

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, APPOINTING ATTORNEY LARRY S. WEAVER AS ALTERNATE SPECIAL MASTER FOR CODE ENFORCEMENT HEARINGS, UNSAFE BUILDING HEARINGS AND FOR OTHER CITY HEARINGS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE LEGAL SERVICES AGREEMENT FOR THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach maintains and desires to promote the safety, health and welfare of its residents by providing for enforcement of its Code of Ordinances; and

WHEREAS, the City's Code of Ordinances, specifically Chapter 2, Article VI, entitled "*Code Enforcement*," authorizes the City Council to appoint a special master to preside over code enforcement matters once a month, or more often if necessary; and

WHEREAS, Article VI also provides that the special master shall be a licensed attorney and member of the Florida Bar; and

WHEREAS, section 22-35(j) of Article II, entitled "Abatement to Unsafe Buildings" of the City's Code of Ordinances, authorizes the City Council to appoint a special master to conduct all said hearings (hereinafter "unsafe building hearings"); and

WHEREAS, the City has an emergency need for an alternate special master and an alternate special magistrate (hereinafter "alternate special master") for other matters including nuisance abatement hearings, etc.; and

WHEREAS, attorney Larry S. Weaver possesses the experience and skill as an attorney and member of the Florida Bar necessary to serve as alternate special master for the City; and

WHEREAS, the City Council finds that the emergency retention of Larry S. Weaver as special master for the City in code enforcement hearings, unsafe building hearings, and other City hearings is in the best interests of the City and serves a valid public purpose; and

WHEREAS, the City Council hereby confirms and ratifies staff's appointment of Attorney Larry S. Weaver by agreement, said agreement is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, that:

SECTION 1. The foregoing WHEREAS clauses are incorporated into this Resolution as true and correct statements and findings.

SECTION 2. The City Council hereby appoints attorney Larry S. Weaver as alternate special master for code enforcement hearings, unsafe building hearings and other City hearings as requested by City staff.

SECTION 3. The Mayor and City Clerk are authorized to execute the attached legal services agreement with attorney Larry S. Weaver.

SECTION 4. The provisions of this Resolution are declared to be severable and if any section, sentence, clause, or phrase of this Resolution shall for any reason be held to be invalid or unconstitutional such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Resolution, but they shall remain in effect it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

SECTION 5. That staff is authorized to advertise in legal publications for additional attorneys to serve as alternate special masters as necessary.

SECTION 6. This resolution shall take effect immediately upon passage and approval by City Council.

PASSED and APPROVED this _____ day of June, 2017.

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APPROVED:

THOMAS A. MASTERS
MAYOR

KASHAMBA MILLER-ANDERSON
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

TONYA DAVIS JOHNSON
CHAIR PRO-TEM

LYNNE L. HUBBARD
COUNCILPERSON

DAWN S. PARDO
COUNCILPERSON

TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

L. HUBBARD _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT
CITY ATTORNEY

DATE: _____