

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH GREENBERG TRAURIG, P.A. FOR LEGAL SERVICES IN UTILITIES MATTERS, IN AN AMOUNT NOT TO EXCEED \$200,000.00 FOR FY 2020.

WHEREAS, Greenberg Traurig, P.A. ("Law Firm") is currently representing the City in matters regarding the water and wastewater utility system as it relates to general legal issues involving the six large users; and

WHEREAS, the Law Firm represents the City in matters regarding the water and wastewater utility system, primarily involving ongoing issues with the City of Pembroke Pines, one of the City's large users; 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 view of the expected considerable amount of legal services that will be required from the Law Firm to be rendered throughout FY 2020, the Department of Public Utilities requested a proposal from the Law Firm for legal services in an amount not to exceed \$200,000.00; and

WHEREAS, Pembroke Pines has filed three civil actions regarding the ongoing "large user agreement" issues; and

WHEREAS, the City is vigorously defending the civil actions and the issues are complex; and

WHEREAS, the Law 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 Law Firm has submitted the attached agreement for FY 2020 that would authorize the payment of fees in an amount not to exceed \$200,000.00 for the matters set forth in the agreement; and

WHEREAS, funding has been provided in Fiscal Year 2020 budget in the Department of Public Utilities account number

442.400101.53600.531220.000000.000.000, and funding will be budgeted in subsequent fiscal years subject to the passage and adoption of each subsequent fiscal year's operating budget by the City Commission.

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 approves and authorizes the execution, by the appropriate City officials, of the attached engagement letter with Greenberg Traurig, P.A. for legal services in matters regarding the water and wastewater utility systems, in an amount not to exceed \$200,000.00 for FY 2020, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

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.

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