

**THE BOARD OF DIRECTORS OF CANYON LAKES
GEOLOGIC HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 2023/02 (BLACKHAWK GHAD)

SUBJECT: Approving an Agreement for GHAD Attorney and Clerk Services with Fennemore Wendel and Appointing the GHAD Attorney to serve as GHAD Clerk.

WHEREAS, on April 22, 1986, the Contra Costa County Board of Supervisors adopted Resolution 86/210 approving and ordering formation of the Blackhawk Geologic Abatement District ("GHAD") and appointed itself to act as the GHAD Board of Directors (the "Board").

WHEREAS, on January 8, 2013, pursuant to Resolution 2013/02, the Blackhawk Geologic Abatement District ("GHAD") Board of Directors ("GHAD Board") appointed Patricia Curtin of Wendel Rosen to serve as GHAD Attorney.

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

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

WHEREAS, on May 10, 2011 pursuant to Resolution No. 2011/01 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 GHAD Board desires to affirm the continued legal services of the attorneys now at Fennemore Wendel for the GHAD and appoint the GHAD Attorney to serve as GHAD Clerk pursuant to the agreement in Attachment 1.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby:

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 Attorney and Clerk.
2. Authorizes the GHAD Attorney 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 on any and all GHAD matters and may utilize the GHAD Attorney beyond those services performed directly with GHAD Manager.
3. Approves the contract for services with Fennemore Wendel for GHAD Attorney and Clerk services 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