



155 F Road Loxahatchee Groves, FL 33470

TO: Mayor and Town Council

FROM: Caryn Gardner-Young, Community Standards Director

THRU: Francine Ramaglia, Town Manager

DATE: June 3, 2025

SUBJECT: Special Magistrate Contract

Background:

The Town of Loxahatchee Groves has adopted an alternative code enforcement system, utilizing a Special Magistrate, to provide an equitable, expeditious, effective, and inexpensive method of enforcing any codes and ordinances in force in the City. The Special Magistrate is a licensed attorney who is vested with all the powers granted under Chapter 162 of the Florida Statutes, as amended. He/She is appointed by the Town Council to hear cases brought by code officers for violations of any Town ordinances or the Town Code.

On September 20, 2022, the town entered into a Professional Services Agreement with the law firm of Davis & Associates, P.A to provide the Special Magistrate functions. Please see attached Exhibit A. Amity Barnard was appointed as the Special Magistrate, and Keith Davis as the alternate Special Magistrate. The term of the contract was for three years with two one-year extensions. As a result, the contract will automatically terminate on September 20, 2025, since the three-year term will end.

Town staff asked Davis & Associates, P.A., whether they would be interested in continuing to represent the Town. They indicated they would; however, they are seeking an increase in the hourly rate presently being charged to the Town. Their existing hourly rate is \$195.00 per hour. They have requested an hourly rate of \$215 per hour. Below is a list of their clients and the hourly rates being charged:

- Lake Park - \$350.00/hr
- Lake Worth - \$250.00/hr
- Greenacres - \$225.00/hr
- Ocean Ridge - \$215.00/hr
- South Palm Beach - \$200.00/hr
- Martin County - \$200.00/hr

- Pahokee - \$200.00/hr
- Palm Springs - \$200.00/hr
- Port St. Lucie – \$175.00/hr (increase currently being negotiated)
- West Palm Beach - \$165.00/hr (increase currently being negotiated)

Since the contract is three years old, we are in alignment with other clients' hourly rates, and costs have risen nationally, the Town Staff feels the hourly rate increase is not unreasonable.

Town Staff is recommending extending the Professional Services Agreement with the law firm of Davis & Associates, P. A. to provide the Special Magistrate functions for an additional year. Ms. Barnard has performed the Special Magistrate services without issues and understands the Town's processes and values.

The Town Administration initiated contract negotiations with Davis & Associates P.A., proposing an hourly rate of \$200. However, Davis & Associates declined the offer and countered with a firm rate of \$215 per hour, indicating they were not willing to accept a lower amount.

Recommendations:

Town staff recommends the approval of Resolution No. 2025-36, which extends the Professional Services Agreement with the law firm of Davis & Associates, P.A. for one additional year to September 20, 2026, with an hourly rate of \$215.00.