

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE PAYMENT OF ATTORNEYS' FEES TO FOX ROTHSCHILD LLP IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$50,000.00 FOR FY 2020, BRINGING THE TOTAL AMOUNT AUTHORIZED FOR FY 2020 TO \$140,000.00.

WHEREAS, Fox Rothschild ("Law Firm") currently provides legal services to the City in five matters, as follows: (i) the civil action filed by Margaritaville Hollywood Beach Resort, L.P. ("Margaritaville") regarding payment by Margaritaville of transaction rent; (ii) the civil action filed by Broward County regarding the location of the proposed public safety radio tower; (iii) the negotiation of a Land Development and Disposition Agreement with Park Road Development, LLC regarding the City-owned land located at 1600 South Park Road; (iv) the civil action filed by McCumber Wright Venture LLC regarding the redevelopment of the Hollywood Beach Golf and Country Club; and (v) the civil action filed by West Construction regarding the construction of Fire Station No. 45; and

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

WHEREAS, Section 38.42(E) of the City Code requires City Commission approval of any purchase estimated to cost more than \$50,000.00 annually; and

WHEREAS, on February 19, 2020, the City Commission adopted Resolution No. R-2020-041, which authorized payment to the Law Firm of an amount not to exceed \$90,000.00 for FY 2020; and

WHEREAS, the fees paid to the Law Firm for FY 2020 are approaching \$90,000.00, and

WHEREAS, in view of the considerable amount of legal services being rendered by the Law Firm, the City Attorney recommends that the City Commission authorize payment of additional attorneys' fees in an amount not to exceed \$50,000.00, which would bring the total amount authorized to be paid to the Law Firm for FY 2020 to \$140,000.00; and

WHEREAS, funding for this request is available in the FY 2020 Operating Budget account number 001.020101.51400.531220.000000.000.000.

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

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

Section 2: That it approves and authorizes payment, by the appropriate City officials, of fees, pursuant to the agreement with the Law Firm, in an additional amount not to exceed \$50,000.00, bringing the total amount authorized for FY 2020 to \$140,000.00.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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JOSH LEVY, MAYOR

ATTEST:

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PATRICIA A. CERNY, CMC  
CITY CLERK

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

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DOUGLAS R. GONZALES  
CITY ATTORNEY