

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 4

Council Meeting Date: **September 6, 2016**

ITEM TITLE: RESOLUTION

INTRODUCED BY: Mayor Andrew "FoFo" Gilich ✓

CONTACT PERSON: Mayor Andrew "FoFo" Gilich

SUMMARY EXPLANATION:

Resolution accepting appointment of Peter C. Abide (Currie Johnson Law Firm) as City Attorney and Director of the Legal Department.

Resolution Ordinance _____ Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify):

Submittal Authorization: Council President _____ Mayor

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: _____ Second By: _____

Vote:	<u>Councilmember</u>	<u>Yes</u>	<u>No</u>	<u>Other</u>	<u>Councilmember</u>	<u>Yes</u>	<u>No</u>	<u>Other</u>
	Lawrence	___	___	___	Tisdale	___	___	___
	Gines	___	___	___	Glavan	___	___	___
	Newman	___	___	___	Fayard	___	___	___
	Deming	___	___	___				

ACTION TAKEN:

Resolution No.

RESOLUTION ACCEPTING MAYOR'S APPOINTMENT OF
PETER C. ABIDE (CURRIE JOHNSON LAW FIRM) AS CITY ATTORNEY
AND DIRECTOR OF THE LEGAL DEPARTMENT

WHEREAS, as provided in Mississippi Code Annotated Section 21-8-23, and Section 2-1-2 of the Code of Ordinances of the City of Biloxi, the Mayor is authorized to appoint a City Attorney, who shall be the chief legal officer of the City to manage and direct the Legal Department; and

WHEREAS, pursuant to Resolution 251-15, Gerald Blessey, by and through the Gerald Blessey Law Firm, has served as City Attorney and Director of the Legal Department, a position the Gerald Blessey Law Firm has held since May 26, 2015; and

WHEREAS, on August 22, 2016, the Gerald Blessey Law Firm tendered its resignation as City Attorney and Director effective September 30, 2016, thereby creating a vacancy in that position and department as of October 1, 2016; and

WHEREAS, the City may, pursuant to Mississippi Code Annotated Section 21-15-25 and 21-15-27, employ a firm of attorneys to represent the City's interest and serve as City Attorney; and

WHEREAS, the law firm of Currie Johnson & Myers, P.A. ("Currie Johnson Law Firm"), and in particular its managing partner Peter C. Abide, has served as Special Counsel to the City since August 4, 2015, and has provided good and valuable services to the City since that time; and

WHEREAS, Mayor Andrew "FoFo" Gilich has appointed the Currie Johnson Law Firm to be City Attorney and Director of the Legal Department, subject to the approval of the City Council and further subject to the terms of this Resolution; and

WHEREAS, Peter C. Abide, who has resided in Biloxi and practiced law in Biloxi for over 29 years, and who has been previously qualified by the City in Resolution 383-15, will serve as the firm's primary contact for all City matters, and will further have the authority to engage, supervise, and direct those other Special Counsel attorneys and law firms under contract to the City as set forth in previous resolutions of this Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, AS FOLLOWS:

Section 1: The findings, conclusions, and statements of fact contained in the preamble of this Resolution are hereby adopted, ratified and incorporated herein.

Section 2: The appointment of Currie Johnson & Myers, P.A., with Peter C. Abide serving as primary contact, as City Attorney and Director of the Legal Department is hereby confirmed, according to the terms of this Resolution. The Currie Johnson Law Firm is recognized as a qualified and proper law firm to serve as counsel in the capacity as set forth herein, effective October 1, 2016.

Section 3: Neither Peter C. Abide or any member of the Currie Johnson Law Firm shall be considered an employee of the City; however, such classification is not intended to waive any available defenses under Mississippi Code Annotated 11-46-1 et. seq.

Section 4: Legal services and expenses shall be compensated at the rates previously approved for the firm in Resolution 383-15.

Section 5: This resolution shall take effect and be in force from and after passage.