



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBaal, Deputy County Attorney
Susan J. Prado, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney
DATE: February 14, 2022
SUBJECT: Attorney for Indian River County Environmental Control Hearing Board

BACKGROUND.

Florida law provides that the County Attorney cannot represent both the Environmental Control Hearing Board (“ECHB”) and the Environmental Officers presenting cases before the ECHB. On July 15, 2014, the Indian River County Board of County Commissioners approved a contract with Jennifer D. Peshke to serve as the attorney to the ECHB at the then current hourly rate of \$181 for the first hour and \$100 for each hour thereafter. This contract was similar to that approved by the Board for the Code Enforcement Board. Ms. Peshke has continued to serve as the ECHB attorney under that contract.

The County Attorney’s Office has worked with Ms. Peshke to draft a new a contract. The new contract increases the hourly rate to \$225 for the first hour and \$175 for each hour thereafter. The County Attorney’s Office believes that increasing the hourly rate is appropriate. Also, the new contract formally allows Ms. Peshke to have an attorney attend the meetings in her absence, which has inevitably happened over the past seven plus years. Finally, the contract clarifies some of her duties.

FUNDING.

Funds for this expenditure are provided from the County Attorney’s Office budget in the General Fund. Expenses total approximately \$2,000 per year. Account number 00110214-033110, County Attorney-Legal Services.

RECOMMENDATION.

The County Attorney recommends that the Board approve the new contract with Attorney Jennifer D. Peshke and authorize the chairman to sign the attached legal services agreement.

ATTACHMENT.

Agreement for Environmental Control Hearing Board Legal Services