

**MEETING DATE:** October 22, 2015

**TITLE:** Authorization to Hire Smith Partners as District Counsel for 2016-2017

**RESOLUTION NUMBER:** 15-086

**PREPARED BY:** Lars Erdahl

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**TELEPHONE:** 952-641-4505

**REVIEWED BY:**  Administrator  Counsel  Program Mgr. (Name): Leadership Team  
 Board Committee  Engineer  Other

**WORKSHOP ACTION:**

<input type="checkbox"/> Advance to Board mtg. Consent Agenda.	<input type="checkbox"/> Advance to Board meeting for discussion prior to action.
<input type="checkbox"/> Refer to a future workshop (date):_____	<input type="checkbox"/> Refer to taskforce or committee (date):_____
<input type="checkbox"/> Return to staff for additional work.	<input type="checkbox"/> No further action requested.
<input checked="" type="checkbox"/> Other (specify): Approval	

**PURPOSE or ACTION REQUESTED:**

Approve the Selection of Smith Partners to provide legal services to the MCWD for 2016-2017.

**SUMMARY:**

Under Minnesota Statute 103B, the Minnehaha Creek Watershed District, is required to conduct a bi-annual review of its need for legal services and the most effective way of meeting those needs.

A Request for Qualifications (RFQ) that described the role of counsel and the scope of services was prepared and posted in the newspaper, on the MCWD Website and mailed as requested.

Smith Partners was one of two firms to respond to the RFQ; the Board was provided with all documents submitted from both firms for their review; based on the comparison of their qualifications, staff recommends continuing with Smith Partners for the District's legal counsel.

**RESOLUTION**

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WHEREAS, every two years Minnesota Statutes require watershed districts to review and appoint consultant legal service providers; and

WHEREAS, a Request for Qualifications for consultant legal services was duly noticed and sent to qualified law firms in the Metropolitan area that requested it; and

WHEREAS, the Request for Qualifications was posted in the newspaper and on the District Website; and

WHEREAS, a Statement of Qualifications was received from two firms; and

WHEREAS, The Board was provided copies of the two submitted applications for review; and

WHEREAS, Staff reviewed the Statements of Qualifications received and recommend selection of Smith Partners; and

WHEREAS, Smith Partners has provided the MCWD with excellent legal counsel since 1987; and

WHEREAS, Smith Partners is fully qualified to provide the legal services needed by the MCWD; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Minnehaha Creek Watershed District Board of Managers; hereby appoints Smith Partners as District Counsel for the MCWD for 2016 -2017.

BE IT FUTHER RESOLVED, that the District Administrator is authorized to negotiate and execute the legal services agreement.

Resolution Number 15-086 was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_.  
Motion to adopt the resolution \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions. Date: \_\_\_\_\_.

\_\_\_\_\_  
Secretary Date: \_\_\_\_\_