

RESOLUTION NO. 2018-175

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPOINTING TWO (2) SPECIAL MAGISTRATES FOR CITY CODE ENFORCEMENT MATTERS; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE INDEPENDENT CONTACTOR AGREEMENTS WITH RICHARD L. DOODY, ESQ. AND DAVID NATHAN TOLCES, ESQ.; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Chapter 162, "County or Municipal Code Enforcement," provides that municipalities may appoint Special Magistrates as an alternative method of hearing code enforcement matters; and

WHEREAS, the City's Code of Ordinances Section 2-227, "Jurisdiction," provides that the Special Masters or Magistrates of the City shall be selected by the City Commission from a list of candidates recommended by the City Manager; and

WHEREAS, the City Commission desires to appoint two (2) special magistrates, to wit: Richard L. Doody, Esq. and David Nathan Tolces, Esq., to adjudicate code enforcement issues that arise in the City; and

WHEREAS, Richard L. Doody, Esq. and David Nathan Tolces, Esq. have each agreed to the terms and conditions of an independent contractor agreement with the City to deliver the professional services detailed therein, see the attached Exhibit "A," containing the agreement for Richard L. Doody, Esq., and Exhibit "B," containing the agreement for David Nathan Tolces, Esq.; and

WHEREAS, the standard agreement contemplates an initial term of three (3) years with the right to extend under the same terms and conditions for two (2) additional one (1) year periods; and

WHEREAS, the City Commission finds and determines that the appointment of the above-referenced individuals as special magistrates for the City of Coconut Creek is in

the best interest of the residents and visitors of the City.

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

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. Exhibits “A” and “B,” attached hereto, are incorporated herein and made a specific part of this Resolution.

Section 2: That the City Commission has appointed Richard L. Doody, Esq. and David Nathan Tolces, Esq. as City of Coconut Creek Special Magistrates vested with authority as provided in Florida Statutes Chapter 162, “County or Municipal Code Enforcement,” and the City’s Code of Ordinances Sections 2-226 through 2-239, and to adjudicate code enforcement issues that arise in the City.

Section 3: That the City Manager, or designee, is authorized to execute the independent contractor agreements for Richard L. Doody, Esq. and David Nathan Tolces, Esq., attached hereto as Exhibit “A” and “B.”

Section 4: That if any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this Resolution.

Section 5: That this Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 9th day of August_____, 2018.

Joshua Rydell, Mayor

Attest:

Leslie Wallace May, City Clerk

Rydell	<u>Aye</u> ____
Welch	<u>Aye</u> ____
Tooley	<u>Aye</u> ____
Sarbone	<u>Absent</u>
Belvedere	<u>Aye</u> ____