



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#18-0538

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

FROM: Alain E. Boileau, Interim City Attorney

DATE: May 15, 2018

TITLE: A Resolution to Authorize Final Compensation to the Law Firm of Lubell and Rosen, LLC, Previously Appointed 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 to Discontinue Any Future Work Authorized by Resolution No. 17-123 until further notice.

Recommendation

It is recommended that the City Commission adopt a resolution to authorize final compensation to the Law Firm of Lubell and Rosen, LLC, previously appointed 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 to discontinue any future work authorized by Resolution No. 17-123 until further notice.

Background

By consent resolution approved at the City Commission Meeting on June 20, 2017, the City Commission voted to retain special counsel with expertise in the Health HIPAA compliance and health law issues, and the law firm of Lubell and Rosen, LLC (hereafter "the firm") was appointed and rates of compensation were set at \$325.00 per hour for partners, \$250.00 per hour for associates, and \$95.00 per hour for paralegals and law clerks, plus reasonable costs and expenses authorized in the amount of \$50,000.00. To date, a total of \$42,250.00 has been paid to the firm for services rendered from December 14, 2017 to February 28, 2018. Subsequently, the City requested an estimated total budget from the firm for the HIPAA, FIPA, and other services that the firm would provide, and on April 12, 2018, the City received an estimated budget for legal services from the firm in the sum of \$184,127.00 and non-legal services in the sum of \$50,000.00 for a total estimated budget of \$234,127.00. The City has since requested that the firm suspend all work on the matter/project until the City determines and identifies an appropriate scope of work, as well as additional funding.

To date the remaining balance owed the firm of Lubell and Rosen, LLC is \$35,522.50 for legal services rendered from March 1, 2018 to April 17, 2018, and it is requested that

a resolution authorizing final compensation be approved.

Resource Impact

Funds for the remaining balance are available in the FY 2018 Budget in the account below:

<i>Funds available as of May 9, 2018</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	PURCHASE AMOUNT
543-HRD050101-3119	Claims Administration	Services & Materials/Legal Services	\$280,149	\$149,618	\$35,522.50
				PURCHASE TOTAL ►	\$35,522.50

Attachment:
Exhibit 1 – Resolution

Prepared by: Maureen Richards, Law Office Manager

Charter Officer: Alain E. Boileau, Interim City Attorney