

Marina Coast Water District
Agenda Transmittal

Agenda Item: 7-D

Meeting Date: April 12, 2011

Submitted By: Jean Premutati
Reviewed By: Carl Niizawa

Presented By: Jean Premutati

Agenda Title: Adopt Resolution No. 2011-27 to Approve the Issuance of a Request for Proposals to Provide Legal Assistance on Personnel and Employment Matters of the Marina Coast Water District

Detailed Description: The Board is requested to approve the issuance of a Request for Proposals (RFP) to provide legal assistance on personnel and employment matters on behalf of the District. Previously, Noland, Hamerly, Etienne & Hoss have provided opinion and advice on personnel matters when needed; however, staff would like to consider other firms who specialize in the areas of labor law, wage and hour law, collective bargaining, and employment contracts.

The scope of work will include providing legal opinion, assistance and representation regarding necessary personnel, human resources, and employment issues, as well as, collective bargaining assistance, disciplinary/grievance advice, internal investigations, Department of Fair Employment and Housing (DFEH)/Equal Employment Opportunity Commission (EEOC) complaints, and, as required, attendance at Board meetings, with advance notice.

If approved, staff will distribute RFP's on April 13, 2011 and recipients will be asked to respond with proposals no later than May 2, 2011. The proposals will be evaluated uniformly based on an analysis of the qualifications and proposals. Once the evaluation process is complete, the top three (3) proposals will be submitted to the Board for final selection.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: Yes No

Funding Source/Recap: Expenditures are allocated across the four cost centers for legal services; 01-Marina Water, 02-Marina Sewer, 03-Fort Ord Water, 04-Fort Ord Sewer.

Material Included for Information/Consideration: Resolution No. 2011-27; and, draft RFP.

Staff Recommendation: The Board of Directors approve the Issuance of a Request for Proposals to provide legal assistance on personnel and employment matters of the Marina Coast Water District.

Action Required: X Resolution _____ Motion _____ Review
(Roll call vote is required.)

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

April 12, 2011

Resolution No. 2011 - 27
Resolution of the Board of Directors
Marina Coast Water District
Approving the Issuance of a Request for Proposals to
Provide Legal Assistance on Personnel and Employment Matters of the Marina
Coast Water District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 12, 2011 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, previously, Noland, Hamerly, Etienne & Hoss have provided opinion and advice on personnel matters when needed; and,

WHEREAS, staff would like to consider other firms who specialize in the areas of labor law, wage and hour law, collective bargaining, and employment contracts; and,

WHEREAS, it is anticipated the scope of work will include providing legal opinion, assistance and representation regarding necessary personnel, human resources, and employment issues; and,

WHEREAS, if approved, staff will distribute Request for Proposal’s on April 13, 2011 and recipients will be asked to respond with proposals no later than May 2, 2011. Proposals will be evaluated uniformly based on an analysis of the qualifications and proposals; and,

WHEREAS, once the evaluation process is complete, the top three (3) proposals will be submitted to the Board for final selection.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the Issuance of a Request for Proposals to Provide Legal Assistance on Personnel and Employment Matters of the Marina Coast Water District.

PASSED AND ADOPTED on April 12, 2011, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

William Y. Lee, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2011-27 adopted April 12, 2011.

Jim Heitzman, Secretary