



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#17-0190

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

FROM: Cynthia A. Everett, City Attorney

DATE: February 7, 2017

TITLE: Resolution appointing the law firm of Kim Vaughan Lerner LLP, as special counsel, to represent the City of Fort Lauderdale in connection with litigation commenced in the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida, in the case styled *JMS Construction Services, Inc. v. City of Fort Lauderdale*, Case No. CACE 16-020549 (04).

Recommendation

Approve a resolution appointing the law firm of Kim Vaughan Lerner LLP, as special counsel, to represent the City of Fort Lauderdale in connection with litigation commenced in the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida, in the case styled *JMS Construction Services, Inc. v. City of Fort Lauderdale*, Case No. CACE 16-020549 (04).

Background

On November 22, 2016, the City of Fort Lauderdale was served with a Summons and Complaint asserting claims for breach of contract, pertaining to an Agreement for Earthworks Improvements, for Parcels B-C-D at Fort Lauderdale Executive Airport (FXE), entered into with the City on or about June 3, 2014.

Resource Impact

Funds are available in the FY 2017 Budget in the account listed below:

<i>Funds available as of January 31, 2017</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	PURCHASE AMOUNT
468-TAM070101-3119	Executive Airport	Services & Materials/Legal Services	\$2,610,286	\$1,604,847	\$50,000
			PURCHASE TOTAL ►		\$50,000

Attachment:

2-7-2017
(CAM #17-0190)

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Exhibit 1 - Resolution

Prepared by: Alain E. Boileau, Assistant City Attorney

Charter Officer: Cynthia A. Everett, City Attorney