

Public Agency

We advise a wide range of local government organizations throughout California, from water and wastewater agencies, to healthcare districts, to joint powers authorities formed to operate self-insurance pools of municipalities and special districts, to school districts. We also help private clients negotiate with public agencies, such as property owners facing condemnation, or developers or private businesses seeking to form a special district or access public utility services. Our practice includes work as general counsel, bond counsel, special counsel, and litigation counsel.

Our attorneys are experienced and prepared to advise on public law matters such as open meetings, public records, eminent domain, public contracting and election laws, as well as conflict of interest rules (State, Federal and corporate), governmental immunities and liabilities and the political environment in which they operate. Our work as bond counsel requires us to understand limits on the uses and investment of public funds, tax-exemption regulations, the powers of general law and charter cities. As special counsel, we advise on formation of joint powers agencies, Proposition 218 and other rate-setting challenges, LAFCO proceedings, the California Voting Rights Act, conflicts of interest, and validation actions, among other matters.

We strive to understand the industry in which our clients operate, which means knowing how a sewage treatment plant works, the land development and subdivision process; how drought restrictions are determined and enforced; what a public hospital's obligations are to indigent patients who seek emergency care; and how different privacy laws affect hospital districts and water utilities.

Procopio can also provide guidance and assistance with the construction of new facilities or the renovation of existing ones. We have attorneys highly experienced with drafting and negotiating construction and engineering contracts. Our attorneys also handle all aspects of competitive bidding for public works projects. We provide oversight and contract administration assistance during the course of construction, as well as handling complex claims that may develop relating to schedule delays, change order work and defective workmanship. When necessary, we also represent clients through all stages of any alternative dispute resolution process and litigation.

Our Services

- Board counsel (for elected and appointed bodies)
- Public finance (bond, disclosure, issuer and underwriter's counsel)
- Utility regulation and rate setting (including per Propositions 218 and 26)
- Nonprofit corporation and limited liability company counsel
- Insurance and self-insurance regulation and coverage

- Local Agency Formation Commission proceedings
- Writs, validation actions and administrative hearings
- Legislative advocacy
- Election law
- Public Works Bidding, Contracting and Construction

Resources

- [The Ralph M. Brown Act and Related Statutes](#)
- Tips for Fostering Anti-Racist Work Environment at Public Agencies & Elimination of Bias in the Legal Profession (February 2021), presented by Adriana Ochoa
- [2014 Ethics and AB 1234 Training for Tri-City Healthcare District](#), presented by Greg Moser and Greta Proctor
- [San Elijo Joint Powers Authority: Public Agency Ethics Laws, and Organizational Structure](#), presented by Greg Moser
- [Brown Act & Public Records Act Training: Transparency is a Piece of Cake!](#) presented by Greta Proctor and Merrick Wadsworth
- [Preserving Construction Claims in the Face of COVID-19](#), authored by Mary Salamone
- Change Order Management – Best Practices” Construction Network Legal Seminar, presented by Mary Salamone