

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RANKING AND APPOINTING TWO (2) SPECIAL MAGISTRATES PURSUANT TO CHAPTER 36 OF THE CITY OF HOLLYWOOD CODE OF ORDINANCES AND AUTHORIZING THE EXECUTION OF THE ATTACHED RETAINER AGREEMENTS BETWEEN THE TWO (2) HIGHEST RANKED SPECIAL MAGISTRATES AND THE CITY OF HOLLYWOOD, FLORIDA FOR AN ESTIMATED ANNUAL EXPENDITURE OF \$10,000.00.

WHEREAS, the Department of Public Works/ Code Enforcement Division desires to appoint two (2) Special Magistrates to serve the City of Hollywood; and

WHEREAS, Chapter 162, Florida Statutes, authorizes a municipality to adopt Special Magistrates to hold hearings and assess fines against violators of the respective municipal codes and ordinances; and

WHEREAS, duties of the Special Magistrates shall include, without limitation, code enforcement hearings, vehicle impoundment hearings, and red light camera hearings; and

WHEREAS, Chapter 36, City of Hollywood Code of Ordinances, authorizes the City Commission to appoint Special Magistrates to hold their positions at the pleasure of the City Commission; and

WHEREAS, Special Magistrates must be members in good standing of the Florida Bar, experienced in administrative law and procedures; and

WHEREAS, on July 24, 2014, RFQ-4563-17-JE was electronically posted on the City's website, advertised and sent to 2471 firms and viewed by 24 vendors on Bidsync.com in accordance with the City's Purchasing ordinance, Section 38.42 (A) (1); and

WHEREAS, RFQ-4563-17-JE was opened at 3:00 p.m., Thursday, September 28, 2017, and resulted in two (2) responses as follows:

- Judith E. Secher, Esq.
Hollywood, Florida
- Thomas J. Ansbro, P. A.
Parkland, Florida

;and

WHEREAS, the responses were evaluated based upon the following criteria: 1) Experience in litigation and quasi-judicial proceedings in the areas of local government land use, property, and municipal code enforcement; 2) Past experience as Special Magistrate, Judge, Magistrate, Mediator, Arbitrator, or Hearing Officer; (3) References to include past and present engagements; 4) Pricing/Rate and reimbursement for travel, per diem expenses, photocopying, telephone, or other incidental expenses or additional work beyond the scope of work and Local Preference; and

WHEREAS, on October 23, 2017, the responses were evaluated by a three (3) member committee comprised of the Code Compliance Supervisor, Code Compliance Manager and the City Attorney's Office Municipal Prosecutor; and

WHEREAS, both responses received were evaluated and the scores were compiled to arrive at the following rankings:

Thomas J. Ansbro, P.A.	272
Judith E. Secher, Esq.	265

; and

WHEREAS, after evaluation of the responses, the Director of Public Works and the Director of Procurement and Contract Compliance recommends that the City Commission authorizes the execution of Retainer Agreement(s) with the two (2) top ranked individuals to serve as Special Magistrates; and

WHEREAS, the Retainer Agreements will be executed for a three (3) year period, with the City's option to renew for two (2) additional one (1) year periods; and

WHEREAS, award is subject to the City's receipt and approval of all insurance certificates required by the City's Risk, and indemnity to the City, along with signed Statement of Hold Harmless and Indemnity in favor of the City; and

WHEREAS, funding for these agreements is available in the FY18 Legal Services Code Enforcement Board Account Number 01.1112.00143.539.003124 and the Contractual Services Account Number 01.1112.00143.539.003117;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the following individuals shall serve as Special Magistrates at the pleasure of the City Commission:

1. Thomas J. Ansbro, P. A.

2. Judith E. Secher, Esq.

Section 2: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached agreement between Thomas J. Ansbro, P.A. and the City of Hollywood together with such non material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 3: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached agreement between Judith E. Secher, Esq. and the City of Hollywood together with such non material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 4: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY