

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA RATIFYING THE CITY ATTORNEY'S AUTHORIZATION TO OUTSIDE COUNSEL TO FILE SUIT AGAINST CRAIG A. SMITH AND ASSOCIATES IN THE AT&T/BELLSOUTH OCEAN OUTFALL BREACH MATTER.

WHEREAS, outside counsel determined there was responsibility by Craig A. Smith and Associates for the ocean outfall breach; and

WHEREAS, litigation timing issues necessitated filing suit in a short timeframe; and

WHEREAS, the City Attorney authorized outside counsel to initiate suit on behalf of the City in the AT&T/Bellsouth ocean outfall breach matter; and

WHEREAS, Section 7.02(b)(4) of the City Charter requires the City Attorney, when requested to do so by resolution of the City Commission, to prosecute and defend on behalf of the City all complaints, suits and controversies in which the City is a party; and

WHEREAS, the City Attorney recommends that the City Commission ratify the City Attorney's authorization for outside counsel to file suit against Craig A. Smith and Associates for the ocean outfall breach.

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 ratifies the City Attorney's authorization to outside counsel to file a civil action against Craig A. Smith and Associates.

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

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PASSED AND ADOPTED this _____ day of _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY