

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JUNE 26, 2103



APPROVE AMENDED CONTRACT WITH DISTRICT LEGAL COUNSEL

ITEM

Approve revised fee schedule with Shipsey & Seitz [RECOMMEND APPROVE]

BACKGROUND

On May 22, your Board concluded an evaluation of General Counsel performance and found; *"The District has high expectations for its General Counsel and the Board finds, unanimously, that Shipsey & Seitz and Mike Seitz exceed those expectations."*

On June 12, your Board directed staff to schedule approval of a revised fee schedule for General Counsel services for Board consideration at the next Regular Meeting and noted this was the first revision (increase) in General Counsel fee schedule since 2008.

FISCAL IMPACT

General Counsel services are included in the District's approved 2013-2014 budget.

RECOMMENDATION

Approve setting the revised fee schedule with Shipsey and Seitz (attached)

ATTACHMENT

- A. Revised Fee Schedule

NCSD NEW BILLING RATES

EFFECTIVE JULY 1, 2013

Preparation and Attendance at Regular Meetings

Shipsey & Seitz proposes to prepare and attend regular Board meetings as follows:

- **One hundred sixty dollars (\$160) per hour from July 1, 2013 through June 30, 2014;**
- Commencing on July 1, 2014, and for the remainder of the Agreement, the hourly rate would be adjusted annually by the District's standard CPI Clause for rate adjustments, from a minimum of two percent (2%), not to exceed five percent (5%).

Hourly Rates

Shipsey & Seitz proposes to provide all other legal services, including preparation of Ordinances, Resolutions, Memorandum, Contracts, attendance at meetings (other than regular meetings), litigation and general advice pertaining to District business, as follows:

- **One hundred eighty-five dollars (\$185) per hour from July 1, 2013 through June 30, 2014;**
- Commencing on July 1, 2014 and for the remainder of the Agreement the hourly rate would be adjusted annually by the District's standard CPI Clause for rate adjustments, from a minimum of two percent, not to exceed five percent (5%).

These services would be performed at the request of management staff and/or the President of the Board. These fees would be charged in increments of one-tenth (1/10) per hour.