



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

#14-0348

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

FROM: Cynthia A. Everett, City Attorney

DATE: March 4, 2014

TITLE: Resolution appointing the law firm of Nabors Giblin & Nickerson P.A., as special counsel, to represent the City of Fort Lauderdale in its defense in the lawsuit filed by Broward County Sheriff.

Recommendation

Approve a resolution appointing the law firm of Nabors Giblin & Nickerson P.A., as special counsel, to represent the City of Fort Lauderdale in its defense of a breach of contract and indebtedness lawsuit filed by Scott Israel, in his official capacity as Sheriff of Broward County for E-911 Services.

Background

The Broward County Sheriff, Scott Israel, filed a lawsuit against the City of Fort Lauderdale claiming that the City owes the Sheriff's Office a total of \$3,681,721.75 for providing E911 services to the City without payment. This total amount is for seven (7) months (February, 2012 through August, 2012) of nonpayment of \$525,960.25 per month. The Sheriff alleges four separate counts: breach of an oral contract, breach of a contract implied in fact, unjust enrichment and open account.

Resource Impact

<i>Funds available as of February 24, 2014</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	OBJECT CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Object Code)	AVAILABLE BALANCE (Object Code)	PURCHASE AMOUNT
001-GEN010101-3119	Other General Government	Services & Materials/Legal Services	\$705,834.00	\$547,063.00	\$50,000.00
PURCHASE TOTAL ►					\$50,000.00

Strategic Connection:

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the **Internal Support Cylinder of Excellence**, specifically advancing:

- **Goal 12:** Be a leading government organization, managing resources wisely and sustainably.
- **Objective 1:** Ensure sound fiscal management

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are United*.

Attachment:

Exhibit 1 - Resolution

Prepared by: Ginger E. Wald, Assistant City Attorney

Department Director: Cynthia A. Everett, City Attorney