



RESOLUTION # 2018-27

RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI, AMENDING RESOLUTION # 2010-09 BY DELETING YOLANDA AGUILAR, CITY MANAGER AND MERCEDES LEON, FINANCE DIRECTOR AND ADDING MR. JUAN J. PENA DURING HIS TERM AS ACTING CITY MANAGER EFFECTIVE JULY 31, 2018, PROVIDING FOR A SUNSET PROVISION THAT ENDS JANUARY 31ST, 2019, AND BY ADDING DR. NELSON ANDREU, CHIEF OF POLICE EFFECTIVE JULY 31ST, 2018 WITH A SUNSET PROVISION THAT ENDS ON JANUARY 31ST, 2019; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR SEVERABILITY.

WHEREAS, the City Commission has approved the retirement of Yolanda Aguilar, City Manager and Mercedes Leon, Finance Director as of July 30th, 2018 and has further approved their return (as required by the Florida Retirement System) on February 1, 2019; and

WHEREAS, during this period, the City Commission has appointed Juan Pena to serve as Acting City Manager and Rita Rodriguez to serve as Acting Finance Director; and

WHEREAS, the Mayor and City Commission of the City of West Miami have found necessary to amend Resolution #2010-09 for the purpose of updating recognized depository signatures for all banks in which the City of West Miami holds accounts and operates with, and

WHEREAS, there is a need to authorize the appointment of individuals to sign checks and bank documents during the absence of Yolanda Aguilar, City Manager and Mercedes Leon, Finance Director; and

WHEREAS, in keeping with past practices, the Mayor and City Commission authorize Juan Pena, during his tenure as Acting City Manager and Dr. Nelson Andreu, Chief of Police to be authorized to sign checks along with Annery Gonzalez, City Clerk and Rita Rodriguez, Acting Finance Director, on all bank accounts for city banking purposes during this period of time.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of West Miami as follows:

Section 1. The foregoing "whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption thereof.

Section 2. That the signature of Juan Pena, as Acting City Manager or in his/her absence, a designee, together with any one of the following persons acting in the capacity, are hereby authorized to issue checks or withdrawal slips on city bank accounts; provided, however, that funds invested in savings accounts or other time deposits shall be withdrawn in cashier's checks payable to the City of West Miami, Florida pursuant to a Resolution of the City Commission or upon written direction signed by the Acting City Manager or, in his absence, Annery Gonzalez, City Clerk, Rita Rodriguez, Acting Finance Director or Nelson Andreu, Chief of Police.

Section 3. The Resolutions or written directions as provided above shall be certified by the City Clerk.

Section 4. All Banks or other financial institutions having funds of the City of West Miami or any of its agencies on deposit are hereby authorized to honor checks or withdrawal slips provided they are executed and issued in accordance with this Resolution.

Section 5. All prior Resolutions designating persons authorized to withdraw funds from depositories or parts thereof in conflict herewith are hereby rescinded.

Section 6. That if any section, sentence, clause or phrase of this Resolution including the proposed amendments to the City of West Miami Charter are held to be invalid or unconstitutional by a court of competent jurisdiction, then said section, sentence, clause or phrase shall in no way affect the validity of the remaining sections of this Resolution or the Charter.

Section 7. This Resolution shall remain in full force and effect from the date hereof until amended or rescinded by subsequent Resolution of this Commission.

PASSED AND ADOPTED this 16th day of May 2018.

APPROVED:



EDUARDO H. MUÑINA, MAYOR

ATTEST:



ANNERY GONZALEZ, CMC CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

MAYOR EDUARDO H. MUHÑA	<u>Y</u>
VICE-MAYOR RHONDA A. RODRIGUEZ	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER JUAN M. BLANES	<u>Y</u>
COMMISSIONER LUCIANO L. SUAREZ	<u>Y</u>