
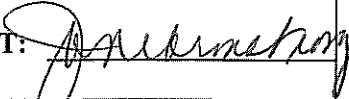



Scotts Valley Fire Protection District	
POLICY: 2107	SUBJECT: Board Access to the Attorney
DATE APPROVED: 9/12/2012	
BOARD PRESIDENT: 	FIRE CHIEF: 

Policy 2107: Board Access to the Attorney

Purpose:

The District retains legal services from a law firm for general counsel. The purpose of this policy is to delineate the general topics for legal advice and the authority for accessing legal services.

Scope:

The President of the Board of Directors and the Fire Chief may authorize access to the attorney for legal advice and actions necessary regarding legal review of documents and legal exposure of the District. The general counsel provides legal advice and representation to the Board of Directors and Fire Chief.


Policy:

The District desires to have cost effective legal services of the highest quality provided to its public officials and employees. The independently contracted attorney for the District will act as general counsel for purposes of legal advice and representation as determined by the Board of Directors and the Fire Chief. The general counsel represents the District, its officials and employees in litigation filed by or against them in their official capacities.

Fundamentally, the philosophy of the District is to appropriately manage risk by seeking sound legal advice during the decision making process to avoid litigation.

Typical legal services would include:

- Review and edit of contracts, leases, deeds, and other legal documents to which the District is a party prior to execution by the Board of Directors.
- Negotiating real estate transactions and preparation of documents.
- Review of Board packet.
- Representation of the Board of Directors during personnel disciplinary hearings and other personnel related matters.

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- Representation of the District regarding pending or threatened litigation against the District.
- Advice relative to the open meeting act, fire district law and other laws, regulations, codes and ordinances that affect the District.
- Drafting or review of ordinances and resolutions prior to adoption by the Board of Directors.

Attendance at Meetings

The District's general counsel will attend meetings of the Board of Directors as required based on items to be considered on the official agenda.

Special Counsel

From time to time, a firm and/or attorney that specializes in a particular area of expertise may be retained by the Board of Directors for a particular purpose. Examples include labor relations, employment law, financial transactions (bond counsel) or specialized governance matters. The authority for selection of Special Counsel rests with the Board of Directors.

Attorney/Firm Selection

The Board of Directors, at their discretion, may put out a request for proposal for legal services. The request for proposal would typically include the resume' of the principal attorney, references, rate and other terms and conditions of the agreement. The selection of the attorney as general counsel is subject to the responses and is at the sole discretion of the Board of Directors.