

Regular Meeting

Agenda Item #	2
Meeting Date	March 16, 2016
Prepared By	Linda S. Perlman Assistant City Attorney
Approved By	Suzanne R. Ludlow City Manager

Discussion Item	Ordinance authorizing the law firm of Bregman, Berbert, Schwartz & Gilday, LLC to perform additional legal services for the Takoma Junction Redevelopment Project.
Background	<p>The City of Takoma Park solicited proposals for a development attorney to represent the City in all phases of the redevelopment of the City-owned property at Takoma Junction. Based on the responses to the City's request for proposals, the Council, on July 6, 2015, selected the law firm of Bregman, Berbert, Schwartz & Gilday, LLC, to represent the City in the Takoma Junction Redevelopment Project and authorized the sum of \$30,000 for the development attorney's services under the retainer agreement with the City.</p> <p>The \$30,000 cap on the development attorneys' fees, per Ordinance No. 2015-30, has been reached. The Council, by this Ordinance, is allocating an additional \$50,000 to pay for the legal services of Bregman, Berbert, Schwartz & Gilday, LLC. This additional allocation of funds is designed to cover the remainder of the legal work required to complete a Development Agreement (up to \$30,000) and Ground Lease (up to \$20,000) between the City of Takoma Park and the developer, Neighborhood Development Company, LLC, for the redevelopment of the City-owned property at Takoma Junction.</p>
Fiscal Impact	This Ordinance authorizes a City expenditure of \$50,000 for legal services from the law firm of Bregman, Berbert, Schwartz & Gilday, LLC. The law firm's hourly rate is \$295 per hour for all work on the Takoma Junction Redevelopment Project.
Attachments	Ordinance
Recommendation	Consider the attached Ordinance.
Special Consideration	

Introduced by:

First Reading:
Second Reading:
Effective Date:

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2016-__

AUTHORIZING THE LAW FIRM OF BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC TO PERFORM ADDITIONAL LEGAL SERVICES FOR THE TAKOMA JUNCTION REDEVELOPMENT PROJECT

WHEREAS, the City of Takoma Park requires legal counsel specialized in development and land use matters to represent the City in the Takoma Junction Redevelopment Project; and

WHEREAS, the City of Takoma Park solicited and reviewed proposals from development attorneys for legal services for the Takoma Junction Redevelopment Project; and

WHEREAS, after reviewing the proposals and interviewing prospective attorneys, the Council chose the law firm of Bregman, Berbert, Schwartz & Gilday, LLC to represent the City in the Takoma Junction Redevelopment Project for an hourly rate of \$295 per hour for all work completed by the law firm's attorneys; and

WHEREAS, by Ordinance No. 2015-30 adopted on July 6, 2015, the Council selected the law firm of Bregman, Berbert, Schwartz & Gilday, LLC as the City's attorneys for the Takoma Junction Redevelopment Project and authorized an expenditure of up to \$30,000.00 for the law firm's services; and

WHEREAS, this initial expenditure for legal services for the Takoma Junction Redevelopment Project has been spent and the Council now desires to approve additional funds, in the amount of up to \$50,000.00, to be paid to the law firm of Bregman, Berbert, Schwartz & Gilday, LLC for legal services related to the Takoma Junction Redevelopment Project.

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

SECTION 1. The Council hereby authorizes up to \$50,000.00 to be paid to the law firm of Bregman, Berbert, Schwartz & Gilday, LLC, at an hourly rate of \$295 for all attorneys, for additional legal services for the Takoma Junction Redevelopment Project; specifically, up to \$30,000 to complete a Development Agreement between the City and the developer, Neighborhood Development Company, L.L.C., and up to \$20,000 for a Ground Lease with the Developer for the City-owned property at Takoma Junction.

SECTION 2. The City Manager shall negotiate and execute, on behalf of the City of Takoma Park, a Retainer Agreement with the law firm of Bregman, Berbert, Schwartz & Gilday,

LLC authorizing the law firm to provide up to an additional \$50,000.00 of legal services to the City for the Takoma Junction Redevelopment Project.

SECTION 3. This Ordinance shall be effective immediately.

**ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND,
THIS ____ DAY OF _____, 2016, BY ROLL-CALL VOTE AS FOLLOWS:**

AYE:

NAY:

ABSENT:

ABSTAIN: