

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

KATHARINE L. ELLIOTT, COUNTY COUNSEL  
TREVOR J. KOSKI, ASSISTANT COUNTY COUNSEL  
RHETTA K. VANDER PLOEG, DEPUTY COUNTY COUNSEL  
JAMIE L. HOGENSON, DEPUTY COUNTY COUNSEL  
DOUGLAS M. JOHNSON, DEPUTY COUNTY COUNSEL  
JENNIFER R. WALTERS, DEPUTY COUNTY COUNSEL



ERIC ROOD ADMINISTRATIVE CENTER  
950 MAIDU AVENUE, SUITE 240  
P.O. Box 599002  
NEVADA CITY, CA 95959-7902  
TELEPHONE (530) 265-1319  
FACSIMILE (530) 265-9840  
COUNTY.COUNSEL@CO.NEVADA.CA.US

**NEVADA COUNTY BOARD OF SUPERVISORS**  
**Board Agenda Memo**

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**MEETING DATE:** June 14, 2022

**TO:** Board of Supervisors

**FROM:** County Counsel

**SUBJECT:** Resolution approving Amendment No. 10 to Personal Services Contract between the County of Nevada and Porter Scott, A Professional Corporation [BFS15295], extending the term of the Contract to June 30, 2023, and authorizing the Chair of the Board to execute the Amendment

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**RECOMMENDATION:** Adopt the attached Resolution.

**FUNDING:** Legal services provided under this Contract are paid on an as needed basis. No further funding is needed at this time.

**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 legal advice and litigation services in connection with this case.

On April 18, 2018, following an extraordinarily lengthy trial, the jury issued a defense verdict in favor of the County. The Plaintiffs filed a motion for a new trial which was granted, and the matter was returned to Nevada County Superior Court for retrial.

On June 15, 2021, pursuant to Resolution No. 21-242, the parties amended the Contract (Amendment No. 9) to increase the maximum amount by \$135,000 for a maximum Contract amount of \$650,000 and extending the time to June 30, 2022.

The matter is still ongoing and additional time is necessary to continue the defense of this case. The proposed Amendment extends the term of the Contract to June 30, 2023.

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

**Item Initiated by:** Kelly McKinley

**Approved by:** Katharine L. Elliott, County Counsel

**Submittal Date:** 5/18/22