SWEETWATER SPRINGS WATER DISTRICT

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

FROM: Steve Mack, General Manager

Meeting Date : September 1, 2011

SUBJECT: APPOINTMENT OF NANCY THORINGTON AS DISTRICT COUNSEL

RECOMMENDED ACTION: Approval of Resolution 11-22, appointing Nancy Thorington 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). Mike Gogna has decided to transition to a retired person and accordingly Nancy Thorington has been taking over day-to-day District Counsel duties for the past few months. Nancy has worked out well and it's time to make the transition official with the approval of Resolution 11-22. Nancy will work under the same financial terms as Mike.

Resolution No. 11-22

A RESOLUTION OF THE SWEETWATER SPRINGS WATER DISTRICT BOARD OF DIRECTORS Appointing Nancy Thorington As General Counsel

WHEREAS, Sweetwater Springs Water District ("DISTRICT") entered into an Agreement for Legal Services ("the Original Agreement") 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 appointed Michael Gogna as General Counsel for the District in January 2, 2003; and

WHEREAS, the Original Agreement was subsequently replaced by a new agreement with *Meyers Nave* for legal services in August of 2006 (the "2006 Agreement") wherein Mike Riback was designated to serve as District General Counsel; and

WHEREAS, Mike Riback subsequently retired from Meyers Nave and Michael Gogna resumed the duties of District General Counsel in early 2009 and has provided General Counsel services to the District since that time; and

WHEREAS, Michael Gogna has indicated a desire to reduce 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 that it appoint Nancy Thorington to serve as General Counsel to the District, while Michael Gogna will continue to provide assistance to both Nancy Thorington and the District as needed and appropriate; and

WHEREAS, Board of Directors of the Sweetwater Springs Water District has determined that it is in the best interests of the District to retain the legal services of *Meyers Nave* under the 2006 Agreement and to appoint Nancy Thorington to serve as General Counsel to the District.

NOW, THEREFORE, BE IT RESOLVED that Nancy Thorington is hereby appointed General Counsel to the District in accordance with the terms and provisions of the 2006 Agreement.

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 September 1, 2011, by the following vote:

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

_____
Jim Quigley
President of the Board of Directors

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