



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#18-1106

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

FROM: Alain E. Boileau, City Attorney

DATE: October 9, 2018

TITLE: Resolution appointing Weiss Serota Helfman Cole & Bierman, P.L., as special counsel, to represent the City of Fort Lauderdale in connection with litigation commenced in the United States District Court, Southern District of Florida, in the case styled *FLORIDA GUN SHOWS, INC., a Florida corporation, f/k/a SHOOT STRAIGHT GUN SHOWS, INC. v. CITY OF FORT LAUDERDALE, A Florida Municipality*, CASE NO. 18-62345-Civ-Moreno

Recommendation

It is recommended that the City Commission adopt a resolution appointing Weiss Serota Helfman Cole & Bierman, P.L., as special counsel to represent the City of Fort Lauderdale in connection with litigation commenced in the United States District Court, Southern District of Florida, in the case styled *FLORIDA GUN SHOWS, INC., a Florida corporation, f/k/a SHOOT STRAIGHT GUN SHOWS, INC. v. CITY OF FORT LAUDERDALE, A Florida Municipality*, CASE NO. 18-62345-Civ-Moreno.

Background

On October 2, 2018, an action was filed in the United States District Court, Southern District of Florida, alleging violations of: (1) the First Amendment; (2) the Fourteenth Amendment; and (3) Sec. 790.33, Florida Statutes.

It is recommended that the City appoint special counsel to represent the City of Fort Lauderdale in connection with the above referenced litigation.

Resource Impact

Funds are available in the FY 2019 Budget in the account listed below:

Funds available as of October 4, 2018					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
001-ATT010101-3119	City Attorney	Services-Materials / Legal Services	\$250,000	\$250,000	\$50,000
TOTAL AMOUNT →					\$50,000

Attachment

Exhibit 1 – Resolution

Prepared by: Tania Marie Amar, Assistant City Attorney

Charter Officer: Alain E. Boileau, City Attorney

RESOLUTION NO. 18-206

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING THE LAW FIRM OF WEISS SEROTA HELFMAN COLE & BIERMAN, P.L., AS SPECIAL COUNSEL, TO REPRESENT THE CITY OF FORT LAUDERDALE IN CONNECTION WITH LITIGATION COMMENCED IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA, IN THE CASE STYLED *FLORIDA GUN SHOWS, INC., A FLORIDA CORPORATION, F/K/A SHOOT STRAIGHT GUN SHOWS, INC. V. CITY OF FORT LAUDERDALE, A FLORIDA MUNICIPALITY*, CASE NO. 18-62345-CIV-MORENO.

WHEREAS, the City Commission desires to appoint the law firm of Weiss Serota Helfman Cole & Bierman, P.L., as special counsel to represent the City of Fort Lauderdale in connection with litigation commenced in the United States District Court, Southern District of Florida, in the case styled *FLORIDA GUN SHOWS, INC., a Florida corporation, f/k/a SHOOT STRAIGHT GUN SHOWS, INC. v. CITY OF FORT LAUDERDALE, A Florida Municipality*, CASE NO. 18-62345-Civ-Moreno;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the law firm of Weiss Serota Helfman Cole & Bierman, P.L., is hereby appointed as special counsel to represent the City of Fort Lauderdale in connection with litigation commenced in the United States District Court, Southern District of Florida, in the case styled *FLORIDA GUN SHOWS, INC., a Florida corporation, f/k/a SHOOT STRAIGHT GUN SHOWS, INC. v. CITY OF FORT LAUDERDALE, A Florida Municipality*, CASE NO. 18-62345-Civ-Moreno.

SECTION 2. That the law firm of Weiss Serota Helfman Cole & Bierman, P.L. shall be paid for legal services provided in connections with matters assigned after the effective date of this Resolution at an hourly rate of \$225.00 for attorneys and a rate of \$95.00 for paralegals, plus actual reasonable expenses subject to the City Attorney's approval.

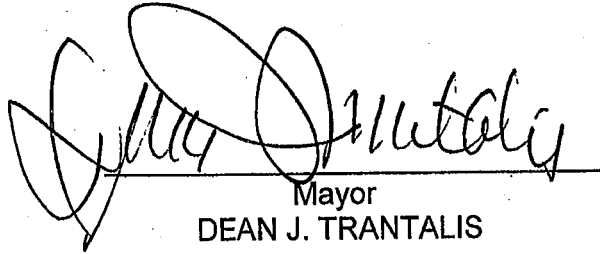
SECTION 3. That the City Attorney shall serve as liaison to such special counsel.

SECTION 4. That such special counsel hereby appointed shall serve at the pleasure of the City Commission of the City of Fort Lauderdale, Florida.

SECTION 5. That the City Attorney is authorized to execute such agreements as are necessary with the law firm selected in accordance with the provisions of this Resolution.

SECTION 6. That this Resolution shall take effect immediately upon its adoption.

ADOPTED this the 9th day of October, 2018.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI