

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE PAYMENT OF FEES TO GRAYROBINSON, P.A. FOR LEGAL SERVICES IN THE ICON OFFICE BUILDING PROPERTY MATTER IN AN ADDITIONAL AMOUNT, NOT TO EXCEED \$150,000.00 FOR FY 2017; AMENDING THE FISCAL YEAR 2017 ADOPTED OPERATING BUDGET (R-2016-284), AS DETAILED IN THE ATTACHED EXHIBIT 1, REVISING OPERATING REVENUES, AUTHORIZING BUDGETARY TRANSFERS AND ADJUSTMENTS, REAUTHORIZING AND RE-APPROPRIATING CERTAIN FUNDING; AUTHORIZING THE DEPARTMENT OF FINANCIAL SERVICES TO ESTABLISH ACCOUNTS AS MAY BE NEEDED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, GrayRobinson, P.A. (“the Law Firm”) has been defending the City of Hollywood against the claims arising out of environmental contamination that allegedly exists on the proposed ICON Office Building property; and

WHEREAS, these claims are the subject of litigation known as Berman Development Group, LLC, et al. v. City of Hollywood et al.; and

WHEREAS, Section 38.40(C)(2) of the Code of Ordinances exempts from the competitive bid and competitive proposal requirements of the Purchasing Ordinance contracts for professional services; and

WHEREAS, the City Commission previously approved the payment of fees to the Law Firm for legal services in the ICON matter; and

WHEREAS, in view of the considerable amount of legal services being rendered by the Law Firm, the City Attorney recommends that the Commission approve additional fees, this time in an amount not to exceed \$150,000.00; and

WHEREAS, the CRA is named as a co-defendant in the above described litigation and has agreed to share equally in the fees and costs paid to the Law Firm; and

WHEREAS, it is expected that at its next regular meeting, the CRA Board will adopt a similar resolution approving additional fees for legal services in the ICON matter, in an amount not to exceed \$150,000.00; and

WHEREAS, certain routine and periodic budgetary adjustments and transfers are appropriate and necessary; and

WHEREAS, the Fiscal Year 2017 Operating Budget was adopted and approved by the City Commission pursuant to Resolution R-2016-284 and subsequently amended; and

WHEREAS, the transferring of funding between line item accounts is needed to provide funding support for necessary legal services;

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

Section 1: That it hereby approves and authorizes the payment, by the appropriate City officials, of additional fees, pursuant to the agreement between the City of Hollywood and GrayRobinson, P.A. for legal services in the ICON Office Building property lawsuit, in an amount not to exceed \$150,000.00.

Section 2: That the Amendments to the Operating Budget of the City of Hollywood for the Fiscal Year beginning October 1, 2016, as set forth in detail in Exhibit 1, attached hereto, and by this reference made a part hereof, are hereby approved, adopted and accepted as Amendments to the Operating Budget of the City of Hollywood Florida, for the Fiscal Year 2017.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
PETER BOBER, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY  
For the use and reliance of the  
City of Hollywood, Florida, only.

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JEFFREY P. SHEFFEL, CITY ATTORNEY