



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

#22-0718

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

FROM: Alain E. Boileau, City Attorney

DATE: September 6, 2022

TITLE: Resolution Increasing the Compensation to be Paid to Special Counsel, Haliczzer, Pettis & Schwamm, P.A., Nabors, Giblin & Nickerson, P.A., Kim Vaughan Lerner LLP, T.S. Alvarez, P.A., d/b/a Martin, Lister & Alvarez, Billing, Cochran, Lyles, Mauro & Ramsey, P.A., and Johnson, Anselmo, Murdoch, Burke, Piper & Hochman, P.A., for Legal Services for General Liability Claims and Related Litigation and Appeals and Haliczzer, Pettis & Schwamm, P.A., and Massey, Coican & King, PLLC, for Legal Services for Workers' Compensation Claim Cases - (**Commission Districts 1, 2, 3 and 4**)

Recommendation

The City Attorney recommends that the City Commission adopt a Resolution increasing compensation to Special Counsel Haliczzer, Pettis & Schwamm, P.A., Nabors, Giblin & Nickerson, P.A., Kim Vaughan Lerner LLP, T.S. Alvarez, P.A., d/b/a Martin, Lister & Alvarez, Billing, Cochran, Lyles, Mauro & Ramsey, P.A., and Johnson, Anselmo, Murdoch, Burke, Piper & Hochman, P.A., for legal services for general liability claims and related litigation and appeals and Haliczzer, Pettis & Schwamm, P.A., and Massey, Coican & King, PLLC, for legal services for workers' compensation claim cases.

Background

On May 16, 2017, the City Commission adopted Resolution No. 17-102, appointing Haliczzer, Pettis & Schwamm, P.A., Nabors, Giblin & Nickerson, P.A., Kim Vaughan Lerner LLP, and T.S. Alvarez, P.A. d/b/a Martin, Lister & Alvarez, and reappointed Billing, Cochran, Heath, Lyles, Mauro & Anderson, P.A., n/k/a Billing, Cochran, Lyles, Mauro & Ramsey, P.A., as special counsel to represent the City of Fort Lauderdale in connection with general liability claims and related litigation and appeals, at the following hourly rates: \$225.00 for partner level attorneys, \$150.00 for associate attorneys, and \$95.00 for paralegals, plus actual reasonable expenses subject to the City Attorney's approval.

On April 17, 2018, the City Commission adopted Resolution No. 18-69, appointing Johnson, Anselmo, Murdoch, Burke, Piper & Hochman, P.A., as special counsel for general liability claims and related litigation and appeals, at the following hourly rates: \$225.00 for partner level attorneys, \$150.00 for associate attorneys, and \$95.00 for

paralegals, plus actual reasonable expenses subject to the City Attorney's approval.

On February 4, 2020, the City Commission adopted Resolution No. 20-16, appointing Haliczzer, Pettis & Schwamm, P.A., and reappointed Massey, Coican & King, PLLC, as special counsel to represent the City of Fort Lauderdale in connection with workers' compensation claim cases, at the following hourly rates: \$225.00 for partner level attorneys, \$150.00 for associate attorneys, and \$95.00 for paralegals, plus actual reasonable expenses subject to the City Attorney's approval; and

The City Attorney's Office has determined that in order to retain the specialized services of the aforementioned counsel in the competitive legal market, it would be appropriate and recommended to increase general liability claims counsel's hourly rates from \$225.00 per hour to \$300.00 per hour for partners, and from \$150.00 per hour to \$225.00 per hour for associates, with paralegals remaining at \$95.00 per hour

Resource Impact

Funds for this agreement in the amount of \$100,000.00 are available in the FY 2022 Budget in the account listed below:

<i>Funds available as of August 30, 2022</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
001-ATT010101-3119	City Attorney	Services/ Materials/ Legal Services	\$1,051,150	\$190,961	\$100,000.00
				TOTAL AMOUNT ►	\$100,000.00

Attachment

Exhibit 1 – Resolution

Prepared by: Paul G. Bangel, Senior Assistant City Attorney, City Attorney's Office

Charter Officer: Alain E. Boileau, City Attorney