

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH GREENBERG TRAURIG, P.A., FOR LEGAL SERVICES IN UTILITIES MATTERS, IN AN AMOUNT NOT TO EXCEED \$500,000.00 FOR FISCAL YEAR 2022.

WHEREAS, Greenberg Traurig, P.A. ("Firm") is currently representing the City in matters regarding the water and wastewater utility system as related to general legal issues involving the six large users; and

WHEREAS, the Firm is representing the City in matters regarding the water and wastewater utility system, primarily involving ongoing issues with the City of Pembroke Pines, one of the City's large users; and

WHEREAS, in view of the expected considerable amount of legal services that will be required from the Firm to be rendered throughout FY 2022, the Department of Public Utilities requested a proposal from the Firm for legal services in an amount not to exceed \$500,000.00; and

WHEREAS, Pembroke Pines has filed three civil actions regarding the ongoing "large user agreement" issues; and

WHEREAS, the City is defending the civil actions vigorously and the issues are complex; and

WHEREAS, the Firm has devoted and will continue to devote extensive amounts of time to the City's defense of the civil actions; and

WHEREAS, it is virtually certain that the civil actions will continue to be litigated for several years; and

WHEREAS, Section 38.41(C)(11)(i) of the Procurement Code exempts contracts for professional services from the competitive bid and competitive proposal requirements of the Procurement Code; and

WHEREAS, the Firm has submitted the attached agreement for FY 2022 that would authorize the payment of fees in an amount not to exceed \$500,000.00 for the matters set forth in the agreement; and

WHEREAS, funding for this service will be made available in the FY 2022 Operating Budget account number 442.400101.53600.531220.000000.000.000 subject to adoption of a companion budget amendment resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached engagement letter with Greenberg Traurig, P.A. together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2022.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY