

RESOLUTION NO. 17-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR AN ASSISTANT CITY MANAGER TO SIGN APPLICATIONS FOR CITY OWNED REAL PROPERTY FOR ANY BUILDING PERMIT, ZONING PERMIT, SUBDIVISION APPROVAL, REZONING, CERTIFICATION, SPECIAL EXCEPTION, VARIANCE, OR ANY OTHER OFFICIAL ACTION OF LOCAL GOVERNMENT HAVING THE EFFECT OF PERMITTING THE DEVELOPMENT OF LAND.

WHEREAS, Section 3.06 of the Charter of the City of Fort Lauderdale, Florida (herein "City Charter") provides that the City Commission of the City of Fort Lauderdale, Florida (herein "City Commission"), may by ordinance or resolution prescribe the manner in which any powers of the City shall be exercised; and

WHEREAS, Section 4.05 of the City Charter provides that the City Commission shall appoint a city manager to be the administrative head of the municipal government answerable to and under the direction and supervision of the City Commission; and

WHEREAS, Section 4.09(l) of the City Charter provides that the city manager shall perform such other duties as may be prescribed under this charter, or may be required of him by motion, direction, ordinance or resolution of the city commission; and

WHEREAS, pursuant to § 553.79, Florida Statutes (2016) it is unlawful for any person, firm, corporation, or governmental entity to construct, erect, alter, modify, repair, or demolish any building within this state without first obtaining a permit therefor from the appropriate enforcing agency; and

WHEREAS, applications for such permits require the signature of the real property owner; and

WHEREAS, the City owns real property; and

WHEREAS, the City Commission wishes to grant the authority to the city manager, or an assistant city manager, to execute development permit applications in such instances;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission hereby authorizes the city manager or an assistant city manager, to sign, in an administrative capacity, on behalf of the City as owner and applicant any application for city owned real property for a building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land to facilitate the processing of development permit applications. However, the City Manager or Assistant City Manager shall not sign any such application that would be inconsistent with any expressed policy or will of the City Commission. The signing of such applications is ministerial and does not grant approval authority to the city manager or assistant city manager nor does it vest in the city manager or assistant city manager, any additional municipal powers or authority. All approvals and consent required by the City of Fort Lauderdale, Florida, whether under its regulatory, corporate or proprietary powers, are hereby reserved to the City Commission of the City of Fort Lauderdale, Florida.

SECTION 2. The City Manager's or an Assistant City Manager's signature on an application does not constitute and does not imply an approval by the City Commission of the proposed project which is the subject of the application.

SECTION 3. The City Manager's or an Assistant City Manager's signature on an application pursuant to this resolution is not a waiver of the regulatory or proprietary rights of the City.

SECTION 4. That all resolutions or parts of resolutions of conflict herewith, be and the same are hereby superseded.

SECTION 5. That this Resolution shall be in full force and effect immediately upon and after passage.

ADOPTED this the _____ day of _____, 2017.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI