



Legislation Details (With Text)

File #: R-2020-220 **Version:** 1 **Name:** Appointment of Substitute Custodian
Type: Resolution **Status:** Passed
File created: 8/26/2020 **In control:** Department of Parks, Recreation & Cultural Arts
On agenda: 9/16/2020 **Final action:** 9/16/2020
Title: 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution_Consent and Indem agreement _DRAFT, 2. Consent and Indemnification Agreement - M-Y Alliance (L4615436xC232B)

Date	Ver.	Action By	Action	Result
9/16/2020	1	Regular City Commission Meeting	adopt	Pass

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.

Communications & Civic Engagement

Staff Recommends: Approval of the Attached Resolution.

Explanation:

The City Attorney Office retained the Firm of Gunther McIntosh, PLLC to assist the Department of Parks, Recreation and Cultural Arts with non-responsive boat owners at the City of Hollywood Marina.

On or about August 19, 2020, Gunther McIntosh, PLLC on behalf of the City initiated action against the M/Y Alliance, a 56' Motor Yacht, USCG Official Number 1202242 and Hull Identification Number NUY56V03J204. Gunther McIntosh, PLLC is filing a Motion for Warrant of Arrest requesting that the Court command the United States Marshal take custody of the vessel pending further Order.

The City and National Maritime Services, Inc., the proposed Substitute Custodian of the vessel, request a release of the United States Marshal and the United States Marshal's Service from any and all liability and responsibility for the care and custody of the vessel

while it is in the care of National Maritime Services, Inc.

Fiscal Impact:

Approval of this Resolution will allow for the removal of the vessel from the marina and thereby allowing for the slip to be rented. Additionally, the Department of Parks, Recreation and Cultural Arts will pursue reimbursement of associated dockage and vessel removal costs from the sale of the vessel.

Recommended for inclusion on the agenda by:

Cory Styron, Director, Parks, Recreation and Cultural Arts

David Vazquez, Assistant Director, Parks, Recreation and Cultural Arts

Gus Zambrano, Assistant City Manager, Sustainable Development