



## Legislation Details (With Text)

**File #:** 17-208      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Passed  
**File created:** 2/13/2017      **In control:** City Commission  
**On agenda:** 3/1/2017      **Final action:** 3/1/2017  
**Title:** ADOPTION OF RESOLUTION NO. 11-17 REPEALING RESOLUTION NO. 51-15-SERVICE OF PROCESS  
**Sponsors:** City Attorney Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Resolution 11-17 Service of Process Designees

Date	Ver.	Action By	Action	Result
3/1/2017	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** R. Max Lohman, City Attorney  
**DATE:** March 1, 2017

ADOPTION OF RESOLUTION NO. 11-17 REPEALING RESOLUTION NO. 51-15-SERVICE OF PROCESS

### **Recommended Action:**

Motion to Approve Resolution No. 11-17.

### **Background:**

On September 3, 2015, the Commission adopted Resolution No. 51-15 which authorized the City Manager, any Assistant City Manager, the City Attorney, or any Assistant City Attorney to accept service of process on behalf of the City of Delray Beach as well as any member of the City Commission sued in their official capacity.

In order to enable the City to perform its municipal functions more efficiently, the City Attorney is recommending that the City Commission authorize only the City Attorney, or his or her designee, to accept service of process on behalf of the City of Delray Beach as well as any member of the City Commission who is sued in his or her official capacity.

Additionally, this resolution would maintain the provision that any Commissioner sued as an individual defendant in his or her official capacity could, in writing, revoke the authority of the City Attorney or their designee to accept service of process on the Commissioner's behalf.

