

MEMORANDUM

TO: Board of Directors of Crestline Village Water District

FROM: Ronald A. Van Blarcom, General Counsel

RE: **Agreement for General Counsel Services**

DATE: May 11, 2023

The latest engagement agreement for General Counsel Services was approved by your Board at its November 2021 meeting and became effective December 1, 2021. There is no requirement in the agreement for an annual review. However, it is typical for your Board to address the annual appointment of the District's General Counsel when it "reorganizes" at the January meeting.

In past years, there has also been a "look-back" in October or November to determine whether the 10-hour, flat fee allotment is fair to both parties. We missed that cycle, so this memorandum is offered now, 17 months after the last revision of the engagement agreement.

From my perspective, the current agreement is fair to both parties and there is no reason to change it. In the months when over 10 hours of legal services are required (6 of the last 17), the District benefits from a lower fee for the first 10 hours. In the months when fewer than 10 hours are requested, the resulting hourly rate remains well below comparison rates for attorneys with similar experience (which can range from \$350-\$750 per hour).

The agreement provides that either party can terminate at any time for any reason (or no reason), and during my 30+ year tenure with the District that has always been the case. If your Board agrees that the current agreement has worked well, then there is no need for Board action at this time.