



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

**#16-0445**

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

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

**DATE:** April 5, 2016

**TITLE:** Resolution appointing Nabors, Giblin & Nickerson, P.A., as special counsel to represent the City of Fort Lauderdale in *Florida Power & Light Company v. City of Fort Lauderdale*, Case No. CACE 16-003913 (09), pending in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida

**Recommendation**

It is recommended that the City Commission adopt a resolution appointing Nabors, Giblin & Nickerson, P.A., as special counsel, to represent the City of Fort Lauderdale in *Florida Power & Light Company v. City of Fort Lauderdale*, Case No. CACE 16-003913 (09), pending in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida.

**Background**

In *Florida Power & Light Company v. City of Fort Lauderdale*, Case No. CACE 16-003913 (09), pending in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, the plaintiff is challenging the legality and validity of the City's request for municipal public services taxes from Florida Power & Light pursuant to § 166.234, Fla. Stat.

**Resource Impact**

<i>Funds available as of March 30, 2016</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB- OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	PURCHASE AMOUNT
001-GEN010101-3119	Other General Government – Social/ Cultural	Services & Materials/ Legal Services	\$891,000	\$572,685	\$50,000.00 (estimated)
			<b>PURCHASE TOTAL ►</b>		<b>\$50,000.00 (estimated)</b>

Attachment:

Exhibit 1 – Resolution

Exhibit 2 – Commission Memo 16-014 Florida Power and Light Public Service Taxes  
Dispute

Exhibit 3 – Commission Memo 16-014 Attachment

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Prepared by: Alain E. Boileau, Assistant City Attorney

Charter Officer: Cynthia A. Everett, City Attorney