CITY OF FORT LAUDERDALE
City Commission Agenda Memo **#18-0673**
REGULAR MEETING

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

FROM: Alain E. Boileau, Interim City Attorney

DATE: June 19, 2018

TITLE: Resolution appointing the law firm of Greenberg Traurig, LLP as special counsel to the City of Fort Lauderdale in connection with the City's withdrawal from the various agreements and obligations related to the Wave Modern Streetcar Project

Recommendation

It is recommended that the City Commission adopt a Resolution appointing the law firm of Greenberg Traurig, LLP as special counsel to the City of Fort Lauderdale in connection with the City's withdrawal from the various agreements and obligations related to the Wave Modern Streetcar Project.

Background

The City of Fort Lauderdale has previously entered into one or more agreements with, among other entities, Broward County, the South Florida Regional Transportation Authority (SFRTA) and the Florida Department of Transportation (FDOT), for the planning, financing, design, implementation, construction, project sponsorship, ownership, operation and maintenance of the downtown transit circular known as the Wave Modern Streetcar. Other partners and stakeholders involved in the Wave project include the Broward Metropolitan Planning Organization (BMPO), the Downtown Development Authority (DDA) and the Federal Transit Administration (FTA).

The law firm of Greenberg Traurig, P.A., is experienced in matters relating to the Wave having been previously appointed by the City to serve as bond counsel (Resolution No. 13-99) and special counsel for the bond validation litigation connected with the issuance of special assessment bonds, Series 2013, for the Wave (Resolution No. 13-100), as well as special counsel to the Fort Lauderdale Community Redevelopment Agency regarding the incurring of debt to fund the design and construction of a portion of the Wave (Resolution No. 15-02).

On May 1, 2018, the City Commission of the City of Fort Lauderdale adopted Resolution No. 18-81 (attached as Exhibit 1) requesting Broward County to decline to provide its assent to the Florida Department of Transportation (FDOT) to continue the Wave Modern Streetcar Project.

On May 8, 2018, the Broward County Commission unanimously passed a motion directing its County Administrator to notify the FDOT that it is unable to provide its assent to continuing the Wave Streetcar Project.

On May 11, 2018, FDOT rejected all construction bids, effectively ending the Wave Streetcar Project.

Resource Impact

Funds for this agreement in the amount of $70,000 are available in the FY 2018 Budget in the account listed below:

Funds available as of June 13, 2018					
ACCOUNT NUMBER	**INDEX NAME (Program)**	**CHARACTER CODE/ SUB-OBJECT NAME**	**AMENDED BUDGET (Character)**	**AVAILABLE BALANCE (Character)**	**PURCHASE AMOUNT**
001-ATT010101-3119	City Attorney	Services & Materials/Legal Services	$790,202	$195,599	$70,000
			PURCHASE TOTAL ►		$70,000

Attachments

Exhibit 1 – Resolution No. 18-81
Exhibit 2 – Proposed Resolution

Prepared by: Alain E. Boileau, Interim City Attorney

Charter Officer: Alain E. Boileau, Interim City Attorney