

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

RESOLUTION NO. 2021-55

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, APPROVING AN AMENDMENT TO THE LEGAL SERVICES LETTER AGREEMENT WITH NABORS, GIBLIN & NICKERSON, P.A., TO PROVIDE FOR ADDITIONAL COMPENSATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 1, 2020, the Village Commission of the Village of Biscayne Park (“Village”) appointed the law firm of Nabors, Giblin & Nickerson, P.A. (the “Firm”), to serve as the Village Attorney; and

WHEREAS, the original letter agreement for professional legal services between the Firm and the Village provided that the annual compensation for all general representation of the Village was in the amount of Seventy-Five Thousand Dollars (\$75,000.00); and

WHEREAS, the Village now wishes to amend the letter agreement with the Firm to provide that the annual compensation to the Firm for all general representation shall be Eighty-Two Thousand Five Hundred Dollars (\$82,500.00) per year; and

WHEREAS, with the exception of amending the compensation, all terms and conditions of the original letter agreement between the Village and the Firm, dated September 3, 2020, shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:

Section 1. Recitals. The above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the Village Commission.

Section 2. Approving Amendment to Letter Agreement. The Village Commission of the Village of Biscayne Park hereby approve the amendment to the letter agreement between the Village and the Firm, amending the compensation to Eighty-Two Thousand Five Hundred Dollars (\$82,500.00) per year, attached hereto as Attachment “A”, and incorporated herein by reference. Except as specifically modified therein, all other terms and conditions of the original letter agreement between the Village and the Firm, dated September 3, 2020, shall remain in full force and effect.

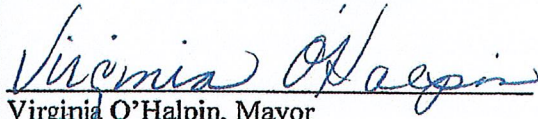
Section 3. Authorization of the Village Manager. The Village Manager is hereby authorized to execute the amendment to the letter agreement, attached hereto as Attachment “A”, and expend the budgeted funds on behalf of the Village.

Section 4. Severability. If any section, sentence, clause or phrase herein is held to be invalid by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

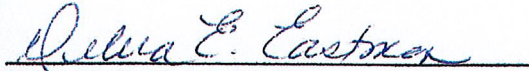
1
2 **PASSED AND ADOPTED** this 2nd of November, 2021.
3

4 The foregoing Resolution was offered to Commission who moved unanimously for its adoption.
5
6
7

8 VILLAGE OF BISCAZYNE PARK
9

10 
11 _____
12 Virginia O'Halpin, Mayor
13

14 ATTEST:

15
16 
17 _____

18 Debra E. Eastman, MMC
19 Interim Village Clerk
20

21
22 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
23 USE AND RELIANCE OF THE VILLAGE OF BISCAZYNE PARK ONLY:
24

25 
26 _____

27 Edward A. Dion, Village Attorney
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

PLANTATION
8201 Peters Road
Suite 1000
Plantation, Florida 33324
(954) 315-0268 Tel

Nabors
Giblin &
Nickerson P.A.
ATTORNEYS AT LAW

TAMPA
2502 Rocky Point Drive
Suite 1060
Tampa, Florida 33607
(813) 281-2222 Tel
(813) 281-0129 Fax

TALLAHASSEE
1500 Mahan Drive
Suite 1500
Tallahassee, Florida 32308
(850) 224-4070 Tel
(850) 224-4073 Fax

October 4, 2021

Mario Diaz
Village Manager
Village of Biscayne Park
600 NE 114th Street
Biscayne Park, FL 33161

Re: Amending Compensation for Professional Legal Services – Village Attorney

Dear Mr. Diaz:

This correspondence shall serve as confirmation that the annual retainer payable to Nabors, Giblin & Nickerson, P.A. (the "Firm") for all general representation of the Village as set forth in the letter agreement between the Village and the Firm dated September 3, 2020, shall be increased to \$82,500.00 per year and will be billed monthly at the rate of \$6,875.00.

Subject to the approval of the Village Commission, the effective date for the aforementioned amended compensation shall be retroactive to October 1, 2021. Except as specifically modified herein, all terms and conditions of the original letter agreement between the Village and the Firm, dated September 3, 2020, shall remain in full force and effect.

Sincerely,


Edward A. Dion

ACCEPTANCE BY THE
VILLAGE OF BISCAZYNE PARK:



Mario Diaz, Village Manager