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CITY OF WESTLAKE

RESOLUTION NO. 2023-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY COUNCIL MEMBER TO EXECUTE A TERMINATION OF PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF WESTLAKE AND NZ CONSULTANTS, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council deems it to be in the best interests of the City to approve and authorize the proper City Council Member to execute a Termination of Professional Services Agreement Between the City of Westlake and NZ Consultants, Inc.;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clause is hereby ratified and confirmed by the City Council and incorporated herein by this reference.

SECTION 2. The City Council of the City of Westlake, Florida, hereby approves and authorizes the proper City Council Member to execute a Termination of Professional Services Agreement Between the City of Westlake and NZ Consultants, Inc. A copy of the Termination is attached hereto as Exhibit "A".

SECTION 3. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.


SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. SEVERABILITY. 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 application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

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PASSED AND APPROVED by City Council for the City of Westlake, on this 7th
day of February 2023.



City of Westlake
John Paul O'Connor, Mayor



Zoie Burgess, City Clerk

**TERMINATION OF PROFESSIONAL SERVICES AGREEMENT
BETWEEN CITY OF WESTLAKE AND NZ CONSULTANTS, INC.**

THIS TERMINATION AGREEMENT ("Termination Agreement"), dated the
7 day of February, 2023, between:

THE CITY OF WESTLAKE, a Florida municipal corporation, hereinafter
referred to as "CITY,"

and

NZ CONSULTANTS, INC., a Florida corporation hereinafter referred to as
"CONSULTANT".

WHEREAS, on or about September 19, 2016, the CITY entered into an agreement with
CONSULTANT for professional services (the "Original Agreement") pursuant to Section 287.055,
F.S.; and

WHEREAS, on or about September 9, 2019, the CITY and CONSULTANT entered into
an Addendum to Professional Services Agreement; and

WHEREAS, in August of 2021 CITY and CONSULTANT entered into a Second
Addendum to Professional Services Agreement; and

WHEREAS, on December 1, 2022 CONSULTANT, NZ Consultants, Inc., was acquired
by Chen Moore and Associates; and

WHEREAS, CITY and CONSULTANT desire to terminate the Original Agreement and
subsequent Addendums.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements
herein contained and other good and valuable consideration, the receipt of which are hereby
acknowledged, the CITY and CONSULTANT agree as follows:


1. Termination of the Contract. CITY and CONSULTANT mutually agree that the
Original Agreement and subsequent Addendums shall be terminated effective December 1, 2022
(the "Termination Date"). Upon the Termination Date, the Original Agreement and subsequent
Addendums shall have no further force or effect.

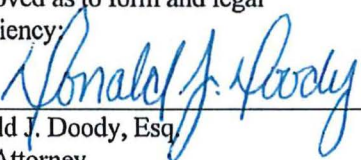
2. Consideration. CITY and CONSULTANT acknowledge and agree that it has already
received all payments and amounts owed from the other party under the Original Agreement and
subsequent Addendums and that no additional consideration of any kind is due from the other party
with respect to the Original Agreement and subsequent Addendums.

IN WITNESS OF THE FOREGOING, the parties have set their hands and seal the day and year first written above.

CITY OF WESTLAKE:


BY: 
Kenneth G. Cassel, City Manager

Attest:

Zoe P. Burgess, CMC
City Clerk

Approved as to form and legal
sufficiency:

Donald J. Doody, Esq.
City Attorney

**NZ CONSULTANTS, INC., a Florida
corporation**


Nilsa Zacarias, AICP, President

ATTEST:
Name: 
Osmiel Leon