



## Legislation Details (With Text)

**File #:** 15-6758 **Version:** 1  
**Type:** Contract **Status:** Passed  
**File created:** 6/23/2022 **In control:** City Commission  
**On agenda:** 7/5/2022 **Final action:** 7/5/2022  
**Title:** Contract - Change order to increase purchase order 220093 for Code Compliance Special Magistrate by \$18,000 and budget transfer of \$18,000 for special magistrate services from the law firm Garganese, Weiss, D'Agresta and Salzman, P.A. rendered for code compliance adjudication services - Ron A. Paradise, Community Services Director (386) 878-8610.

Strategic Goal: Community Development

### Sponsors:

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### Code sections:

**Attachments:** 1. Special Magistrate - change order and budget transfer

Date	Ver.	Action By	Action	Result
7/5/2022	1	City Commission	approve	Pass

**TO:** Mayor and Commission

**AGENDA DATE:** 7/5/2022

**FROM:** John A. Peters, III, PE, Acting City Manager **AGENDA ITEM:** 8 - E

### SUBJECT:

Contract - Change order to increase purchase order 220093 for Code Compliance Special Magistrate by \$18,000 and budget transfer of \$18,000 for special magistrate services from the law firm Garganese, Weiss, D'Agresta and Salzman, P.A. rendered for code compliance adjudication services - Ron A. Paradise, Community Services Director (386) 878-8610.

Strategic Goal: Community Development

### LOCATION:

Citywide

### BACKGROUND:

In January of 2022 the City entered into a new contract with the law firm Garganese, Weiss, D'Agresta and Salzman, P.A. to provide special magistrate services for the adjudication of code compliance cases. The terms included a consultation fee of \$175.00 per hour and a base fee of \$1,500 per special magistrate meeting.

In 2022 so far there have been six magistrate regularly scheduled hearings and two other hearings involving a dangerous dog determination and a standalone determination on accessory use code case. In addition, the City has consulted with the special magistrate already a few times this year. There is anticipation the volume of special magistrate meetings will continue through the rest of the fiscal year. Therefore, to ensure the services of the special magistrate are properly funded, the

subject change order to the purchase order and budget transfer is proposed. The change order will increase the purchase order above the \$25,000 threshold, which purchasing policy requires approval of the City Commission.

The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

**OPTIONS:**

1. Approve the increase to the purchase order and budget transfer

Advantages:

- a. The City will retain the services of an experienced special magistrate.
- b. The City will continue to be able to adjudicate code cases consistent with State law.

Disadvantages:

- a. The City will not be able to retain the services of the special magistrate.
- b. The will have a back log of code cases that will not be adjudicated.

2. Do not approve the change to the purchase order and budget transfer

Advantages

- a. None

Disadvantages

- a. The City will retain the services of an experienced special magistrate.
- b. The City will continue to be able to adjudicate code cases consistent with State law.

**COST:**

\$18,000

**SOURCE OF FUNDS:**

General Fund - 001196-524920

**ORIGINATING DEPARTMENT:**

Community Services

**STAFF RECOMMENDATION PRESENTED BY:**

Ron Paradise, Community Service Director - Staff recommends approval of the change to increase the purchase order for special magistrate services and budget transfer in the amount of \$18,000.

**POTENTIAL MOTION:**

"I move to approve of the change to increase the purchase order for special magistrate services and budget transfer in the amount of \$18,000."

