



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 19, 2022

Agenda Item No.

Agenda Title: Amendment to the Town Attorney's Contract

- | | |
|--|---|
| <input type="checkbox"/> SPECIAL /REPORTS
<input type="checkbox"/> BOARD APPOINTMENT
<input type="checkbox"/> PUBLIC HEARING ORDINANCE ON 1 st READING
<input type="checkbox"/> NEW BUSINESS
<input type="checkbox"/> OTHER: WORKSHOP _____ | <input checked="" type="checkbox"/> CONSENT AGENDA
<input type="checkbox"/> OLD BUSINESS |
|--|---|

Approved by Town Manager _____

Date: 10/7/22

 John O. D'Agostino, Town Manager

Name/Title

Originating Department: Town Manager	Costs: \$ 0 Funding Source: General Fund Acct. # _____ <input type="checkbox"/> Finance _____	Attachments: <ul style="list-style-type: none"> Memorandum Contract Amendment Resolution <u>73-10-22</u>
Advertised: Date: _____ Paper: _____ <input type="checkbox"/> Not Required	All parties with interest in this agenda item are notified of the meeting date and time.	<input type="checkbox"/> Yes, Notified everyone or <input type="checkbox"/> Not applicable in this case Please initial one.

Summary Explanation/Background: At a previous Commission Meeting, the Town Attorney discussed increasing the hourly rate for services rendered by Attorney Baird for legal services to the Town and the CRA.

Recommended Motion: Move to Adopt Resolution 73-10-22.

J O N E S
F O S T E R

Memo

To: John D'Agostino, Town Manager
From: Thomas J. Baird, Town Attorney
Date: October 6, 2022
Subject: Amendment to Town Attorney Contract

The firm's hourly rate was established at \$250/hour in 2016 by way of an agreement between Jones Foster P.A. and the town. This amendment increases the hourly rate from \$250/hour to \$300/hour. According to the results of The Florida Bar's 2018 Economics and Law Office Management Survey 63% of the law firms, regardless of size reported that the hourly rate for attorneys practicing in southeast Florida was at least \$300/hour. My firm employs 40 attorneys, many of whom have significant experience and are certified by the Florida Bar as "experts" in municipal law, land use, and real estate litigation. Having experts in these fields permits the firm to meet all of the Town and CRA needs.

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E S T .
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Exhibit A

AMENDMENT TO THE AGREEMENT FOR TOWN ATTORNEY FOR THE TOWN OF LAKE PARK, FLORIDA

THIS AMENDMENT TO THE AGREEMENT FOR TOWN ATTORNEY, (the "Agreement") is dated this ____ day of October, 2022, between the TOWN OF LAKE PARK, a municipal corporation of the State of Florida (hereinafter referred to as "the Town"), and JONES, FOSTER P.A. (herein referred to as "the Firm").

SECTION 3 of this Agreement for Town Attorney is hereby amended as follows:

3. COMPENSATION. For services rendered by the Firm, the Town Attorney shall be compensated based upon hourly fees as established below.

(a) Attorneys of the Firm shall be billed at no more than ~~\$250~~ \$300/hour, depending upon their experience and the complexity of the litigation or assignment. Paralegals shall be billed at such hourly fees established by the Firm which shall not exceed the hourly fees of any attorney as referenced hereinabove.

(b) Compensation for the Firm's participation in real estate transactions or bond proceedings shall be as is customary in such proceedings; and

(c) The Firm agrees that the Town Attorney shall not be entitled to compensation for routine telephone conferences with the Mayor or members of the Town Commission.

(d) The Firm may charge an hourly rate, which reflects the Firm attorney's usual and customary hourly fee for such matters as: code compliance lien foreclosures, the enforcement of dockage agreements, and other cases wherein a contract, the town code or statute permits the recovery of the Town's attorney fees. Provided however, in those cases where the Firm is not awarded attorney fees for attorneys at their usual and customary rate, or if a case is settled and does not provide for the recovery of attorney fees, the Firm's attorneys shall only be entitled to compensation from the Town at the hourly fees established herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date set forth above.

ATTEST:

TOWN OF LAKE PARK

By: _____
Vivian Mendez, Town Clerk

By: _____
Michael O'Rourke, Mayor

JONES FOSTER P.A.

By: _____
Larry B. Alexander, Esquire, President

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FOR THE TOWN OF LAKE PARK, FLORIDA**

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By: _____
Michael O'Rourke, Mayor

JONES FOSTER P.A.

By: _____
Larry B. Alexander, Esquire, President

RESOLUTION NO. 73-10-22**A RESOLUTION OF THE TOWN COMMISSION OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE TOWN ATTORNEY'S CONTRACT AND PROVIDING FOR AN EFFECTIVE DATE.**

Whereas the Town of Lake Park, Florida (hereinafter "Town") is a municipal corporation of the state of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

Whereas section 3 of the Town Attorney's contract establishes hourly compensation and will be amended from an hourly rate of \$250.00 to \$300.00 per hour; and

Whereas the Town and the CRA have benefited from a longstanding relationship with Attorney Thomas J. Baird and Jones Foster; and

Whereas the Town Commission determines the hourly increase for legal services to be in the best interests of the Town and the CRA; and

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1. The whereas clauses are true and correct and are incorporated herein.

Section 2. The Town Commission authorizes and directs the Mayor to execute the attached Amendment as Exhibit A.

Section 3. This Resolution shall become effective immediately upon execution.