



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#21-1052

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

FROM: Alain E. Boileau, City Attorney

DATE: October 21, 2021

TITLE: Resolution appointing Robert J. Bigge, Jr., of the Law Firm of Bigge & Rodriguez, P.A., as special counsel representing the City of Fort Lauderdale in Bankruptcy Proceedings filed by Riverfront Cruise and Anticipation Yacht Charters, LLC - **(Commission Districts 1,2,3 and 4)**

Recommendation

The City Attorney recommends that the City Commission adopt a resolution appointing Robert J. Bigge, Jr., of the law firm of Bigge & Rodriguez, P.A., as special counsel to represent the City of Fort Lauderdale in the Bankruptcy Proceedings filed by Riverfront Cruise and Anticipation Yacht Charters, LLC ("Debtor").

Background

Section 4.10 of the Charter of the City of Fort Lauderdale, Florida provides, in part, that "[t]he city commission may, by resolution, authorize one (1) or more special counsel to be retained for the purpose of performing such legal duties as may be prescribed by said resolution. Each such resolution shall further prescribed the compensation to be paid the special counsel."

On or about July 29, 2021, the Debtor filed a voluntary petition for bankruptcy under Chapter 11 of the United States Bankruptcy Code. The Debtor is in default under a long-term lease with the City for the Historic Bryan Homes located at 301 SW 3rd Avenue arising from failure to pay rent, taxes and dockage fees. Subsequent to filing the bankruptcy petition, the City Commission authorized the City Attorney to take legal action against the Debtor (CAM #21-0821). However, such action is stayed under the federal bankruptcy laws.

Robert J. Bigge, Jr., of the law firm of Bigge & Rodriguez, P.A., has the requisite skill and experience to advise and represent the City in this Chapter 11 Bankruptcy proceeding and would charge the City an hourly rate of \$450.00, plus reasonable costs.

Resource Impact

There is a fiscal impact to the City in the amount up to \$20,000. Funding is available in the Legal Services account.

<i>Funds available as of October 18, 2021</i>					
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	\$1,022,500	\$741,999	\$20,000
TOTAL AMOUNT ►					\$20,000

Attachment

Exhibit 1 – Resolution

Prepared by: Lynn Solomon, Assistant City Attorney, City Attorney's Office

Charter Officer: Alain E. Boileau, City Attorney