

FROM: Board President

Meeting Date: April 3, 2024

RE: Agenda Brief - Legal Counsel Selection

BACKGROUND:

At the 6 March Regular Meeting, the Board appointed President McLaughlin, Treasurer Smith, and Interim Chief Osburn to an ad hoc committee to interview applicants for the Legal Counsel Position. Due to availability and a potential conflict of interest, the Committee dropped Chief Osburn from the interview panel.

EXECUTIVE SUMMARY:

Four firms replied to the District's RFP for Legal Counsel:

- BBK – Mr. Joshua Nelson (Sacramento)
- Porter-Simon – Mr. Steve Gross (Truckee)
- Kronick – Mr. Andrea Booher (Sacramento)
- Aleshire and Wynder - Mr. Michael Linden (Fresno)

Directors McLaughlin and Smith interview Mr. Nelson in person on 20 March, and the other three applicants via individual zoom meetings on 22 March. All four candidates came across equally qualified for the position and would work with the Board and Staff for all legal requirements.

The Committee felt that Mr. Nelson and Mr. Gross were the leading candidates due to their familiarity with the LESSG process and knowledge of local districts. Mr. Gross described a couple of potential conflicts of interest, his inability to regularly participate in Board Meetings due to prior obligations, and personal travel obligations for this summer. Both Mr. Nelson and Mr. Gross quoted rates noticeably lower than the other two firms.

RECOMMENDATION:

The Legal Counsel Committee recommends the selection of Mr. Nelson with BBK for Legal Counsel. Mr. Nelson is most knowledgeable of Beckwourth Fire and has been the lead counsel for the ongoing issues with EPRFD. BBK also offers a wide bench of subject matter legal experts in all areas that our new District may require.

FISCAL IMPACT:

Mr. Nelson was in the lower bracket of projected costs. He bills hourly as explained in the legal counsel comparison presented at the March meeting.
