



Legislation Details (With Text)

File #: R-2017-329 **Version:** 1 **Name:** Special Magistrates
Type: Resolution **Status:** Passed
File created: 10/31/2017 **In control:** Department of Public Works
On agenda: 11/15/2017 **Final action:** 11/15/2017
Title: 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ResSpecial Magistrates 2017.pdf, 2. SpecialMag- retainer agreement - Ansbro 2017.pdf, 3. SpecialMag- retainer agreement - Secher 2017.pdf, 4. RFQ-4563-17-JE Code Compliance & Vehicle Impoundment -Special Magistrates.pdf, 5. RFQ-4563-17-JE - Judith E. Secher.pdf, 6. RFQ 4563-17-JE - Submittal Thomas J. Ansbro.pdf, 7. Term Sheet - Special Magistrates.pdf, 8. BIS 18-041.pdf

Date	Ver.	Action By	Action	Result
11/15/2017	1	Regular City Commission Meeting	adopt	Pass

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.

Staff Recommends: The Approval of the Attached Resolution

Explanation:

The Department of Public Works/ Code Enforcement Division desires to appoint two (2) Special Magistrates to serve the City of Hollywood.

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.

Duties of the Special Magistrates shall include, without limitation, code enforcement hearings, vehicle impoundment hearings, and red light camera hearings.

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.

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

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).

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

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.

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.

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

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.

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.

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.

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.

Recommended for inclusion on the agenda by:

Dr. Wazir A. Ishmael, City Manager

Gus Zambrano, ACM, Sustainable Development

George R. Keller, Jr., ACM/Interim Director, Finance & Administration

Sylvia Glazer, Director, Public Works

Paul A. Bassar, Director of Procurement & Contract Compliance