

Agenda for the Special Meeting of the City Council

Thursday, February 22, 2024

11:30 AM City Council

Location: DALTON GARDENS CITY HALL, 6360 N 4th St., Dalton Gardens, ID Meeting is conducted in person and via Zoom:

<https://us02web.zoom.us/j/86363802543?pwd=Y0IrQ0twSXFacXhtMi9uQi9Iak1HQOT09>

Webinar ID: 863 6380 2543; Passcode: 506599

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. EXECUTIVE SESSION Idaho Statute 74-206-1(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general; 74-206-1(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student- **ACTION**

5. CONSIDERATION OF MAYOR APPOINTING CITY ATTORNEY- **ACTION**

6. ADJOURNMENT- **ACTION**

Original Posting: 2/20/2024: The purpose of this Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings. Any individual who wishes to address the Council on any other subject should plan to speak when Item: Public Comments is identified by the Mayor. The Mayor and Council will not normally allow audience participation at any other time. Please, no repetitive or abusive comments. Workshops are for Council Members discussion only on a topic, no action or decisions occur at that time. No Public Comment is taken during Workshops. Assistance for persons with disabilities will be provided upon 24-hour notice prior to the meeting by calling the City Clerk at (208) 772-3698 ext 102.

JAMES, VERNON & WEEKS, P.A.

ATTORNEYS AT LAW

SUSAN P. WEEKS

February 19, 2024

Sent via electronic mail to: mayor@daltongardens.com

Curt Jernigan
Mayor, City of Dalton Gardens

7439 N. Davenport St.
Dalton Gardens, ID 83815

RE: Response to Request for Proposal

Dear Mayor Jernigan and City Council:

Thank you for appointing me to serve as the City Attorney for the City of Dalton Gardens. This letter will confirm my acceptance of this appointment.

Scope of Representation

I will provide legal services and advice to the Mayor, the City Council and other city departments as directed by the Mayor and City Council. This typically includes contract review, real estate transactions, land use planning, civil litigation, risk management and drafting ordinances. Our goal is to provide a high standard of legal services to empower, guide and protect the City of Dalton Gardens.

Legal Fees

Our current municipal hourly, which is a special rate not offered to anyone other than governmental entities, is \$225 per hour for any attorney who works on a matter for the City. (My regular hourly rate is \$350-375/hour depending on the matter). Generally, you will be billed for all time spent on your representation, including telephone calls and e-mails.

Attorney-Client Communications

Generally, communications made via fax, computer transmission or cellular phone are not as secure from inadvertent disclosure to others as other forms of communication. You acknowledge that by furnishing us with an e-mail address or cell phone or fax number, you authorize us to communicate with you using this mode of communication notwithstanding the inherent confidentiality risks.

If there are individuals with whom we are not to interact, we trust you and the Council will let us know that we are not to interact. Typically, a City Attorney communicates with the Mayor, the

February 19, 2024

Page 2

President of the Council and department heads. We look to the City for guidance if that list is broader or narrower.

Costs Advanced

This firm may advance payment for costs on your behalf and bill you for reimbursement. However, James, Vernon & Weeks, P.A., assumes no liability for payment other than as your agent, and you are ultimately responsible for the payment of these costs.

Potential Conflict of Interest

As previously noted in my proposal letter, I presently represent the Dalton Water Association and the Dalton Gardens Irrigation District. While conflicts may be waived, if a conflict arises that either party or I deem cannot be waived, I would be unable to represent any of the parties regarding the matter. At this time, the only matter that I foresee would potentially constitute a conflict of interest is the lease of the City Hall space, which matter the parties have historically worked out without the assistance of their attorney.

I look forward to assisting you in your legal matters moving forward.

Kind regards,

A handwritten signature in black ink that reads "Susan P. Weeks". The signature is written in a cursive, flowing style.

Susan P. Weeks

cc: clerk@daltongardens.com