

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED LETTER RENEWING THE AGREEMENT BETWEEN THE CITY OF HOLLYWOOD AND LEWIS, LONGMAN & WALKER, P.A. FOR LEGAL SERVICES AND TO EXPEND FUNDS FOR FISCAL YEAR 2016 IN AN AMOUNT NOT TO EXCEED \$75,000.00.

WHEREAS, Resolution No. R-2012-388, adopted December 19, 2012, approved an agreement (the "Agreement") with Lewis, Longman & Walker, P.A. (the "Law Firm") to provide legal services to the Board of Trustees of the Employees Retirement Fund for three years with options to renew for two additional one-year periods; and

WHEREAS, Resolution No. R-2015-281, adopted October 7, 2015, approved the expenditure of an amount not to exceed \$100,000.00 for Fiscal Year 2015; and

WHEREAS, although technically the agreement has expired, the Law Firm has continued to render services and both parties wish to renew it retroactive to January 16, 2016; and

WHEREAS, the City currently pays the Law Firm for general legal services provided to the Board of Trustees of the Employees Retirement Fund (the "Board") and for legal services provided to the City on various other pension matters; and

WHEREAS, in the last "WHEREAS" paragraph of Resolution No. R-2015-281, the City Commission expressed (i) its desire to provide the Board with the opportunity to select those professionals, consultants and assistants currently selected by the City pursuant to paragraphs 33.025 (S) (6) and 33.025 (S) (7) of the Code of Ordinances and (ii) its desire for staff to bring forward an ordinance that would effectuate that desire; and

WHEREAS, the proposed ordinance described in the preceding paragraph has been drafted and is expected to be adopted in the very near future; and

WHEREAS, until the City Commission adopts the proposed ordinance, the City will continue to pay for the services provided to the Board by the Law Firm, and even after the City Commission adopts the proposed ordinance, the City will continue to pay for the services provided to the City by the Law Firm; and

WHEREAS, when professional services are purchased and the estimated annual amount to be paid therefor by the city is be more than \$50,000.00, City Commission approval is required; and

WHEREAS, the Law Firm's bills for Fiscal Year 2016 through the end of February 2016 total \$41,643.00; and

WHEREAS, the estimated amount for all services to be provided by the Law Firm in Fiscal Year 2016 will approach but not exceed \$75,000.00; 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 of professional services; and

WHEREAS, funding has been identified and will be available in the Fiscal Year 2015 budget in Account Number 61.1200.11032.518.03122 for legal services provided to the Board and Account Number 01.0104.00000.514.003122 for other 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 execution, by the appropriate City officials, of the attached letter renewing the agreement between the City and the Law Firm, together with such nonmaterial changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 2: That pursuant to the agreement between the City and the Law Firm, it hereby approves and authorizes the expenditure, by the appropriate City officials, of an amount for Fiscal Year 2016 not to exceed \$75,000.00.

RESOLUTION APPROVING RENEWAL OF AGREEMENT WITH LEWIS LONGMAN & WALKER AND APPROVING EXPENDITURES UP TO \$75,000.

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:

PATRICIA A. CERNY, MMC
CITY CLERK

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

JEFFREY P. SHEFFEL, CITY ATTORNEY