

RESOLUTION NO. 20-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REAPPOINTING THE LAW FIRM OF LEWIS, LONGMAN & WALKER, P.A., AS SPECIAL COUNSEL TO THE CITY OF FORT LAUDERDALE FOR THE PURPOSE OF ASSISTING THE CITY IN RESPONDING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)'S ENFORCEMENT EFFORTS REGARDING THE CITY'S WASTEWATER COLLECTION SYSTEM RELEASES; PROVIDING A RATE OF COMPENSATION FOR THE SERVICES OF ATTORNEYS; REPEALING ANY AND ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about November 1, 2016, the City Commission appointed the law firm of Lewis, Longman & Walker, P.A., as Special Counsel to assist the City in its negotiations with the Florida Department of Environmental Protection ("FDEP") and its enforcement efforts regarding two simultaneous sewer force main breaks in June of 2016, and resulting in the entry of a Consent Order; and

WHEREAS, as a result of several sewer force main breaks and the City's wastewater collection system releases from December 2019 through February 2020, the City received a settlement proposal in the form of a Short Form Consent Order and a proposed fine of \$1,796,500.00 from the FDEP on or about February 18, 2020; and

WHEREAS, it is in the best interest of the City to retain the services of Special Counsel to assist the City with its negotiations with FDEP and to assist the City in navigating FDEP's administrative enforcement efforts against the City; and

WHEREAS, the City Commission desires to reappoint the law firm of Lewis, Longman & Walker, P.A., as Special Counsel to the City of Fort Lauderdale for the purpose of assisting the City in responding to FDEP's enforcement efforts regarding the City's wastewater collection system discharges;

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

SECTION 1. That the law firm of Lewis, Longman & Walker, P.A., is reappointed as Special Counsel for the purpose of assisting the City in responding to FDEP's enforcement efforts regarding City's wastewater collection system discharges.

SECTION 2. That the amount of \$335.00 per hour for partner level attorneys, \$235.00 per hour for associate attorneys, and \$175.00 for paralegals, plus reasonable costs, is prescribed as the compensation to be paid to Lewis, Longman & Walker, P.A., as Special Counsel.

SECTION 3. That the City Attorney shall serve as liaison with such Special Counsel.

SECTION 4. That such Special Counsel hereby reappointed 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 documents as are necessary to secure the services of Special Counsel.

SECTION 6. That any and all Resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 7. That this Resolution shall become effective immediately upon its adoption.

ADOPTED this the _____ day of _____, 2020.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI