

RESOLUTION NO. 2021-XXX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ACCEPTING, IN ACCORDANCE WITH SECTION 14-8 OF THE CITY'S CODE OF ORDINANCES, THE CITY MANAGER'S RECOMMENDATION TO APPOINT CHRISTOPHER BENJAMIN, ESQ. TO SERVE AS SPECIAL MAGISTRATE TO HEAR CODE VIOLATION MATTERS AND IMPOSE FINES, LIENS AND OTHER NON-CRIMINAL PENALTIES AGAINST VIOLATORS OF THE CITY'S CODE OF ORDINANCES; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSARY TO EFFECUATE THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 14-8 of the City's Code of Ordinances provides for the City Commission to appoint Special Magistrates to preside over code enforcement hearings; and

WHEREAS, the City Manager hereby recommends the appointment of Christopher Benjamin, Esq. to serve as a Special Magistrate to hear City Code violation matters and impose fine, liens and other non-criminal penalties; and

WHEREAS, Christopher Benjamin, Esq. is an attorney admitted to practice law in the State of Florida, a member in good standing of the Florida Bar, and possess significant knowledge of the City's Code enforcement matters and City Code; and

WHEREAS, Special Magistrates shall be prohibited from engaging in any practice where they would represent a client in a manner adverse to the interests of the City, and shall further be prohibited from lobbying the City during their service with the City; and

WHEREAS, the Mayor and City Commission believe it is in the best interest of the City to appoint Christopher Benjamin, Esq. as Special Magistrate to hear City Code violations matters and impose fines, liens and other non-criminal penalties against violators.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Commission of the City of North Miami Beach, Florida, that:

Section 1. The foregoing recitals are true and correct and are incorporated herein.

Section 2. The Mayor and City Commission hereby accepts the recommendation of the City Manager and appoint Christopher Benjamin, Esq. as a Special Magistrate to hear City Code violation matters and impose fines, liens and other non-criminal penalties against violators, and authorize the City Manager to enter into an agreement, in a form acceptable to the City Attorney pursuant to and in accordance with Section 14-8 of the City's Code of Ordinances.

Section 3. The Special Magistrate shall serve immediately upon adoption of this Resolution.

APPROVED AND ADOPTED by the City Commission of the City of North Miami Beach, Florida at regular meeting assembled this **20th day of July, 2021**.

ATTEST:

ANDRISE BERNARD, CMC
CITY CLERK

(CITY SEAL)

ANTHONY F. DEFILLIPO
MAYOR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

HANS OTTINOT
INTERIM CITY ATTORNEY