

Special Session

Agenda Item #	4
Meeting Date	July 6, 2015
Prepared By	Susan Silber City Attorney
Approved By	Suzanne R. Ludlow City Manager

Discussion Item	Single-reading Ordinance to select the law firm of Bregman, Berbert, Schwartz & Gilday, LLC to represent the City of Takoma Park for the Takoma Junction Redevelopment Project and other development projects as needed, and authorizing the City Manager to negotiate and enter into a retainer agreement with the law firm.
Background	<p>The City issued a Request for Proposals for redevelopment of the City-owned parcel in Takoma Junction. The Council selected the proposal submitted by the Neighborhood Development Company, LLC (“NDC”). City of Takoma Park Resolution 2015-19, adopted April 13, 2015, provides background on the selection of NDC.</p> <p>Recently, the City solicited proposals for a development attorney to represent the City in all phases of the redevelopment. After reviewing the proposals, the City Council met with candidates on June 25, 2015 and selected Douglas Bregman, Esq., and team members Françoise M. Carrier, Timothy P. Schwartz, and Grace Burnside, of the law firm of Bregman, Berbert, Schwartz & Gilday, LLC to represent the City in the Takoma Junction Redevelopment Project and to advise the City on other development matters which may arise. The firm’s hourly rate for all attorneys who do work for the City will be \$295 per hour.</p> <p>This Ordinance authorizes the City Manager to negotiate an agreement with the law firm of Bregman, Berbert, Schwartz & Gilday, LLC, and to sign such agreement on behalf of the City of Takoma Park so that the firm can represent the City.</p> <p>The City Charter, Section 902, authorizes the City Council to employ such legal counsel or consultants as it deems necessary from time to time.</p>
Fiscal Impact	The law firm of Bregman, Berbert, Schwartz & Gilday, LLC will charge the City an hourly rate of \$295 per hour for all work conducted by the firm’s attorneys.
Attachments	Ordinance
Recommendation	Consider the attached Ordinance
Special Consideration	

Introduced by:

Single Reading:

Effective Date:

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2015-

SELECTING THE LAW FIRM OF BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC FOR THE TAKOMA JUNCTION REDEVELOPMENT PROJECT AND AUTHORIZING THE CITY MANAGER TO RETAIN THE LAW FIRM

WHEREAS, in accordance with Section 902 of the City of Takoma Park Charter, which states that the Council shall have the power to employ such legal counsel or consultants as it deems necessary from time to time; and

WHEREAS, the City of Takoma Park requires special legal counsel for the Takoma Junction Redevelopment Project and other development issues as they arise; and

WHEREAS, the City of Takoma Park solicited and received proposals from such development attorneys interested in being retained by the City of Takoma Park; and

WHEREAS, the City Council reviewed said proposals and interviewed prospective attorneys on June 25, 2015; and

WHEREAS, the City Council selected Douglas Bregman, Esq., and team members Françoise M. Carrier, Timothy P. Schwartz, and Grace Burnside, of the law firm of Bregman, Berbert, Schwartz & Gilday, LLC to represent the City of Takoma Park in the Takoma Junction Redevelopment Project; and

WHEREAS, the law firm of Bregman, Berbert, Schwartz & Gilday, LLC will charge the City of Takoma Park an hourly rate of \$295 per hour for all work completed by the firm's attorneys; and

WHEREAS, the details of a representation agreement are to be finalized between Douglas Bregman and the City Manager; and

WHEREAS, the City Manager represents the City of Takoma Park and the City Council in developing an attorney-client relationship with the law firm of Bregman, Berbert, Schwartz & Gilday, LLC.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. Douglas Bregman, Esq., and his team of the law firm of Bregman, Berbert, Schwartz & Gilday, LLC is hereby selected as the City's attorneys for the Takoma Junction Redevelopment Project.

SECTION 2. The City Manager shall and hereby does have authority to negotiate a representation agreement with the law firm of Bregman, Berbert, Schwartz & Gilday, LLC, and sign such agreement on behalf of the City of Takoma Park.

SECTION 3. This Ordinance shall be effective immediately.

ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS _____ DAY OF JULY, 2015, BY ROLL-CALL VOTE AS FOLLOWS:

AYE:

NAY:

ABSENT:

ABSTAIN: