

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2094.10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING FEE AGREEMENT WITH TOWN ATTORNEY IN CONNECTION WITH THE CASE STYLED TOWN OF GOLDEN BEACH V. RLI INSURANCE COMPANY, AND WILIAMS, HATFIELD & STONER, INC., CASE NO. 04 02417 CA 10; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach (the "Town") is a party to that certain litigation styled *Town Of Golden Beach v. RLI Insurance Company, And Williams, Hatfield & Stoner, Inc.*, Case No. 04 02417 CA 10; and

WHEREAS, the Town Council believes that it is in the best interest of the Town to proceed with the litigation on the basis of a contingent legal fee in lieu of hourly charges; and

WHEREAS, the Town Attorney fully concurs and has proposed a reasonable fee which will allow for the feasible continued prosecution of the case; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. Contingent Fee Approved. The Town Council hereby approves the contingent fee of 25% of the Town's recovery whether by settlement or award of final judgment. No further hourly legal fees shall be due after February 12, 2010. Only costs shall be billed to the Town for the case.

Section 3. Implementation. That the Mayor is authorized to execute any and

all agreements to memorialize this fee agreement.

Section 4. Effective Date. That this Resolution shall be effective immediately upon adoption.

Sponsored by the Town Administration.

The Motion to adopt the foregoing Resolution was offered by Vice Mayor Einstein, seconded by Councilmember Bernstein and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Bernard Einstein	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>N/A</u>
Councilmember Amy Rojas	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 26th day of May, 2010.




MAYOR GLENN SINGER

ATTEST:



LISETTE PEREZ
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY