

RESOLUTION NO. _____

A RESOLUTION OF THE HOLLYWOOD, FLORIDA, COMMUNITY REDEVELOPMENT AGENCY, AUTHORIZING THE PAYMENT OF ATTORNEYS' FEES TO GRAYROBINSON, P.A. FOR LEGAL SERVICES IN THE ICON OFFICE BUILDING PROPERTY LITIGATION IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$50,000.00, BRINGING THE TOTAL AMOUNT AUTHORIZED FOR FY2018 TO \$150,000.00.

WHEREAS, GrayRobinson, P.A. ("Law Firm") is defending the Community Redevelopment Agency ("CRA") against claims of environmental contamination on the proposed ICON Office Building property, which was conveyed by the City to a developer; and

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

WHEREAS, although the parties are close to an agreement that would settle the litigation, they have not yet finalized that agreement; 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, in December 2017, the CRA Board adopted Resolution No. RCRA-2017-55, which authorized the payment of attorneys' fees to the Law Firm in the ICON litigation in an amount not to exceed \$100,000.00; and

WHEREAS, in view of the considerable amount of legal services being rendered by the Law Firm in the ICON litigation, the CRA General Counsel recommends that the CRA Board approve attorneys' fees in an additional amount not to exceed \$50,000.00, bringing the total amount authorized for FY2018 to \$150,000.00; and

WHEREAS, the City of Hollywood is named as a co-defendant in the ICON litigation and has agreed to share equally in the attorneys' fees paid to the Law Firm for that case; and

WHEREAS, it is expected that on the same day on which the CRA Board is adopting this Resolution, the City Commission is adopting a similar resolution approving attorneys' fees for FY 2018 for legal services in the ICON litigation and other litigation handled by the Law Firm, in an additional amount not to exceed \$75,000.00; and

WHEREAS, funding is available in the FY 2018 budget in account number 66.0186.00000.552.003122.

NOW THEREFORE, BE IT RESOLVED BY THE HOLLYWOOD, FLORIDA, COMMUNITY REDEVELOPMENT AGENCY:

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 the payment, by the appropriate CRA officials, of fees, pursuant to the agreement with GrayRobinson, P.A. for legal services in the ICON Office Building property litigation, an additional amount not to exceed \$50,000.00, bringing the total amount authorized for FY 2018 to \$150,000.00.

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

PASSED AND ADOPTED this _____ day of _____, 2018.

JOSH LEVY, CHAIR

ATTEST:

PHYLLIS LEWIS, BOARD SECRETARY

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

DOUGLAS R. GONZALES
GENERAL COUNSEL