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CITY OF WESTLAKE

RESOLUTION NO. 2023-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIAL TO EXECUTE THE SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF WESTLAKE AND GOREN, CHEROF, DOODY & EZROL, P.A.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council deems it to be in the best interests of the City to approve and authorize the proper City Official to execute the Second Amendment to Professional Services Agreement between the City of Westlake and Goren, Cherof, Doody & Ezrol, P.A.;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA:**

**SECTION 1.** The foregoing "WHEREAS" clause is hereby ratified and confirmed by the City Council and incorporated herein by this reference.

**SECTION 2.** The City Council of the City of Westlake, Florida, hereby approves and authorizes the proper City Official to execute the Second Amendment to Professional Services Agreement between the City of Westlake and Goren, Cherof, Doody & Ezrol, P.A.. A copy of the Second Amendment is attached hereto as Exhibit "A".

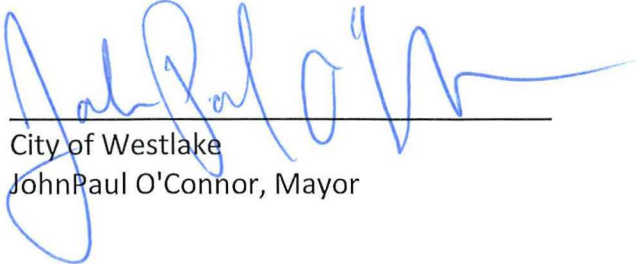
**SECTION 3. CONFLICTS.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4. SEVERABILITY.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

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**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

**PASSED AND APPROVED** by City Council for the City of Westlake, on this 1<sup>st</sup> day of August 2023.



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City of Westlake  
JohnPaul O'Connor, Mayor



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Zoie Burgess, CMC, City Clerk

**SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT**

**THIS SECOND AMENDMENT** ("Second Amendment") dated the 1<sup>st</sup> day of August 2023, is intended to further amend the Professional Services Agreement for Interim Legal Services ("Original Agreement") dated the 16<sup>th</sup> day of April, 2021, and subsequent amendment by and between:

**THE CITY OF WESTLAKE**, a municipal corporation organized and operating pursuant to the laws of the State of Florida, hereinafter referred to as "City",

and

**GOREN, CHEROF, DOODY & EZROL, P.A.**, hereinafter referred to as "City Attorney"

**WHEREAS**, a Professional Services Agreement for Interim Legal Services was signed on April 16, 2021; and

**WHEREAS**, at the City Council Meeting on Monday April 11, 2022, the City named Goren, Cherof, Doody & Ezrol as the Permanent City Attorney; and

**WHEREAS**, the First Amendment to Professional Services Agreement was signed on April 13, 2022; and


**WHEREAS**, the City and the City Attorney desires to amend the Professional Services Agreement for Legal Services dated April 16, 2021 and subsequent amendment to provide for an increase in the City Attorney's hourly rate; and

**NOW THEREFORE**, in consideration of the mutual covenants and promises herein contained, the parties hereby agree as follows:

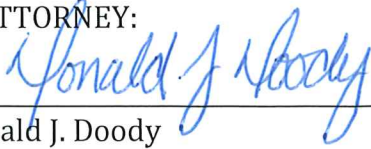
1. The recitations set forth above are hereby incorporated herein.
2. Section 5 of the Agreement dated April 16, 2021 is amended to reflect an increase in the City Attorney's hourly rate from \$250.00 per hour to \$300.00 per hour.
3. The Original Agreement, as amended herein, is ratified and confirmed.
4. All terms and conditions of the Original Agreement not in conflict herewith shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

CITY OF WESTLAKE, FLORIDA:

By:   
Kenneth Cassel  
City Manager

CITY ATTORNEY:

By:   
Donald J. Doody  
Goren, Cherof, Doody & Ezrol, P.A.