

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING RESOLUTION NO. R-2022-127 TO INCREASE THE FY 2022 LEGAL FEES TO GREENBERG TRAUIG, P.A. FROM \$500,000.00 TO \$800,000.00 DUE TO PEMBROKE PINES LITIGATION.

WHEREAS, on May 4, 2022, the City Commission passed and adopted Resolution No. R-2022-127 authorizing the appropriate City official to execute an agreement with Greenberg Traurig, P.A. ("Firm") for legal services relating to matters regarding the water and wastewater utility system as related to general legal issues involving the six large users as well as the various litigation instituted by the City of Pembroke Pines against Hollywood; and

WHEREAS, the Firm is currently representing the City in the trial with the City of Pembroke Pines, one of the City's large users; and

WHEREAS, due to the trial length relating to the litigation with the City of Pembroke Pines, the Firm has incurred additional fees that were not contemplated at the time Resolution No. R-2022-127 was approved by the City Commission, including increased expert fees; 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 City, through the Firm, is defending the civil actions vigorously and the issues involved 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, the Firm has submitted the attached invoice relating to its fees for the Pembroke Pines litigation case, and it is envisioned that further fees will be incurred for FY 2022; and

WHEREAS, funding for these services will be made available in the FY 2022 Operating Budget account number 442.400101.53600.531220.000000.000.000.

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 Resolution No. R-2022-127 is amended to increase the legal fees for FY 2022 to Greenberg Traurig, P.A. from \$500,000.00 to \$800,000.00, and Greenberg Traurig, P.A. shall continue to provide legal services pursuant to its agreement with the City.

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