

RESOLUTION NO. 2010- 1943

A RESOLUTION OF THE TOWN COMMISSION FOR THE TOWN OF SURFSIDE, FLORIDA, APPROVING A RETAINER AGREEMENT WITH LEWIS STROUD & DEUTSCH TO REPRESENT THE TOWN OF SURFSIDE IN CONNECTION WITH BANKES V. SURFSIDE MATTERS AND ANY OTHER RELATED LITIGATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Surfside, Florida ("TOWN") must defend two current cases captioned Elizabeth Bankes v. Town of Surfside Case No. 10-24860 CA22 and a Petition for Writ of Certiorari Elizabeth Bankes v. Town of Surfside Appellate Division Case No. 10-181 AP as well as deal with all issues relating to the challenge to a site plan approval adopted on March 9, 2010 for a property located at 9200 Collins Avenue and/or litigation arising out of the Commission's decision on the re-adoption of the 2008 Zoning Code.

WHEREAS, after a search by the Town Attorney of qualified counsel to defend these lawsuits including experience, reputation, and hourly rates, and upon recommendation by the Town Attorney, the Town Commission believes that it is in the best interest of the Town to enter into a retainer agreement with Lewis Stroud & Deutsch, P.L.;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above and foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Authorization. The Town Commission hereby authorizes the execution of a retainer agreement with Lewis Stroud & Deutsch P.L. attached hereto as Exhibit "A" and authorizes the Town Attorney and Town Manager to do all things necessary to effectuate this Agreement.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 13th day of July, 2010.

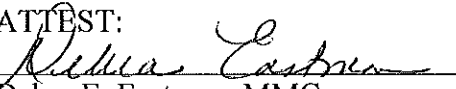
Motion by Commissioner Kopelman, second by Commissioner Karukin.

FINAL VOTE ON ADOPTION

Commissioner Michael Karukin	yes
Commissioner Edward Kopelman	yes
Commissioner Marta Olchyk	no
Vice Mayor Joseph Graubart	no
Mayor Daniel Dietch	yes

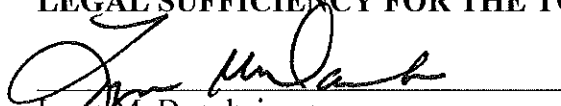


Daniel Dietch, Mayor

ATTEST:


Debra E. Eastman, MMC
Town Clerk

**APPROVED AND TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Lynn M. Dannheisser
Town Attorney