TOWN OF LOXAHATCHEE GROVES
RESOLUTION NO. 2023-52

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AUTHORIZING AN AMENDMENT TO AGREEMENT WITH TORCIVIA, DONLON, GODDEAU AND RUBIN, P.A. FOR TOWN ATTORNEY LEGAL SERVICES AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Loxahatchee Groves ("Town") entered into an Agreement for Town Attorney Legal Services with the firm of Torcivia, Donlon, Goddeau and Ansay, P.A., now Torcivia, Donlon, Goddeau and Rubin, P.A. ("Firm") on September 5, 2019 ("Agreement"); and

WHEREAS, the Firm has requested the Agreement be amended to reflect the change in the Firm's name and to increase the hourly fee; and

WHEREAS, pursuant to Section 2-133(b)(1) of the Town's Code, contracts for legal services are exempt from purchasing by the sealed competitive method or by obtaining a written quote.

WHEREAS, the Town has determined to continue to have the Firm provide Town Attorney legal services to the Town serves a public purpose.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted as if fully set forth herein.

Section 2. The Town Council of the Town of Loxahatchee Groves, Florida hereby approves the First Amendment to Agreement for Town Attorney Legal Services with Torcivia, Donlon, Goddeau and Rubin, P.A.

Section 3. This Resolution shall take effect immediately upon adoption.

Councilmember _Shorr_ offered the foregoing resolution. Councilmember _Herzog_ seconded the motion, and upon being put to a vote, the vote was as follows:

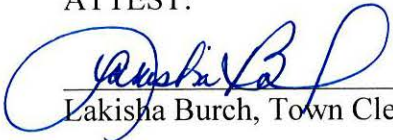|	Aye	Nay	Absent
Laura Danowski, MAYOR	☑	☐	☐
Robert Shorr, VICE MAYOR	☑	☐	☐
Margaret Herzog, COUNCILMEMBER	☑	☐	☐

Marianne Miles, COUNCILMEMBER ☑ ☐ ☐
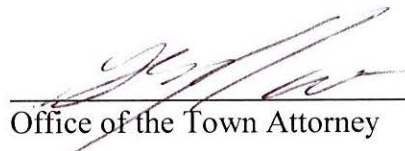
Phillis Maniglia, COUNCILMEMBER ☑ ☐ ☐

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THIS 1st DAY OF *August* **, 2023.**

ATTEST:

_____
Lakisha Burch, Town Clerk

APPROVED AS TO LEGAL FORM:

_____
Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES FLORIDA

_____
Mayor Laura Danowski

_____
Vice Mayor Robert Shorr

_____
Councilmember Margaret Herzog

_____
Councilmember Marianne Miles

_____
Councilmember Phillis Maniglia

FIRST AMENDMENT TO AGREEMENT FOR TOWN ATTORNEY LEGAL SERVICES BETWEEN THE TOWN OF LOXAHATCHEE GROVES AND TORCIVIA, DONLON, GODDEAU & RUBIN, P.A.

This first amendment to agreement is made and entered into this 1st day of August 2023, by and between the TOWN OF LOXAHATCHEE GROVES ("TOWN") and TORCIVIA, DONLON, GODDEAU & RUBIN, P.A.

WHEREAS, on September 5, 2019, the parties entered into the attached Legal Services Agreement with Torcivia, Donlon, Goddeau & Ansay, P.A. ("the Firm"); and

WHEREAS, the Firm's name has changed to recognize partner Leonard Rubin to Torcivia, Donlon, Goddeau & Rubin, P.A. and

WHEREAS, the Firm's rate has remained at $205 per hour since September 5, 2019; and

WHEREAS, the parties agree that the Legal Services Agreement should be amended to increase the hourly fee and reflect the Firm's name change;

NOW THEREFORE, the parties intending to be legally bound, for good and valuable consideration, the sufficiency of which is hereby acknowledged, do hereby agree as follows:

1. The Legal Services Agreement is amended to reflect the Firm's name "Torcivia, Donlon, Goddeau & Rubin, P.A."; and

2. Section 4a of the Legal Services Agreement is amended to reflect an hourly rate of $235.00 per hour for services performed by the Firm's attorneys, effective October 1, 2023. Said fee shall be increased by three percent (3%) each October 1st, commencing October 1, 2024.

2. In all other respects, the provisions of the Legal Services Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this First Amendment to the Legal Services Agreement to be executed by their duly authorized officials.

Signed in the presence of:

TOWN OF LOXAHATCHEE GROVES

By: _____
Laura Danowski, Mayor

ATTEST:

_____
Lakisha Q. Butch, Town Clerk

Approved as to form and legal sufficiency:

_____
Town Attorney

TORCIVIA, DONLON, GODDEAU & RUBIN, P.A.

By: _____
Glen J. Torcivia, Esq.