



Legislation Details (With Text)

File #:	R-2018-248	Version:	1	Name:	reso fees greenberg traurig pembroke pines
Type:	Resolution	Status:	Passed		
File created:	7/16/2018	In control:	Office of the City Attorney		
On agenda:	8/29/2018	Final action:	8/29/2018		
Title:	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, Increasing The Maximum Amount Of Fees For FY 2018 From \$200,000.00 To \$250,000.00; 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 \$250,000.00 For FY 2019; And Approving An Amendment To The Fiscal Year 2018 Capital Improvement Program R-2017-289 Adopted September 27, 2017.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Reso for Legal Fees - Greenberg.pdf, 2. lagreenbergtraurigppinesfy18.pdf, 3. lagreenbergtraurigppinesfy19.pdf, 4. Exhibit A Greenberg.pdf, 5. tergreenbergtraurigppines.pdf, 6. tergreenbergtraurigppinesfy2019.pdf, 7. BIS 18-239R.pdf				

Date	Ver.	Action By	Action	Result
8/29/2018	1	Regular City Commission Meeting	adopt	Pass

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, Increasing The Maximum Amount Of Fees For FY 2018 From \$200,000.00 To \$250,000.00; 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 \$250,000.00 For FY 2019; And Approving An Amendment To The Fiscal Year 2018 Capital Improvement Program R-2017-289 Adopted September 27, 2017.

Staff Recommends: Approval of the Resolution.

Explanation:

Greenberg Traurig, P.A. ("the Law Firm") is representing the City of Hollywood ("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. 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.

In view of the considerable amount of legal services being rendered by the Law Firm and anticipated

to be rendered throughout FY 2018, on February 7, 2018, the City Commission adopted Resolution No. R-2018-034, which, among other things, authorized the payment of fees to the Law Firm for FY 2018 in an amount not to exceed \$200,000.00. It is now anticipated that the total fees to be incurred for FY 2018 will approach but not exceed \$250,000.00. The Law Firm has submitted a new agreement for FY 2018 that will increase the amount authorized to be paid from \$200,000.00 to \$250,000.00.

Pembroke Pines has filed three civil actions regarding the ongoing “large user agreement” issues, including one that was filed within the past month. The City is defending the civil actions vigorously and the issues are complex. The Law Firm has devoted, and will continue to devote, extensive amounts of time to the City’s defense of the civil actions.

It is virtually certain that the civil actions will continue to be litigated for several years. The Law Firm has submitted an agreement for FY 2019 that would authorize the payment of fees in an amount not to exceed \$250,000.00 and funding for FY 2018 is available in the FY 2018 budget in Account Number 42.4000.85860.536.003126 and it will be necessary to amend the approved FY2018 Capital Improvements Program and allocate funding in the amount of \$300,000.00 set forth in Exhibit A, attached.

Funding for FY 2019 will be available in the FY 2019 budget with the Proposed Attached Budget Amendment.

Recommended for inclusion on the agenda by:
Douglas R. Gonzales, City Attorney
Dr. Wazir A. Ishmael, City Manager