SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors **AGENDA NO. V-B**

FROM: Steve Mack, General Manager

Meeting Date : August 2, 2012

SUBJECT: APPOINTMENT OF DAVID WARNER AS DISTRICT COUNSEL

RECOMMENDED ACTION: Approval of Resolution 12-15, appointing David Warner of Meyers Nave as District Counsel.

FISCAL IMPACT: none

DISCUSSION:

Representatives of the firm of Meyers Nave have been representing the District since 1996 with Mike Gogna filling the District Counsel position most of that time since January 2003 (Mike Riback was officially District Counsel between 2006 and 2009). Nancy Thorington was District Counsel for approximately six month last year; Mike Gogna reclaimed his District Counsel position when Nancy moved to Washington but only on an interim basis. David Warner has been taking over day-to-day District Counsel duties for the past few months. David has worked out well and it's time to make the transition official with the approval of Resolution 12-15. David will work under the same financial terms as Mike and Mike will still be available for a while longer to give his historical insight, as needed.

RESOLUTION NO. 12-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SWEETWATER SPRINGS WATER DISTRICT APPOINTING DAVID WARNER AS GENERAL COUNSEL

WHEREAS, Sweetwater Springs Water District ("**District**") entered into an Agreement for Legal Services on February 28, 1996, with Meyers, Nave, Riback, Silver & Wilson, a professional law corporation ("***Meyers Nave***"); and

WHEREAS, pursuant to the Agreement with *Meyers Nave*, the District Board of Directors appointed Michael Gogna as General Counsel for the District in January 2, 2003; and

WHEREAS, Michael Gogna has reduced his current workload as he transitions to retirement from the practice of law, including reducing the legal services he provides to the District; and

WHEREAS, Michael Gogna has recommended to the District Board of Directors that it appoint David Warner to serve as General Counsel to the District, while Michael Gogna will continue to provide assistance to both David Warner and the District as needed and appropriate; and

WHEREAS, David Warner has been providing legal services to the District for six months; and

WHEREAS, the District Board of Directors has determined that it is in the best interests of the District to continue its relationship with *Meyers Nave* and to appoint David Warner to serve as General Counsel to the District.

NOW, THEREFORE, BE IT RESOLVED that David Warner is hereby appointed General Counsel to the District in accordance with the terms and provisions of the existing Agreement for Legal Services between *Meyers Nave* and the District, as the same may be amended from time to time.

I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted and passed by the Board of Directors of the SWEETWATER SPRINGS WATER DISTRICT, Sonoma County, California, at a meeting held on August, 2012, by the following vote:

Director	Aye	No
Sukey Robb-Wilder	_____	_____
Jim Quigley	_____	_____
Rich Holmer	_____	_____
Gaylord Schaap	_____	_____
Victoria Wikle	_____	_____

_____
Sukey Robb-Wilder
President of the Board of Directors

_____
Attest: Julie A. Kenny
Clerk of the Board of Directors