

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1095.98

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; TRANSFERRING THE APPOINTMENT OF TOWN ATTORNEY FROM GUSTAFSON, TILTON, HENNING & METZGER, P.A. TO MASTRIANA & CHRISTIANSEN, P.A. DUE TO THE RELOCATION OF TOWN ATTORNEY JON M. HENNING, RATIFYING THE TERMS AND CONDITIONS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Gustafson & Tilton, P.A., now known as Gustafson, Tilton, Henning & Metzger, P.A. was unanimously appointed by the Town Council to serve as Town Attorney, pursuant to Resolution No. 898.94 (adopted July 12, 1994) and amended by Resolution No. 1009.96 (adopted October 15, 1996); and

WHEREAS, law firm partner Jon M. Henning has served as Town Attorney for the Town since that appointment; and

WHEREAS, Jon M. Henning is leaving Gustafson, Tilton, Henning & Metzger, P.A. to become a partner in the law firm of Mastriana & Christiansen, P.A., which will be located at 1500 North Federal Highway, Suite 200, Fort Lauderdale, Florida 33304, effective May 1, 1998; and

WHEREAS, the Town Council agrees that Jon M. Henning should continue to serve as Town Attorney through his law firm.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That effective May 1, 1998 the appointment of Town Attorney is hereby transferred from Gustafson, Tilton, Henning & Metzger, P.A. to Mastriana & Christiansen, P.A. with Jon M. Henning as partner in charge with all the duties and authority as provided by law, including the Charter and Code of the town. Mastriana & Christiansen, P.A. is authorized to substitute as counsel in all pending lawsuits and agreements on behalf of the town.

Section 2. That Mastriana & Christiansen, P.A. shall serve as Town Attorney including Jon M. Henning and the other attorneys and staff of that firm under the same terms and conditions including a monthly retainer of \$3,000.00 and an hourly rate for all attorneys at \$135.00 unless otherwise agreed by the Town Council on a case by case basis. This appointment shall continue at the will of the council until and unless it is amended or repealed by a resolution of the Town Council.

Section 3. Severability. That 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, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 4. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.


Section 5. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

The Motion to adopt the foregoing Resolution was offered by Councilmember Rodriguez, seconded by Councilmember Chikovsky and on roll call the following vote ensued:

Mayor Cuenca	<u>Aye</u>
Vice Mayor Addicott	<u>Aye</u>
Councilmember Chikovsky	<u>Aye</u>
Councilmember Fistel	<u>Nay</u>
Councilmember Rodriguez	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 21st day of April, 1998.

ATTEST:



ROBERT "SKIP" JOHNSTON
INTERIM TOWN CLERK



MAYOR JUDY CUENCA

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JON M. HENNING
TOWN ATTORNEY