



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#19-0117

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

FROM: Alain E. Boileau, City Attorney

DATE: January 22, 2019

TITLE: Motion to Approve Increase in Funds for the Law Firm of Weiss Serota Helfman Cole & Bierman, P.L., Special Counsel to 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 approve the addition of funds to the existing Special Counsel agreement (CAM #18-1106) with the law firm of Weiss Serota Helfman Cole & Bierman, P.L., in the amount of \$150,000.00.

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.

On October 9, 2018, the City Commission adopted a Resolution (CAM #18-1106) appointing Weiss Serota Helfman Cole & Bierman, P.L. as Special Counsel to the City for the purpose of representing the City in connection with litigation 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 in the amount of \$50,000.00.

Due to the current pace of the negotiations and estimated amount of work still required to resolve all issues between the Florida Gun Shows, Inc. and the City, an additional \$150,000 is needed for Weiss Serota Helfman Cole & Bierman, P.L. to continue to serve as Special Counsel on behalf of the City for the duration of this case. As of November 30, 2018, the City has spent \$62,669.19 for legal services.

Resource Impact

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

<i>Funds available as of January 15, 2019</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB- OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
543-INS010101-5113	Self-Insurance Claims	Non Operating Expense/ General Liability Claims	\$8,198,115	\$5,699,406	\$150,000
TOTAL AMOUNT ►					\$150,000

The rate of compensation for services is as follows:

Attorneys - \$225.00 / hour

Paralegals - \$95.00 / hour

Attachment

Exhibit 1 – CAM #18-1106

Prepared by: Tania Marie Amar, Assistant City Attorney

Charter Officer: Alain E. Boileau, City Attorney