

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, PURSUANT TO SECTION 30-36 OF THE CODE OF THE CITY OF MIAMI BEACH, CONCERNING THE REAPPOINTMENT OF ENRIQUE ZAMORA, ESQ., TO SERVE AS CHIEF SPECIAL MAGISTRATE, FOR A TERM COMMENCING ON OCTOBER 24, 2021 AND ENDING ON APRIL 23, 2022; PROVIDED FURTHER THAT CHIEF SPECIAL MAGISTRATE ZAMORA SHALL BE AUTHORIZED TO HOLD HEARINGS AND IMPOSE FINES, LIENS AND OTHER NON-CRIMINAL PENALTIES AGAINST VIOLATORS OF THE CITY AND COUNTY CODES AND ORDINANCES, AND SHALL ALSO BE AUTHORIZED TO APPOINT SUCH OTHER SPECIAL MAGISTRATE AS MAY REASONABLY BE REQUIRED TO CONDUCT THE SUBJECT HEARINGS; AND FURTHER INCORPORATING ALL OTHER MATTERS SET FORTH WITHIN CHAPTER 30 OF THE CITY CODE, INCLUDING, WITHOUT LIMITATION, SECTIONS 30-37 AND 30-38 THEREOF, CONCERNING THE COMPENSATION AND DUTIES OF THE CHIEF SPECIAL MAGISTRATE.**

**WHEREAS**, Section 30-2 of the Code of the City of Miami Beach provides for an alternative code enforcement system wherein Special Magistrates are authorized to hold hearings and impose fines, liens, and other non-criminal penalties against violators of City and County Codes and Ordinances; and

**WHEREAS**, Section 30-36 of the City Code, entitled "Appointment of Chief Special Magistrate," provides for the appointment of a Chief Special Magistrate to fulfill the above referenced duties; and

**WHEREAS**, pursuant to Section 30-36 of the City Code, appointment of the Chief Special Magistrate is established upon the City Commission's acceptance, by a majority vote, of the recommendation for appointment by the City Manager; and

**WHEREAS**, the City Manager hereby recommends reappointing Enrique Zamora, Esq., as Chief Special Magistrate for the City of Miami Beach, for a term commencing on October 24, 2021, and ending on April 23, 2022; and

**WHEREAS**, all other matters set forth within Chapter 30 of the City Code, including, without limitation, Sections 30-37 and 30-38 regarding compensation and duties of the Chief Special Magistrate, shall continue to apply and remain in full force and effect; and

**WHEREAS**, the Chief Special Magistrate and each Special Magistrate, shall be prohibited from engaging in practice where he/she represents 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 his/her 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 accept the recommendation of the City Manager, pursuant to Section 30-36 of the Code of the City of Miami Beach, concerning the reappointment of Enrique Zamora, Esq., to serve as Chief Special Magistrate, for a term commencing on October 24, 2021, and ending on April 23, 2022; provided further that as Chief Special Magistrate, Mr. Zamora shall be authorized to hold hearings and impose fines, liens and other non-criminal penalties against violators of City and County Codes and Ordinances, and shall also be authorized to appoint such other Special Magistrate as may reasonably be required to conduct the subject hearings; and further incorporating all other matters set forth within Chapter 30 of the City Code including, without limitation, Sections 30-37 and 30-38 thereof, concerning the compensation of the Chief Special Magistrate.

**PASSED and ADOPTED** this 17<sup>th</sup> day of September 2021.

**ATTEST:**

\_\_\_\_\_  
**Dan Gelber, Mayor**

\_\_\_\_\_  
**Rafael E. Granado, City Clerk**

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

8-28-21  
\_\_\_\_\_  
Date