



MEMO TO: Mayor Vandernail and the Board of Trustees
FROM: Ed Cannon, Town Manager
DATE: January 4, 2023
SUBJECT: Victoria Village Special Council Engagement

MATTER BEFORE BOARD:

Authorize Town Manager to engage special council for Victoria Village legal work.

DETAIL:

Fraser Town Board authorized the Town Manager to develop and sign a contract with Mountain Affordable Housing Development (MAHD) to develop Victoria Village (VV). A sample contract was circulated between MADH and the Town, and the contract was reviewed by Fraser Town Attorney Kent Whitmer. However, due to the nature and scope of the Victoria Village development, the Town Manager believes engaging special council for the various phases of the VV development would be beneficial.

Staff has reached out to three legal firms with extensive affordable housing development experience. We have received one proposal and expect the remaining two proposals by January 6th.

The scope of work will include 1) writing the general services agreement contract with MAHD, 2) writing contracts for all phases of construction, 3) legal review as needed.

FINANCIAL IMPACTS:

Fraser will pay attorney fees regardless of whether we use the Town Attorney or special council. Kent Whitmer's fee beginning in January of 2023 is \$275/hour. The first proposal we received was for \$300/hour. We expect the remaining proposals to be in the same price range.

TIMING AND RECOMMENDATION:

Due to the short timeline imposed by the Turnkey Grant and the need to begin Master Planning in January, the Town Manager needs immediate authorization to engage special council for the development of Victoria Village at a price not to exceed \$300/hour.