

**THE BOARD OF DIRECTORS OF HILLCREST HEIGHTS  
GEOLOGIC HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on \_\_\_\_\_, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**RESOLUTION NO. 2023/01 (HILLCREST HEIGHTS GHAD)**

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**SUBJECT:** Approving a Contract for GHAD Attorney and Clerk Services with Fennemore Wendel and Appointing the GHAD Attorney to serve as GHAD Clerk.

**WHEREAS**, on July 23, 1996, the Contra Costa County Board of Supervisors adopted Resolution 96/329, approving and ordering formation of the Hillcrest Heights Geologic Abatement District ("GHAD") appointed itself to act as the GHAD Board of Directors (the "Board").

**WHEREAS**, on January 8, 2013, pursuant to Resolution 2013/01, the Board confirmed the continued legal services of Patricia Curtin of Wendel Rosen Black Dean ("Wendel Rosen") to serve as GHAD Legal Counsel and approved a scope of services.

**WHEREAS**, in June 2022, Wendel Rosen combined with the law firm of Fennemore and became Fennemore Wendel.

**WHEREAS**, the attorneys who were at Wendel Rosen serving the GHAD are now with Fennemore Wendel.

**WHEREAS**, on November 18, 2008 pursuant to Resolution No. 2008/01 the GHAD Board appointed the GHAD Manager to serve as GHAD Clerk or designate another qualified person, such as the GHAD Attorney, to serve as Clerk; the GHAD Attorney has been serving as GHAD Clerk since 2011 and GHAD Manager recommends GHAD Attorney also be appointed to serve as GHAD Clerk.

**WHEREAS**, the Board desires to affirm the continued legal services of the attorneys now at Fennemore Wendel for the GHAD as set forth in Attachment 1 to Resolution No. 2023-01.

**The Board of Directors of the GHAD HEREBY RESOLVES THAT:**

1. Confirms the continued services of the attorneys that have been serving the GHAD who are now at Fennemore Wendel and appoints Fennemore Wendel as GHAD Legal Counsel and Clerk.
2. Authorizes the GHAD Attorney and Clerk to work directly with the GHAD Manager in determining the scope and budget for legal services to be provided to the GHAD as part of the annual budget. The Board has the final authority to engage the GHAD Attorney and Clerk on any and all GHAD matters and may utilize the GHAD Attorney/Clerk beyond those services performed directly with GHAD Manager.
3. Approves the contract for services with Fennemore Wendel for GHAD Attorney and Clerk services as set forth in Attachment 1
4. Declares the recitals are incorporated herein by this reference.
5. Orders this Resolution to become effective immediately upon its passage and adoption.

Attachment 1 – Contract for GHAD Attorney and Clerk services with Fennemore Wendel