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VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2022 - 35

A RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERT M. ESCHENFELDER, ESQ., WITH THE LAW FIRM OF TRASK DAIGNEAULT, LLP, AS VILLAGE ATTORNEY; AUTHORIZING VILLAGE MAYOR TO EXECUTE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, 5(2) of the Estero Charter provides that there shall be a Village Attorney who shall be a member in good standing of The Florida Bar, who shall be appointed by the Village Council, who shall serve as the chief legal advisor to the Council and Village administrators, departments, and agencies; who shall attend all Council meetings unless excused by Council, and who shall perform such professional duties as may be required by law or by the Council in the furtherance of law; and

WHEREAS, on March 1st 2022, the Village issued RFP 2022-02 seeking proposals from qualified law firms for the provision of Village Attorney services; and

WHEREAS, the Village's staff conducted initial qualifications reviews and reference checks for each proposing firm, and conducted in-person interviews on April 11th 2022 with the lead and secondary attorneys proposed in each proposal; and

WHEREAS, based on the qualification's reviews and in-person staff interviews, the Village narrowed the field to two finalist firms and, thereafter, Village staff performed additional reference reviews; and

WHEREAS, in late June, 2022, the finalist attorneys were individually interviewed by each member of the Village Council; and

WHEREAS, on July 27th 2022, the two finalist attorneys were further interviewed by the Village Manager; and

WHEREAS, having received the feedback of the various stakeholders, and having performed sufficient due diligence regarding the status, capabilities, qualifications, and overall fit of the candidates and their respective firms, the Village Manager has recommended that the Council select the Firm to provide Village Attorney services to the Village; and

WHEREAS, on October 6th 2022, the Village Manager and the Firm met to discuss and agree to business terms, as set forth in this Agreement; and

WHEREAS, the Village Council, having reviewed the initial proposals, taken into account the feedback and recommendations of the Village's administrative stakeholders, and having been informed by the individual Council member meetings with the finalist firms, determines that is in the Village's best interests to retain the Firm to provide Village Attorney services.

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44 **NOW, THEREFORE**, be it resolved by the Village Council of the Village of Estero,
45 Florida and in consideration of the mutual promises and covenants set forth in this Agreement,
46 the Parties agree as follows:
47

48 **Section 1.** The Village retains the Firm to perform or provide Village Attorney
49 legal services as set forth in Section 5(2) of the Estero Village Charter, to begin at 12:01 a.m.
50 on Monday, December 19, 2022, otherwise in accordance with the Agreement Between the
51 Village of Estero and Trask Daigneault, LLP, for Village Attorney Services (the "Agreement"),
52 a copy of which accompanies this Resolution."
53

54 **Section 2.** This Resolution shall take effect immediately upon adoption.
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58 **THIS SPACE INTENTIONALLY LEFT BLANK**
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61 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this
62 16th day of November, 2022.
63

64 Attest:

VILLAGE OF ESTERO, FLORIDA

65
66
67 By: 
68 _____

69 Carol Sacco, Village Clerk
70

By: 
71 _____

Katy Errington, Mayor
72

73 Reviewed for legal sufficiency:
74

75 By: 
76 _____

Robert D. Pritt, Interim Village Attorney