

STAFF REPORT REGULAR MEETING

AGENDA DATE: February 6, 2024

DEPARTMENT: City Attorney

TITLE:

Professional Services Agreements for Special Magistrate services

SUMMARY:

Professional Services Agreements for Special Magistrate services provide the City with Special Magistrates who preside over code enforcement and other applicable matters. Multiple Special Magistrates are retained to ensure the City has coverage in the event of a conflict of interest or scheduling conflict. The Special Magistrates are typically scheduled to provide services on a rotating basis.

BACKGROUND AND JUSTIFICATION:

Pursuant to section 2-63 of the City's Code of Ordinances, the City is required to retain one or more special magistrates to preside over code enforcement hearings and other applicable matters. Attorney Keith Davis has been serving the City as a Special Magistrate since 2018. His contract has reached the end of its term and he would like to continue to provide services to the City. Currently, Mr. Davis is the only Special Magistrate for the City. The City Attorney recommends that the City retain additional special magistrates to preside over code enforcement hearings and other applicable matters in the event of a conflict of interest or scheduling conflict with the City's current Special Magistrate and to serve in an ongoing rotation system.

Attached are proposed Professional Services Agreements for Special Magistrate Services with Davis & Associates, P.A. for attorney Keith Davis, with Wagner Legal Services for attorney Kevin Wagner, and with attorney B. Douglas MacGibbon.

MOTION:

Move to approve/disapprove the Professional Services Agreements for Special Magistrate Services with Davis & Associates, P.A. for attorney Keith Davis, Wagner Legal Services for attorney Kevin Wagner, and with attorney B. Douglas MacGibbon.

ATTACHMENT(S):

Fiscal Impact Analysis
Professional Services Agreements

FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact:

| Fiscal Years | 2024 | 2025 | 2026 | 2027 | 2028 |
|--------------------------|-------------|-------------|-------------|-------------|-------------|
| Inflows/Revenues | | | | | |
| Appropriated (Budgeted) | 0 | 0 | 0 | 0 | 0 |
| Program Income | 0 | 0 | 0 | 0 | 0 |
| Grants | 0 | 0 | 0 | 0 | 0 |
| In Kind | 0 | 0 | 0 | 0 | 0 |
| Outflows/Expenditures | | | | | |
| Appropriated (Budgeted) | 80,000 | 0 | 0 | 0 | 0 |
| Operating | 0 | 0 | 0 | 0 | 0 |
| Capital | 0 | 0 | 0 | 0 | 0 |
| Net Fiscal Impact | | | | | |
| <i>(If not budgeted)</i> | 0 | 0 | 0 | 0 | 0 |
| No. of Addn'l Full-Time | | | | | |
| Employee Positions | 0 | 0 | 0 | 0 | 0 |

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|---|-----------------------------|
| Contract Award - Existing Appropriation (Budgeted) | |
| | Expenditure |
| Department | Community Sustainability |
| Division | Code Enforcement |
| GL Description | Professional Services Legal |
| GL Account Number | 160-2040-515-31-10 |
| Project Number | N/A |
| Requested Funds | \$7,500 |
| Remaining Balance | \$2,500 |
| Source of Revenue (i.e. Paygo. Current Revenue, Bond Money, Grants, etc.) | Current Revenue |