

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
HORN BROOK COMMUNITY SERVICES DISTRICT
REAFFIRMING RETENTION OF LEGAL COUNSEL TO ADVISE THE
DISTRICT'S OFFICERS AND GENERAL MANAGER

WHEREAS, the officers and General Manager of the Hornbrook Community Services District (herein, "District") from time to time have a need to consult with legal counsel regarding the business and activities of the District; and,

WHEREAS, attorney Robert Winston of the firm of Kirsher, Winston & Boston, LC (herein, "Attorneys"), is experienced and knowledgeable in public agency law; and,

WHEREAS, the District and Attorneys have previously entered into a written "Legal Services Agreements", whereby Attorneys agreed to represent District and/or its officers and employees in various legal proceedings and the District agreed to pay Attorneys' usual and customary charges for their services and related expenses; and,

WHEREAS, on December 20, 2016 the Board adopted Resolution No. 16-25, which ratified and approved the continuing engagement of Attorneys and the Legal Services Agreement with such Attorneys; and,

WHEREAS, the District Board desires that Attorneys also provide legal advice on other matters when it is needed by a District officer or its General Manager, on the terms and conditions set forth in the Legal Services Agreement;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The District's previous engagement of Attorneys to provide legal services, and to be compensated by District for such services at the Attorneys' usual and customary rates, and reimbursed for their expenses, are hereby ratified and reaffirmed. Attorneys are requested to provide legal advice to the District's officers and its General Manager, relating to District business, upon request.

2. The District's officers and its General Manager are authorized to consult with Attorneys when their legal advice is needed on any matter affecting the District, and to request Attorneys to attend any Board meeting or other proceeding, consistent with this Resolution.

3. The District shall continue to compensate Attorneys and reimburse their expenses on the terms and conditions set forth in the previously-approved Legal Services Agreement, for legal services rendered and expenses incurred, at their usual and customary rates.

4. The General Manager is hereby authorized to execute any documents on behalf of the District as may be necessary or appropriate to implement this Resolution.

5. Attorneys shall not be considered to be officers of the District, nor shall they, or any member of their staff, exercise any discretion on behalf of the District, except in court cases as previously authorized. In no event shall Attorneys or any member of its staff be deemed to be or act as the District's general legal counsel or any other office.

6. The Board hereby approves and ratifies all previous actions of the General Manager, District officers, and Attorneys, in regard to the providing of legal advice, and the payment for such services, consistent with this Resolution.

Directors Voting:

Aye:

Nay:

Abstain:

Absent:

I certify that this Resolution was adopted at a duly called regular meeting of the Board of Directors of the District held on _____, 2018, upon the vote indicated above.

Dated: _____

District Secretary

Attest: _____
Board President