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Reply to: Lakewood Ranch

MEMORANDUM

TO: Mayor Schneier and Town Commissioners
CC: Howard N. Tipton, Town Manager
FROM: Maggie Mooney, Esq., Town Attorney
DATE: February 26, 2024
RE: Special Counsel – Jewfish Key Contraction Petition

On January 16, 2024, the Town received a request for voluntary contraction petition from attorney Aaron Thomas representing the Jewfish Key Preservation Association, Inc. (the homeowners' association for the properties located on Jewfish Key). Mr. Thomas requested that the entirety of the Jewfish Key Island be removed from the Town's municipal boundaries. Pursuant to the requirements set forth in Chapter 171, Florida Statutes, the Town is processing the submitted contraction request and has initiated a feasibility study as required by applicable Florida law. At this time, the Town Manager and I anticipate that the contraction request and feasibility study will be presented to the Town Commission for legislative action at the June 3, 2024, meeting.

Due to the novel nature of the contraction request, I am requesting that the Town Commission authorize the engagement of special counsel. At this time, it is anticipated that special counsel would attend the legislative proceeding, provide assistance to Town Staff at such proceeding, and provide litigation support (should litigation arise). I have reached out to the law firm of Garcia Dell (Attorneys Martin Garcia and Josh Dell) regarding their availability to serve in this role.

Lakewood Ranch
6853 Energy Court
Lakewood Ranch, Florida 34240

Venice
236 Pedro Street
Venice, Florida 34285

Attached is an engagement agreement from the law firm of Garcia Dell along with the bios of Mr. Garcia and Mr. Dell listing their experience. The engagement agreement provides for a governmental billable rate for their work at \$325/hour, and a paralegal rate of \$125/hour.

It is my recommendation and the Town Manager's recommendation that the Town Commission authorize the engagement of Garcia Dell to provide special counsel services on matters relating to the contraction petition and that the Town Manager and Town Attorney be granted authority to execute the attached engagement agreement with their firm.

Recommended Motion: Authorize the Town Manager and Town Attorney to execute an engagement agreement with the law firm of Garcia Dell to provide special counsel services in matters relating to the Jewfish Key contraction petition.

Attachments: (Available in the Town Clerk's Office)

1. Engagement Letter
2. Bios

End of Agenda Item