



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

**#16-0982**

9-7-16  
CR-1  
REVISED CAM

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

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

**DATE:** September 7, 2016

**TITLE:** A Resolution of the City Commission of the City of Fort Lauderdale, Florida, appointing the law firm of Brinkley, Morgan, Solomon, Tatum, Stanley, Lunny & Gordon, LLP, as Special Counsel for rendering an Opinion of Title as to the Fort Lauderdale Executive Airport Property

**Recommendation**

It is recommended that the City Commission adopt the attached Resolution appointing Brinkley, Morgan, Solomon, Tatum, Stanley, Lunny, & Gordon, LLP at the rates specified below to serve as Special Counsel to the City regarding rendition of an opinion of title with regard to the Fort Lauderdale Executive Airport ("FXE") Property.

**Background**

In seeking grants from the Federal Aviation Administration ("FAA"), the FAA has recently begun requiring opinions of title with regard to the FXE Airport Property measuring approximately 700 acres of land. A number of title companies contacted were not interested in conducting a title search of that magnitude. First American Title indicated a willingness to conduct the title search for their title agent Brinkley, Morgan, Solomon, Tatum, Stanley, Lunny & Gordon, LLP ("Brinkley, Morgan"). Accordingly it is recommended that the City retain the firm of Brinkley, Morgan as Special Counsel to secure the title search and render an opinion of title at the rate of \$300.00 per hour for partners, \$250.00 per hour for attorneys who are not partners and \$95.00 per hour for paralegals and law clerks, the same rate the City paid Brinkley, Morgan for services relative to Bahia Mar. The estimated cost of securing the title search from the title company is \$12,000.00.

**Resource Impact**

<b>Funds available as of September 1, 2016</b>					
<b>ACCOUNT NUMBER</b>	<b>INDEX NAME (Program)</b>	<b>CHARACTER CODE/ SUB-OBJECT NAME</b>	<b>AMENDED BUDGET (Character)</b>	<b>AVAILABLE BALANCE (Character)</b>	<b>AMOUNT</b>
468-TAM070101-3199	Executive Airport	Service & Materials/ Other Prof Services	\$3,439,013	\$1,096,842	\$27,000
<b>APPROPRIATION TOTAL →</b>					<b>\$27,000</b>

**Attachments**

Exhibit 1 – Resolution

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Prepared by: Robert B. Dunckel, Assistant City Attorney  
Charter Officer: Cynthia A. Everett, City Attorney