

SOUTH PLACER MUNICIPAL UTILITY DISTRICT POLICIES

Policy Name:	4048 – DISTRICT GENERAL COUNSEL AND AUDITOR		
Approval Authority:	SPMUD BOARD OF DIRECTORS	Adopted:	
Resolution No.	15-23	Revised:	

PURPOSE

The purpose of this policy is to prescribe the manner in which the Board of Directors appoint district General Counsel and District Auditor and the reporting relationships of these appointments.

POLICY STATEMENT

Section 1: General Counsel

The Board of Directors shall appoint a District General Counsel to assist the Board and District in all applicable legal issues and activities.

General Counsel shall be the legal adviser of the District and shall perform such duties as may be prescribed by the Board of Directors. General Counsel is required to review and approve as to form District legal documents, i.e. contracts, agreements, etc. The General Counsel shall present and report on all legal issues and closed session items before the Board. The General Counsel shall serve at the pleasure of the Board, and shall be compensated for services as determined by the Board.

Section 2: General Counsel Reporting Relationship

The General Counsel reports to the Board as a whole but is available to each director for consultation regarding legal matters particular to that Board members participation. No Board member may request a legal opinion of General Counsel without concurrence by the Board except as such requests relate to questions regarding that member’s participation. The General Counsel shall be available to the District General Manager for consultation on applicable issues and activities.

The District General Manager shall manage the contract of the District General Counsel at the direction from the Board.

Section 3: District Auditor

The District Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. The Auditor shall serve at the pleasure of the Board. Selection of the Auditor shall be done in a noticed public meeting and at least every five years.

Section 4: District Auditor Reporting Relationship

The District Auditor reports to the Board but the contract is managed by the District General Manager. The General Manager will oversee the work of an independent auditor to conduct an annual audit of the District’s

books, records, and financial affairs in accordance with state law. The General Manager and Administrative Services Manager will be responsible to implement an accounting system that will completely and at all times show the financial condition of the District.