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

**#17-0643**

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

**FROM:** Cynthia A. Everett, City Attorney *CAE*

**DATE:** May 16, 2017

**TITLE:** Resolution appointing Haliczzer, Pettis & Schwamm, P.A., Nabors Giblin & Nickerson, P.A., Kim, Vaughan, Lerner, LLP, and TS Alvarez, P.A., and reappointing Billing, Cochran, Lyles, Mauro & Ramsey, P.A., formerly known as Billing, Cochran, Heath, Lyles, Mauro & Anderson, P.A., and McIntosh Schwartz, P.L., as special counsel, to represent the City of Fort Lauderdale in connection with general liability claims and prescribing hourly rates.

**Recommendation**

It is recommended that the City Commission adopt a resolution appointing Haliczzer, Pettis & Schwamm, P.A., Nabors Giblin & Nickerson, P.A., Kim, Vaughan, Lerner, LLP, and TS Alvarez, P.A., and reappointing Billing, Cochran, Heath, Lyles, Mauro & Ramsey, P.A., formerly known as Billing, Cochran, Heath, Lyles, Mauro & Anderson, P.A., and McIntosh Schwartz, P.L., as special counsel, to represent the City of Fort Lauderdale in connection with general liability claims and related litigation and appeals, and prescribing the hourly rates to be paid for such legal services.

**Background**

Section 4.10 of the Charter of the City of Fort Lauderdale, Florida, provides, in part, that "[t]he city commission may, by resolution, authorize one (1) or more special counsel to be retained for the purpose of performing such legal duties as may be prescribed by said resolution. Each such resolution shall further prescribe the compensation to be paid the special counsel."

It is recommended that the City add to its roster of special counsel, prescribe the new counsel's compensation, and increase the compensation prescribed for existing counsel. The purpose of the additions is to have more than one special counsel available in various practice areas thus streamlining the appointment process and eliminating delays in appointing and consulting with counsel in recurring matters and conflict situations.

Increases in the hourly rates for special counsel are recommended as the rates have not been adjusted since 2006 for some and 2011 for others, and some of the City's

special counsel have requested increases. These increases are reasonable and necessary to ensure the City's continued access to experienced outside counsel.

**Resource Impact**

<i>Funds available as of October 29, 2015</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	PURCHASE AMOUNT
543-INS010101-5113	Self-Insurance Claims	Non-Operating Expenses/General Liability Claim	\$5,910,000	\$1,524,110	\$50,000
<b>PURCHASE TOTAL ►</b>					<b>\$50,000</b>

Attachment:  
Exhibit 1 - Resolution

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Prepared by: Candace R. Duff, Assistant City Attorney

Charter Officer: Cynthia A. Everett, City Attorney