

RESOLUTION NO. 2023-2298

A RESOLUTION APPROVING BOARD POLICY REVISION FOR B-160 LEGAL COUNSEL

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, the Board of Directors ("Board") has determined that a comprehensive list of Policies and Procedures for the Board is in the best interest of the District; and

WHEREAS, the Board has compiled a comprehensive list of Policies and Procedures to serve as the rules and regulations of the Board; and

WHEREAS, the Board did adopt such comprehensive list of Policies and Procedures on July 9, 2009; and

WHEREAS, such policies may need to be updated from time to time; and

WHEREAS, on January 19, 2023, the Board reviewed and suggested changes to Board Policy B-160 Legal Counsel; and

NOW THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District approves the following revised policy section: B-160 LEGAL COUNSEL. The previously approved Board Policy B-160 is hereby revoked and declared null and void.

If any policy or portion of a policy contained within the Policies and Procedures is in conflict with rules, regulations, or legislation having authority over the Las Gallinas Valley Sanitary District, said rules, regulations or legislation shall prevail.

The Policies and Procedures shall remain in effect until amended by at least a majority vote of the Board of Directors.

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I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on the 2ND day of February 2023, by the following vote of the members thereof:

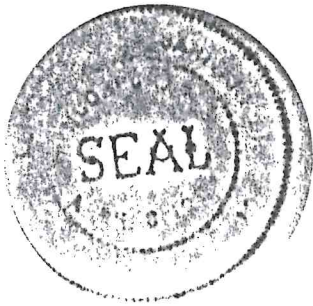
AYES, and in favor thereof Members: Clark, Ford and Roberts
NOES, Members: none.
ABSENT, Members: Murray and Yerman
ABSTAIN, Members: none!


Teresa Lerch, Board Secretary

APPROVED:



Megan Clark, Board President



B-160 LEGAL COUNSEL

Purpose

This policy establishes the process to select and hire a Legal Counsel for the District, and sets forth the duties of the Legal Counsel.

B-160-10 Method. The Board by resolution shall employ by contract or other appropriate means an attorney to serve as Legal Counsel for the District.

B-160-20 Selection Process. The process to select a Legal Counsel shall include, but not be limited to, the following: (1) issuance by the Board of a Request for Proposals, (2) appointment by the President of an ad hoc Board committee, which may include the President, to review the proposals in cooperation with the General Manager, (3) selection by the committee of leading candidates to be interviewed by the Board in closed personnel session, (4) background check of the leading candidate or candidates, and (5) selection of a Legal Counsel by the Board in open session. A fee schedule and other conditions of employment, including provisions for evaluation and termination, shall be negotiated between the Board and the legal counsel in closed personnel session and approved by the Board in open session.

B-160-30 Annual Review. The Board or a designated committee of the Board may conduct an annual performance review of the Legal Counsel. The method will be determined by the Board or delegated by the Board to a committee.

B-160-40 Adviser. The Legal Counsel shall advise the Board and General Manager concerning their respective legal responsibilities for full compliance with all laws pertaining to the governing, administering, and operating of the District. The Legal Counsel shall review and comment on all appropriate matters that come before the Board and that may also involve the General Manager

B-160-50 Duties. Specific duties of the Legal Counsel shall include, but not be limited to, preparing and reviewing contracts, leases, deeds, agreements, and other legal documents; handling legal aspects of land and right-of-way actions; preparing and processing petitions and other documents involved in annexations; handling legislative matters of interest to or affecting the District; making all necessary preparations for Board elections and reviewing election procedures and returns; bringing to the Board’s attention matters of interest or concern; advising the Board on labor-law requirements; performing other tasks as ordered by the Board.

B-160-60 Attendance. The Legal Counsel will attend all meetings of the Board, as required. All action items requiring the attention of Legal Counsel shall be agendized early in meetings to allow for Counsel’s release from the meeting.

B-160-70 Relationship to General Manager. The Legal Counsel shall advise the General Manager on appropriate legal matters and shall perform other duties as requested by the General Manager.

Resolution No. 2023-2298	Date Approved: February 2, 2023
President of the Board	Last Reviewed: January 19, 2023