

Legal Counsel

B-160

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 may 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 District 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 District Counsel's evaluation will be prepared by the District Manager for the Board's consideration. After the Board's consideration and concurrence the evaluation will be presented to District Counsel in closed session. This performance evaluation should occur in properly noticed closed session at the Regular Board Meeting in April of each year.

B-160-40 Adviser. The Legal Counsel shall advise the Board and District 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 District matters that come before the Board or other District matters as requested by the District 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 requested by the Board.

B-160-60 Attendance. The Legal Counsel shall attend all meetings as needed. Meeting attendance may not be necessary as determined by the District Manager.

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