



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#14-1266

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Cynthia A. Everett, City Attorney

DATE: October 7, 2014

TITLE: Resolution amending Resolution No. 10-223 to provide compensation for
paralegals and to establish new hourly rates for Troutman Sanders LLP

Recommendation

It is recommended that the City Commission adopt the attached resolution amending Resolution 10-223, to provide for the compensation of paralegals, and to establish new hourly rates to be paid to the law firm of Troutman Sanders LLP, as Special Counsel, for the purposes of representation in toxic tort matters asserted in the Lincoln Park/Durrs Litigation and related to the Lincoln Park site and environmental issues.

Background

The law firm of Troutman Sanders, LLP was appointed as Special Counsel to represent the City of Fort Lauderdale by virtue of Resolution No. 89-213, adopted on August 3, 1989. Thereafter, by virtue of Resolution No. 08-35, Troutman Sanders, LLP was further retained as Special Counsel to provide legal services pertaining to toxic tort claims asserted in the Lincoln Park/Durrs Litigation pending in the Circuit Court of the Seventeenth Judicial Circuit, in and for Broward County, and related to the Lincoln Park Site and Environmental issues, Project 10536. However, Resolution 10-223, which established the most recent hourly rates of compensation for Troutman Sanders LLP, had provisions for the compensation of attorneys, at the hourly rates of \$325.00 to \$427.50 for partners, \$270.00 to \$300.00 for mid-level associates, and \$225.00 to \$265.00 for junior associates, but no provision for the compensation of paralegals. The use of paralegals in the type of services rendered in defending the toxic torts claims has proven necessary, and reduces the amount of attorney time spent on tasks more properly handled by paralegals, and thereby reduces the total amount of fees paid. Additionally, since the last increase in hourly rates for Troutman Sanders LLP was four (4) years ago, an increase in hourly rates has been requested by Troutman Sanders LLP, and is being recommended in accordance with the COLA increases provided for by the City to management employees in 2012, 2013, and 2014.

Resource Impact

The new hourly rates (plus costs) will be established at \$342.00 to \$445.00 for partners, \$282.00 to \$312.00 for mid-level associates, \$236.00 to \$276.00 for junior associates, and \$140.00 to \$180.00 for paralegals.

<i>Funds available as of October 1, 2014</i>					
ACCOUNT NUMBER	INDEX NAME	OBJECT CODE/	AMENDED	AVAILABLE	AMOUNT
543-INS010101-5113	Self Insurance Claims	Non-Operating Expenses/General Liability Claims	\$1,265,772.00	\$1,265,772.00	\$630,000.00
APPROPRIATION TOTAL →					\$630,000.00

Attachments: Exhibit 1: Proposed Resolution
Exhibit 2: Resolution No. 10-223

Prepared by: Alain E. Boileau, Assistant City Attorney

Charter Officer: Cynthia A. Everett, City Attorney