

RESOLUTION No. 19-159

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO RETAIN THE GOLDSTEIN ENVIRONMENTAL LAW FIRM FOR THE PROVISION OF SPECIAL ENVIRONMENTAL COUNSEL SERVICES AND SPECIALIZED LEGAL ADVISORY SERVICES FOR THE CITY OF DORAL; TO ASSIST THE CITY ATTORNEY WITH THE ADMINISTRATIVE PETITION CHALLENGING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S NOTICE OF INTENT TO APPROVE THE SUBSTANTIAL PERMIT APPLICATION FOR THE MEDLEY LANDFILL; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral seeks Special Counsel services for the administrative petition to the Department of Environmental Protection to appeal a pending permit modification for the Medley Landfill; and

WHEREAS, it is in the interest of the City to retain the Goldstein Environmental Law Firm, to provide said Special Counsel Services and act as the Legal Advisor for the City Attorney's Office under the terms and conditions presented herein as Exhibit "A".

WHEREAS, the City Attorney's Office will have direct contact with the Special Counsel to handle confidential legal matters. Funding for this service can be found in account #001.30005.500312.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. The City of Doral hereby authorizes the City Attorney to retain with The Goldstein Environmental Law Firm, for the provision of Special Counsel services for the City of Doral and for the provision of Legal Advisory services under the terms and conditions as presented herein as Exhibit "A".

Section 2. This Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Vice Mayor Mariaca who moved its adoption. The motion was seconded by Councilmember Cabral and upon being put to a vote, the vote was as follows:


Mayor Juan Carlos Bermudez	Yes
Vice Mayor Claudia Mariaca	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes

PASSED AND ADOPTED this 13 day of August, 2019.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

Exhibit A

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.
Brownfields, Transactions, Due Diligence, Development, Permitting, Cleanups & Compliance

2100 Ponce de Leon Boulevard, Suite 710
Coral Gables, Florida 33134
Telephone: (305) 777-1680
www.goldsteinenvlaw.com

Michael R. Goldstein, Esq.
Direct Dial: (305) 777-1682
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August 2, 2019

Via Email Only

Luis Figueredo, Esq., City Attorney
City of Doral
8401 N.W. 53rd Terrace
Doral, FL 33166

Re: Proposal to Provide Environmental Legal and Consulting Services

Dear Mr. Figueredo:

Pursuant to your request, The Goldstein Environmental Law Firm, P.A. (the “Firm”), is pleased to provide the City of Doral (“Client”) with this engagement letter to prepare an administrative petition under § 120.57, Florida Statutes, to appeal a pending permit modification for the Medley Landfill that allows for a vertical expansion from 265 feet NGVD to 340 feet NGVD (the “Expansion Permit”). The permittee is Waste Management, Inc. of Florida (“WMIF”). This letter confirms our understanding of the scope of work that Client would like the “Firm to perform on its behalf as well as the terms of our engagement. If this summary meets with your expectations, we ask that you bind Client to its terms by executing the acknowledgment below and returning it to us with a check for the retainer payment as set forth below.

I. Scope of Work

The following tasks constitute the services for this engagement:

- Review and conduct legal analysis of all environmental documentation for the Expansion Permit (i) provided by the Client and (ii) maintained in online regulatory databases, including but not limited to those maintained by the Florida Department of Environmental Protection and the Miami-Dade County Regulatory and Economic Resources Department.

- Procure and manage one or more environmental consultants experienced with landfill design, permitting, construction, and operations, groundwater chemistry, air emissions, and toxicology.
- Draft and file an administrative petition under § 120.57, Florida Statutes, to appeal the Expansion Permit.
- Assist Client in Expansion Permit settlement negotiations with WMIF.
- Prepare briefing materials for the City Attorney to be utilized in connection with (i) confidential communications with City management and elected officials and (ii) risk communication and public outreach for Doral residents, homeowner associations, and business stakeholders.
- Any other matters related to the Expansion Permit requested by Client and confirmed in writing.

II. Fees and Costs

This engagement is being billed an hourly basis pursuant to the following schedule:

Michael R. Goldstein: \$575.00 per hour

Lisa Duchene, Esq.: \$575.00 per hour

Mary Stewart, Esq.: \$575.00 per hour

Brett Brumund: \$300.00 per hour

Firm Non-Attorney Professionals: \$150.00 per hour

In addition to agreeing to these hourly rates, Client agrees to be responsible for any and all costs incurred by the Firm on Client's behalf, including but not limited to third-party environmental consultants, expert witnesses, court reporters, filing fees, overnight mail, travel and lodging, delivery by courier, and third-party copying, if any; provided, however that any of the foregoing costs that are reasonably expected to exceed \$100.00 shall not be incurred on Client's behalf without first obtaining Client's written consent. Notwithstanding the foregoing, Client will not be charged for any routine copying performed at the Firm's offices, the placement of any long-distance phone calls by the Firm, or any Firm transmittals via U.S. Mail or by facsimile.

Based on the Firm's existing relationship with Client, no retainer is required to begin work under this engagement. Services are invoiced monthly. Each invoice will contain detailed narratives to document services rendered and costs incurred. Invoices are due upon receipt and must be paid no later than 15 business days after presentation in order to avoid an interest charge of 1.5% per

month. The Firm reserves the right to suspend or terminate its performance under this engagement letter or any other Client related matter if any payment remains outstanding for more than 30 calendar days.

III. Other Matters

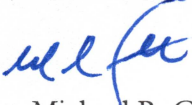
Upon completion of the matter to which this representation applies, or upon earlier termination of the Firm's our engagement, the attorney-client relationship will end unless Client and the Firm have expressly agreed to a continuation with respect to other matters. This representation is terminable at will by either party; however, such termination will not void Client's obligation to pay fees and expenses previously incurred. The prevailing party in any litigation that may arise out of this engagement shall be entitled to attorney's fees. Venue shall be in any competent court of jurisdiction in Miami-Dade County, Florida.

IV. Commencement of Work

In order to commence work on behalf of Client, we ask that you sign and return the acknowledgement below. Thank you for the opportunity to be of service. We are very grateful.

Very truly yours,

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.



Michael R. Goldstein
/mrg

Acknowledgment and Agreement

On behalf of the **City of Doral**, I hereby acknowledge that I have read and understand the terms of the Firm's engagement and accept representation by the Firm in connection with the Scope of Work as described above pursuant to said terms.

By: _____ Title: _____

Name: _____ Date: _____