

RESOLUTION NO. 17-105

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND APPROVING THE ENGAGEMENT OF THE WILLIAMS LAW GROUP, P.A. FOR LEGAL SERVICES IN OBTAINING A CLARIFICATION OF THE FHWA'S POSITION REGARDING THE CITY'S ABILITY TO REINSTITUTE THE TOLL ON THE TREASURE ISLAND CAUSEWAY; APPROVING A BUDGET AMENDMENT FOR SUCH LEGAL SERVICES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City hired the Williams Law Group, P.A. for a legal opinion on the City's ability to reinstitute tolling on the Treasure Island Causeway; and

WHEREAS, the legal opinion stated that if the City's intent was to implement a toll on the Treasure Island Causeway, then the City must provide the information to the Federal Highway Administration (FHWA) for a determination of whether tolling was appropriate under Section 29 of Title 23 of the United States Code; and

WHEREAS, the City sent an e-mail on April 27, 2017 to the FHWA to inquire as such; and

WHEREAS, the City received a response from FHWA on August 18th that did not clearly state whether the City was able to reinstitute tolls under Section 29 of Title 23 of the United States Code; and

WHEREAS, the City directed staff to obtain another proposal from the Williams Law Group P.A. for legal services required to further pursue and clarify FHWA's position regarding the City's ability to toll the Treasure Island Causeway; and

WHEREAS, Williams Law Group, P.A. has provided a proposal for such legal services; and

WHEREAS, a budget amendment is necessary to appropriate \$65,100 from the General Fund Bridge Replacement and Renewal designated fund balance to account 001-5411-31200; and

WHEREAS, the City of Treasure Island Commission, after due consideration, has determined that further research and communication through the Williams Law Group, P.A. with FHWA is in the best interest of the City of Treasure Island.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND DOES RESOLVE THAT:

Section 1. The City Commission approves engaging the Williams Law Group, P.A. for the legal services involved obtaining clarification from the Federal Highway Administration regarding the City's ability to reinstitute tolls on the Treasure Island Causeway.

Section 2. The City Commission approves a budget amendment appropriating \$65,100 from the General Fund Bridge Replacement and Renewal designated fund balance is required.

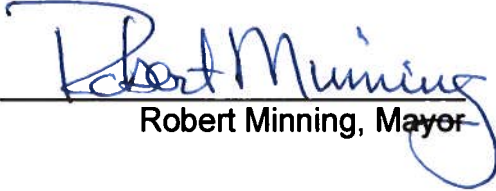
Section 3. This Resolution is effective immediately upon adoption.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 3rd day of October, 2017 by Commissioner Lunn who moved its adoption; was seconded by Commissioner Toth and upon roll call, the vote was:


YEAS: Commissioners Lunn, Keys, Toth, and Mayor Minning

NAYS: Commissioner Kennedy

ABSENT OR ABSTAINING: None


Robert Minning, Mayor

ATTEST:


Tiffany Makras, City Clerk



WILLIAMS LAW GROUP, P.A.

September 28, 2017

Honorable Robert Minning, Mayor
City of Treasure Island
120 108th Avenue,
City of Treasure Island, Florida 33706

Dear Mayor Minning:

This letter shall serve as the engagement letter between the City of Treasure Island (City) and the Williams Law Group, P.A. (WLG). This engagement letter employs the WLG to provide legal services regarding seeking the Federal Highway Administration's (FHWA) approval of the City's request to place a toll on the Causeway Boulevard.

The Firm shall provide monthly updates to your City Attorney as to the progress of the Firm in this matter. Should the City desire more frequent updates, the Firm shall provide them as requested. The City shall, through its City Attorney authorize the Firm to proceed through the stages outline in the attached budget. Upon execution of this agreement, the Firm is authorized to begin the first phrase of the outlined budget.

The City shall have the authority to terminate this agreement at any time for no reason. Upon said termination, the City shall pay all outstanding invoices and said services under this agreement will be terminated.

The City agrees to pay WLG, for services rendered at the hourly rates listed below for any hourly billings and to reimburse WLG for all out-of-pocket costs and charges incurred in relation to this matter. These charges include, but are not limited to; long distance charges, photocopy charges, facsimile transfer charges, travel, postage, and other miscellaneous costs and charges. The City of Treasure Island will provide prior written approval for any travel or meal expenses incurred by WLG under this engagement.

September 28, 2017

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The following hourly rates apply:

\$350.00 Partners and Senior Associates
\$200.00 Junior Associates
\$100.00 Paralegals

All payments based upon hourly billing are due in our offices in Tallahassee within 30 days after receipt of invoice.

Payments should be sent to:

Williams Law Group
P. O. Box 10109
Tallahassee Florida 32302

You understand that the Firm reserves the right to terminate its services should the appropriate fee payments not be received when due.

By signing this document, the party signing for the City states that he has the authority from the City to enter into this agreement.

The parties agree that if any additional services are needed, the request shall be made in writing. Absent an additional agreement(s) in writing, this agreement is the complete agreement between the parties.

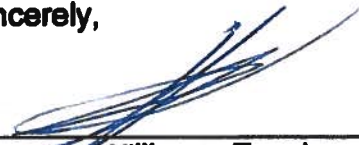
We appreciate your decision to retain our firm as counsel in this matter and we will keep you fully informed of the progress and status of the above issues.

Please sign and date this letter signifying your agreement to these terms.

September 28, 2017
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Thank you for this opportunity to work with you.

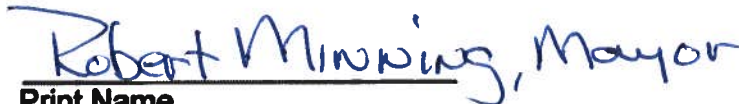
Sincerely,



Thornton Williams, Esquire
For the Firm



Signature
City of Treasure Island



Print Name

Date: 10/3/17



WILLIAMS LAW GROUP, P.A.

City of Treasure Island Budget Proposal

September 14, 2017

<u>Task</u>	<u>Hours</u>
Research issues associated with e-mail from FHWA.....	60
Prepare with paper in response to FHWA e-mail..... (This may not be needed, if no research is found)	60
Set up meeting; travel to and attend meeting with FHWA.....	36
Miscellaneous response due to meeting with FHWA.....	30
Total hours.....	186 hours

186 hours x \$350.00 = \$65,100.00 dollars.* **

* This is a rough estimate. I normally build in a 20% contingency. In this case, because there are so many unknowns, the number may actually be lower once I get started, if this is approved.

** This budget does not include the travel cost