



## Legislation Details (With Text)

**File #:** R-2017-149    **Version:** 1    **Name:** Reso GrayRobinson Atty Fees  
**Type:** Resolution    **Status:** Passed  
**File created:** 6/1/2017    **In control:** Office of the City Attorney  
**On agenda:** 6/7/2017    **Final action:** 6/7/2017  
**Title:** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Payment Of Fees To GrayRobinson, P.A., For Legal Services In The ICON Office Building Property Matter, In Additional Amounts Not To Exceed \$60,000.00 For FY 2016 And \$100,000.00 For FY 2017; Amending The Fiscal Year 2017 Adopted Operating Budget (R-2016-284), As Detailed In The Attached Exhibit 1.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ragrayrobinsoniconfy2016and2017.pdf, 2. Exhibit 1 Legal Services 06 07 17.pdf, 3. BIS 17-190.pdf

| Date     | Ver. | Action By                       | Action | Result |
|----------|------|---------------------------------|--------|--------|
| 6/7/2017 | 1    | Regular City Commission Meeting | adopt  | Pass   |

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Payment Of Fees To GrayRobinson, P.A., For Legal Services In The ICON Office Building Property Matter, In Additional Amounts Not To Exceed \$60,000.00 For FY 2016 And \$100,000.00 For FY 2017; Amending The Fiscal Year 2017 Adopted Operating Budget (R-2016-284), As Detailed In The Attached Exhibit 1.

**Staff Recommends:** Approval of Resolution

**Explanation:**

GrayRobinson, P.A. (“the Law Firm”) is defending the City of Hollywood against the claims arising out of environmental contamination that allegedly exists on the proposed ICON Office Building property. These claims are now the subject of litigation known as Berman Development Group, LLC, et al. v. City of Hollywood et al.

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.

The City Commission previously approved the payment of fees to the Law Firm for FY 2016 and for FY 2017 for legal services in the ICON matter. The amount of fees previously authorized for FY 2016 is \$300,000.00, but the amount of fees actually incurred for FY 2016 is approximately \$360,000.00. In view of the above, the City Attorney recommends that the City Commission authorize additional fees in an amount not to exceed \$60,000.00 for FY 2016, which would bring the total authorized amount to \$360,000.00 for FY 2016.

The amount of fees previously authorized for FY 2017 is \$150,000.00, the amount of fees incurred to date for FY 2017 is approximately \$175,000, and the amount estimated to be incurred for all of FY 2017 is \$250,000.00. In view of the above, the City Attorney recommends that the City Commission authorize additional fees in an amount not to exceed \$100,000.00 for FY 2017, which would bring the total authorized amount for FY 2017 to \$250,000.00.

The CRA is named as a co-defendant in the ICON matter and shares equally in the fees and costs paid to the Law Firm. It is expected that the CRA Board will adopt a similar resolution authorizing the same amounts of additional fees for FY 2016 and FY 2017.

A portion of the funding is available in Account Number 01.0104.00000.514.003122. The remainder of the funding will be transferred as detailed in the attached Exhibit 1.

Recommended for inclusion on the agenda by:

Alan Fallik, Interim City Attorney

Dr. Wazir A. Ishmael, City Manager

George R. Keller, Jr., Assistant City Manager - Finance & Administration