

**FIRST AMENDMENT TO THE
INDEPENDENT CONTRACTOR
PROFESSIONAL SERVICES CONTRACT
BETWEEN
THE CITY OF DORAL
AND
LAW OFFICES OF JOHN J. HEARN, P.A.**

This First Amendment to the Independent Contractor Professional Services Contract between the **CITY OF DORAL** ("City") and **JOHN J. HEARN** as a member of the law firm of the **LAW OFFICES OF JOHN J. HEARN, PA** ("Attorney") executed this 7 day of ~~September~~^{OCTOBER}, 2023, is made a part of the original Contract between the parties dated February 13, 2019 (the "Contract"), between the City and Attorney attached hereto as Exhibit "A". The City and Attorney hereby agree as follows:

RECITALS

WHEREAS, on February 13, 2019, the City and the Attorney entered into a Contract providing that the Attorney shall serve provide Special Counsel Services, and act as the Police Legal Advisor to the City's police department ("Services"); and

WHEREAS, the hourly rate set forth in the Contract for the Services was \$200.00 per hour; and

WHEREAS, the Parties now wish to amend the compensation to provide a revised hourly rate of \$280.00 per hour for the Services, retroactive to October 1, 2022.

NOW THEREFORE, in consideration of the promises and the mutual covenants herein, the Parties agree as follows:

1. **EFFECTIVE DATE.** The effective date of this First Amendment shall be retroactive to October 1, 2022.
2. **AMENDING SECTION 3.0.** Section 3.0 is hereby deleted in its entirety, and substituted with the following language:

As full payment and compensation for ATTORNEY's services hereunder, CITY shall pay to ATTORNEY and ATTORNEY agrees to accept from CITY the hourly rate of two hundred eighty and xx/100 dollars (\$280.00), which shall be invoiced on a monthly basis.

3. **OTHER PROVISIONS REMAIN IN EFFECT.** Except as specifically modified herein, all terms and conditions of the original Contract between the parties shall remain in full force and effect.

RESOLUTION No. 23-162

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A FIRST AMENDMENT TO THE INDEPENDENT CONTRACTOR PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF DORAL AND THE LAW OFFICES OF JOHN J. HEARN, P.A.; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on February 13, 2019, pursuant to Resolution No. 19-35, the City of Doral ("City") approved an agreement with the Law Offices of John J. Hearn, P.A. ("Attorney") for Special Counsel services, and to serve as the Police Legal Advisor to the City's police department ("Agreement"); and

WHEREAS, the hourly rate set forth in the Agreement was \$200.00 per hour; and

WHEREAS, according to the Attorney and former City Manager, in October of 2022, an agreement had been reached to increase the Attorney's hourly rate to \$200.00 per hour; and

WHEREAS, the City now wishes to amend the compensation set forth in the Agreement to provide a revised hourly rate of \$280.00 per hour, retroactive to October 1, 2022, and to further revise the Agreement to provide that the Special Counsel services and Police Legal Advisor services shall be provided on an as-needed basis, as determined by the City Attorney; and

WHEREAS, the Mayor and City Council find that approval of the First Amendment to the Agreement is in the best interest of the City.

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

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. Approval. The First Amendment to the Agreement between the City of Doral and the Law Offices of John J. Hearn, PA, attached hereto as Exhibit "A", is hereby approved.

Section 3. Authorization. The City Manager is authorized to execute the First Amendment to the Agreement between the City of Doral and the Law Offices of John J. Hearn, PA, attached hereto as Exhibit "A", on behalf of the City.

Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

Section 5. Effective Date. The Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Puig-Corve who moved its adoption. The motion was seconded by Councilmember Porras and upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Rafael Pineyro	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Maureen Porras	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 13 day of September, 2023.

CHRISTI FRAGA, 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:

VALERIE VICENTE, ESQ. for
NABORS, GIBLIN & NICKERSON, P.A.
CITY ATTORNEY