

RESOLUTION NO. _____

A RESOLUTION APPROVING AND APPOINTING, PURSUANT TO SECTION 102-356 OF THE CITY CODE, JOSE SMITH, ESQ. (CHIEF SPECIAL MAGISTRATE APPOINTED AND RATIFIED PURSUANT TO RESOLUTION NO. _____), AS THE INTERIM CITY MANAGER'S "DESIGNEE" UNDER SECTION 102-356 OF THE CITY CODE; SAID DESIGNATION COMMENCING WITH MR. SMITH'S TERM AS CHIEF SPECIAL MAGISTRATE ON AUGUST 24, 2024 AND ENDING ON FEBRUARY 23, 2025.

WHEREAS, pursuant to Section 30-36 of the Code of the City of Miami Beach, upon prior recommendation of Interim City Manager Rickelle Williams, the City Commission, by a majority vote, may appoint a Chief Special Magistrate, who shall be authorized to hold hearings and impose fines, liens, and other non-criminal penalties against violations of City Ordinances; and

WHEREAS, at its meeting on June 26, 2024, the Mayor and City Commission adopted Resolution No. _____, appointing Jose Smith, Esq., as Chief Special Magistrate for a term commencing on August 24, 2024 and ending on February 23, 2025; and

WHEREAS, pursuant to Section 102-356, the Interim City Manager may also approve a "designee," who shall be authorized to hear appeals from citations for violations of City and County Codes and Ordinances and to conduct hearings regarding denials, suspensions, and revocations of occupational licenses, certificates of use and permits, as provided by the City Code; and

WHEREAS, accordingly, the Interim City Manager hereby recommends Mr. Smith to serve as the Interim City Manager's "designee," for a six (6) month term commencing on August 24, 2024 and ending on February 23, 2025; and

WHEREAS, the Chief Special Magistrate (including, as in the instant Resolution, where they are acting in their capacity as the Interim City Manager's "designee" under Section 102-356 of the City Code), shall be prohibited from engaging in practice where they represent a client in a manner adverse to the interests of the City of Miami Beach, and shall further be prohibited from lobbying the City during their service with the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and appoint, pursuant to Section 102-356 of the City Code, Jose Smith, Esq. (Chief Special Magistrate appointed pursuant to Resolution No. _____), as the Interim City Manager's "designee" under Section 102-356 of the City Code; said designation commencing with Mr. Smith's term as Chief Special Magistrate on August 24, 2024 and ending on February 23, 2025.

PASSED and ADOPTED this ____ day of _____ 2024.

ATTEST:

Steven Meiner, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Rafael E. Granado, City Clerk

City Attorney

6/17/2024
Date