

RESOLUTION NO. 2012- 2080

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, GRANTING THE TOWN CLERK THROUGH THE TOWN MANAGER AUTHORITY TO LOCATE, SECURE SIGNATURES, AND SECURE AFTER-THE-FACT SIGNATURES FOR LEGISLATION PREVIOUSLY LAWFULLY PASSED AND ADOPTED BUT NOT EXECUTED OR CODIFIED TO PROCEED WITH SECURING THE SIGNATURES OF THE OFFICIALS IN OFFICE AT THE TIME OF THE LEGISLATION PASSAGE OR IN THE ALTERNATIVE TO SECURE AN AFTER-THE-FACT SIGNATURE FROM CURRENT OFFICIALS IN ORDER TO PROPERLY ISSUE AND CODIFY SUCH LEGISLATION; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in the normal course of business, or as a result of specifically searching for past legislation that governs a particular circumstance today, the Town Clerk is discovering legislation that has been officially passed and adopted as reflected in the official minutes of the Town but for whatever reason has not been executed or codified; and

WHEREAS, in some cases, the signatures of prior officials cannot be secured to perfect the resolutions or ordinances; and

WHEREAS, the Florida Statutes which govern procedures for passage of legislation in cities have mandatory and uniform requirements for passage and as such there is no discretion and the execution of these duties becomes a ministerial act that the officer whether elected or appointed is mandated to do (such as a signature)

WHEREAS, the Town Clerk would like to secure a blanket authorization from the current Commission to secure those signatures when available from the officials sitting at the time of the passage of the legislation but, in the alternative, to secure an after-the-fact signature from current officials.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Authorization Granted. The Town Commission grants the Town Clerk through the Town Manager authority to locate and secure signatures mandated for legislation (previously lawfully adopted but not executed or codified) to proceed with securing the signatures of the officials in office at the time of the legislation passage or in the alternative to secure as an administrative task an after-the-fact signature from current officials in order to properly issue and codify such legislation

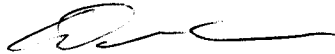
Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED and ADOPTED this 10th day of April, 2012.

Motion by ~~Commissioner~~ ^{Vice Mayor} Karukin, second by Commissioner Lisbon.

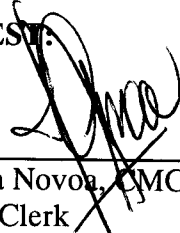
FINAL VOTE ON ADOPTION

Commissioner Michael Karukin	yes
Commissioner Sheldon Lisbon	yes
Commissioner Marta Olchyk	yes
<u>Mayor Daniel Dietch</u>	yes



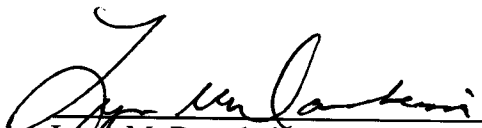
Daniel Dietch, Mayor

ATTEST:



Sandra Novoa, PMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Lynn M. Dannheisser, Town Attorney