

CITY OF TAMARAC FLORIDA  
RESOLUTION NO. 2008- 127

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF TAMARAC, FLORIDA, ON BEHALF OF THE CITY, TO EXECUTE AND TO OTHERWISE ENTER INTO THE ATTACHED FIRST AMENDMENT TO AGREEMENT FOR LEGAL SERVICES BY AND BETWEEN THE CITY OF TAMARAC AND THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A., PURSUANT TO WHICH CONTRACT THE CITY DOES EMPLOY THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A., AS "CITY ATTORNEY"; AUTHORIZING THE MAYOR TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION, AND, PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the CITY OF TAMARAC entered into an agreement with the law firm of Goren, Cherof, Doody & Ezrol, P.A. as "City Attorney" in April 2005; and

**WHEREAS**, the retention of the law firm of Goren, Cherof, Doody & Ezrol, P.A. resulted in a reduction in the overall cost of legal expenses to the CITY OF TAMARAC; and

**WHEREAS**, the hourly expense for legal services provided by the law firm of Goren, Cherof, Doody & Ezrol, P.A. has remained unchanged since its inception; and

**WHEREAS**, it is the express intent of the City Commission to retain the services of Goren, Cherof, Doody & Ezrol, P.A.; and

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, THAT:

SECTION 1. The Mayor of the CITY OF TAMARAC, Florida, be and the same is hereby authorized, on behalf of the CITY OF TAMARAC to execute and to otherwise enter

into the First Amendment to Agreement for Legal Services attached hereto and incorporated hereby by reference, pursuant to which contract the City does employ the law firm of Goren, Cherof, Doody & Ezrol, P.A., as "City Attorney" of the CITY OF TAMARAC.

SECTION 2. The Mayor of the CITY OF TAMARAC, Florida, be and the same is hereby authorized and directed to all things necessary and expedient in order to effectuate the execution of and the performance of the Independent Contractor Professional Services Employment Contract, described in Section 1 above, and to carry out the aims of this Resolution and the said Independent Contractor Professional Services Employment Contract.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THIS 10th DAY OF September, 2008.**

CITY OF TAMARAC, FLORIDA

Beth Talabisco  
BETH TALABISCO, MAYOR

ATTEST:

Marion Swenson  
MARION SWENSON, CMC  
CITY CLERK

RECORD OF COMMISSION VOTE:

MAYOR FLANSBAUM-TALABISCO yes  
DIST 1: COMM PORTNER yes  
DIST 2: COMM ATKINS-GRAD yes  
DIST 3: V/M SULTANOF yes  
DIST 4: COMM. DRESSLER yes

I HEREBY CERTIFY that  
I have approved this  
RESOLUTION as to form.

Samuel S. Goren  
SAMUEL S. GOREN  
CITY ATTORNEY

FIRST AMENDMENT TO  
AGREEMENT FOR LEGAL SERVICES

THIS FIRST AMENDMENT to the Agreement for Legal Services between THE CITY OF TAMARAC, a Florida municipal corporation, (the "CITY") and GOREN, CHEROF, DOODY & EZROL, P.A., as City Attorney, (the "FIRM") made this 10<sup>th</sup> day of September, 2008, as follows:

1. The parties covenant and agree that this Amendment cumulatively reflects modifications to the Agreement previously approved by the City since the inception of this Agreement on November 23, 2005 (the "Original Agreement")
2. Paragraph 3.01, "Fees and Payment for Services" shall be amended to read as follows:

3.01 Effective October 1, 2008, the FIRM is to be paid an hourly rate of \$195.00 per hour for partners, with lesser rates, as amended and published from time to time, for associates, law clerks, and paralegals, or as otherwise budgeted, excluding legal services required pursuant to public financing matters, legislative liaison activities general ethics matters for administration staff and other employees, and additional special services as requested by the CITY which services are to be paid at an agreed upon hourly or flat rate agreed to at the time the supplemental services are required. In addition, the FIRM may bill the CITY for reasonable, and ordinary expenses including, but not limited to, telephone, postage and copying costs, facsimiles, messenger services, and court costs, which will include but not be limited to, filing fees, service of summons, service of subpoenas, witness fees (including expert witness fees), court reporter fees, etc.
3. All other terms, conditions, and provisions of the original Agreement shall remain in full force and effect unless otherwise modified herein.

IN WITNESS OF THE FOREGOING, the parties have hereunto set their hands and seals on the dates written below.

As to CITY:

CITY OF TAMARAC

BY: Beth Flansbaum-Talabisco  
Mayor Beth Flansbaum-Talabisco

ATTEST:

BY: Marion Swenson  
Marion Swenson, City Clerk

APPROVED AS TO FORM:

Julie Klahn  
CITY ATTORNEY

As to Firm:

GOREN, CHEROF, DOODY & EZROL, P.A.

BY: Samuel S. Goren  
Samuel S. Goren

Dated: 9/11/08

SSG:mp

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