



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

**#17-0805**

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

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

**DATE:** June 20, 2017

**TITLE:** A Resolution of the City Commission of the City of Fort Lauderdale, Florida, appointing the Law Firm of Lubell and Rosen, LLC, as Special Counsel to represent the City of Fort Lauderdale in connection with Health Insurance Portability and Accountability Act (HIPAA) Compliance and Health Law Issues.

**Recommendation**

It is recommended that the City Commission adopt a resolution appointing the Law Firm of Lubell and Rosen, LLC, as special counsel, to represent the City of Fort Lauderdale in connection with Health Insurance Portability and Accountability Act (HIPAA) Compliance and health law issues, and establishing 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."

There is a present need for the City to retain special counsel with expertise in the Health HIPAA compliance and health law issues. Lubell and Rosen, LLC, would provide that expertise. The rate of compensation shall be \$325.00 per hour for partners, \$250.00 per hour for associates and \$95 per hour for paralegals and law clerks, plus reasonable costs and expenses.

**Resource Impact**

Funds for this agreement in the amount of \$50,000 are available in the FY 2017 Budget in the account(s) listed below:

| <b>Funds available as of June 14, 2017</b> |                                 |  |   |  |                            |
|--|---------------------------------|--|---|--|----------------------------|
| <b>ACCOUNT NUMBER</b>                      | <b>INDEX NAME<br/>(Program)</b> | <b>CHARACTER CODE/<br/>SUB-OBJECT<br/>NAME</b> | <b>AMENDED<br/>BUDGET<br/>(Character)</b> | <b>AVAILABLE<br/>BALANCE<br/>(Character)</b> | <b>PURCHASE<br/>AMOUNT</b> |
| 545-INS220101-3119                         | Self-Insured<br>Health Benefits | Services &<br>Materials/Legal<br>Services      | \$275,490                                 | \$107,934                                    | \$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