



## Legislation Text

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**File #:** 22-0809, **Version:** 2

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### **Agenda Item Name:**

Appoint Special Counsel to represent Alachua County regarding the amendment of the Solid Waste Code, procurement of an exclusive residential and commercial MSW franchisee, and other related legal services.

### **Presenter:**

Sylvia Torres, County Attorney

### **Description:**

Alachua County will retain David S. Dee of the law firm of Gardner, Bist, Bowden, Dee, LaVia, Wright, Perry & Harper, P.A. as Special Attorney to provide legal services related to the procurement of a single exclusive franchisee for residential curbside collection of municipal solid waste (MSW), recyclable materials, and yard trash collection and commercial collection of MSW and related ordinance amendments necessary to implement said exclusive franchise within Alachua County, Florida.

### **Recommended Action:**

Appoint the law firm of Gardner, Bist, Bowden, Dee, LaVia, Wright, Perry & Harper, P.A. as Special Attorneys.

### **Prior Board Motions:**

None.

### **Fiscal Consideration:**

This contract is under the County Manager's signature authority, with a not-to-exceed provision of \$40,000. Shareholders are being hired at \$300/hour, Associate Attorneys are being hired at \$225/hour, and paralegals are being hired at \$100/hour. The budget to cover this expense will be from Solid Waste and Resource Recovery - 148.76.7600.31.00 and 405.76.7620.31.00.

### **Strategic Guide:**

N/A

### **Background:**

Currently, the County has an exclusive franchisee for residential curbside collection of municipal solid waste (MSW) and multiple non-exclusive franchisees for commercial MSW collection. The Board has given staff direction to procure a single franchisee to provide both residential and commercial MSW collection. In order to implement this Board direction requires amendment of the County's Solid Waste Code, preparation of the appropriate procurement documents, including preparation of the exclusive franchisee agreements. Attorney David S. Dee is one of the most experienced and knowledgeable attorneys regarding these matters and is willing to assist the County. His CV is

attached.

Charter, Sec. 21.42. - Special Attorneys. Special Attorneys shall be appointed only for the purposes and in the manner prescribed in this section.

(a) Special attorneys to the Board may be appointed by motion, ordinance or resolution, providing a description of the duties to be performed and the compensation to be paid.

(b) Special attorneys may be appointed to represent the Board in legal actions involving specific matters or as subject-matter experts, subject to approval by the Board.

(c) Bond counsel shall be selected and appointed by the Board from one or more qualified names submitted to the Board by the County Attorney and the County Manager.