

TAB 4



City of Palmetto Agenda Item

Meeting Date

5/3/10

Presenter: Jim Freeman

Department: City Clerk

Title: Legal expenses regarding labor and general employment issues for Bryant Miller Olive

PROBLEM: Commission approval is required to process payment for legal expenses.

BACKGROUND: The City has utilized the Law Firm of Bryant Miller Olive for various legal issues dating back to Fiscal Year 2009. The City budgeted \$22,000 for special litigation services. On August 13, 2009 Bryant Miller Olive generated invoice 44123 for \$7,750, however the City requested clarification on several issues which caused the invoice to go unpaid. More specifically, the City needed further detail to identify expenditures that were related to the CRA versus those expenditures that were for other matters. Upon further consultation, staff is now comfortable in paying the invoice. Staff has located excess budget in the Attorney Fee Contracted Services Budget (001 514 3106) which will be moved via transfer to the Litigation Budget (001 514 3107). The annual budget for legal contract services is \$212,004. The CRA is responsible for approximately \$20,000 of the \$212,004 and has budgeted for this expense. The City budgeted for the full \$212,004 in error rather than the \$212,004 minus the \$20,000 from CRA. This has created a surplus in the City attorney budget and dollars are available. Staff is proposing to transfer \$12,000 from the general Legal budget to the special litigation services legal budget to cover the above mentioned legal expense for Bryant Miller and Olive. Additionally, this transfer will fund the payment of Bryant Miller Olive invoice 45160 dated February 15, 2010 in the amount of \$185.50.

Budgeted Amount: \$22,000.00 **Budget Page No(s):** **Available Amount:** \$2,378.00 **Expenditure Amount:** \$7,935.50

Additional Budgetary Information: Transfer of \$12,432 from 001 514 3106 to 001 514 3107

Funding Source(s): Excess Budget, Attorney Fee **Sufficient Funds Available:** Yes No **Budget Amendment Required:** Yes No **Source:**

City Attorney Reviewed: Yes No N/A **Advisory Board Recommendation:** For Against N/A **Consistent With:** Yes No N/A

Potential Motion/Direction Requested: Approve legal expense

Staff Contact: Matt Misco Finance

Attachments: