

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING GUNTHER MCINTOSH, PLLC TO EXECUTE A CONSENT AND INDEMNIFICATION AGREEMENT FOR THE APPOINTMENT OF A SUBSTITUTE CUSTODIAN.

WHEREAS, the City Attorney retained the firm of Gunther McIntosh, PLLC ("Gunther") to assist the Department of Parks, Recreation and Cultural Arts with non-responsive boat owners at the City's Marina; and

WHEREAS, on or about August 19, 2020, Gunther, on behalf of the City, initiated action against the M/Y Alliance, a 56' Motor Yacht, USCG Official Number 1202242 and Hull Identification Number NYY56V03J204; and

WHEREAS, Gunther is filing a Motion for Warrant of Arrest requesting that the Court command the United States Marshal to take custody of the vessel pending further Order; and

WHEREAS, the City and National Maritime Services, Inc., the proposed Substitute Custodian, request release of the United States Marshal and the United States Marshal's Service from any and all claims arising during the period of the substitute custodianship.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes Gunther McIntosh, PLLC to execute the attached Consent and Indemnification Agreement, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

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Section 3: That this Resolution shall be in full force and effect as immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2020.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

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

DOUGLAS R. GONZALES
CITY ATTORNEY