personal Services Contract with Porter Scott, A Professional Corporation, for legal services in connection with the lawsuit entitled *Evans, et al vs. Nevada County Sheriff's Department, et al.* (U.S. Dist. Court, E.D. Cal.), Case No. 2:13-cv-01775-TLN-DAD; 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 motions and discovery; and,

WHEREAS, the parties desire to amend the Personal Services Agreement to increase the contract amount by \$40,000, for a Maximum Contract Price of \$65,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 1 to Personal Services Contract #PESG 2610 by and between the County of Nevada and Porter Scott, A Professional Corporation, increasing the contract amount by \$40,000 and establishing a new Maximum Contract Price of \$65,000, 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.

BE IT FURTHER RESOLVED that the Auditor Controller is authorized to encumber the funds in account number 0101-20201-151-1000/521520/15100000, in an amount not to exceed \$65,000.00.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 8th day of July, 2014, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Terry Lamphier, Hank Weston and Richard Anderson.

Noes: None.

Absent: Edward Scofield.

Abstain: None.

ATTEST:

DONNA LANDI  
Clerk of the Board of Supervisors

By: \_\_\_\_\_

*Donna Landi*

\_\_\_\_\_  
Nathan H. Beason, Chair

07/08/2014 cc: CC\*  
AC\*(hold)

7/18/2014 cc: CC\*  
AC\*(release)

PESG 2610

**AMENDMENT NO. 1 TO PERSONAL SERVICES CONTRACT  
WITH PORTER SCOTT, A PROFESSIONAL CORPORATION**

THIS AMENDMENT No. 1 is made and is effective as of May 1, 2014, by and between Porter Scott, A Professional Corporation ("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 January 1, 2014 ("Agreement").

WHEREAS, the parties entered into an agreement to provide County with legal representation of Nevada County and any Nevada County employees and officers that may be named as defendants in connection with claims filed by William and Yvonne Evans and related litigation, 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 \$40,000, to a Maximum Contract Amount of \$65,000, 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 \$65,000.
2. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

COUNTY OF NEVADA

By:

  
Hon. Nate Beason  
Chair, Board of Supervisors


CONTRACTOR:

By:

  
Michael W. Pott, Shareholder  
Porter Scott, A Professional Corporation


ATTEST:

By:

  
Donna R. Landi  
Clerk of the Board

APPROVED AS TO FORM:

By:

  
Alison A. Barratt-Green  
County Counsel