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RESOLUTION 2018-36

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND THE OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA TO REIMBURSE THE STATE ATTORNEY'S OFFICE FOR THE COST OF STATE ATTORNEY PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE MUNICIPAL CODE OF THE VILLAGE OF BISCAYNE PARK; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE AND EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village finds that in order to maintain and improve the health, safety, and welfare of the community, it is necessary to adequately enforce and prosecute violations of the Village's Municipal Code; and

WHEREAS, the violation of some of these ordinances actually represent criminal violations enforceable by prosecution in the judicial system; and

WHEREAS, Section 27.02, *Florida Statutes*, authorizes the Office of the State Attorney in each county to prosecute municipal ordinance violations punishable by incarceration if ancillary to state prosecution or, if not ancillary to state prosecution, when the State Attorney contracts with the local government for reimbursement; and

WHEREAS, the Village finds that it is in the best interest of its residents and more effective and efficient to contract with the Office of the State Attorney for the Eleventh Judicial Circuit of Florida to prosecute criminal violations of the ordinances of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF THE VILLAGE OF BISCAYNE PARK, THAT:

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

Section 2. The Village Commission of the Village of Biscayne Park hereby approves the Agreement between the Office of the State Attorney for the Eleventh Judicial Circuit of Florida and the Village of Biscayne Park, to reimburse the State for the cost of state attorney prosecution of certain criminal violations of the municipal code of the Village of Biscayne Park, a copy of which is attached as Exhibit "A," together with such non-material changes as may be acceptable to the Village Manager and approved as to form by the Village Attorney. The Village

1 Manager is authorized to execute the Agreement and expend budgeted funds on behalf of the
2 Village.

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4 **Section 3:** This resolution shall become effective immediately upon its adoption.

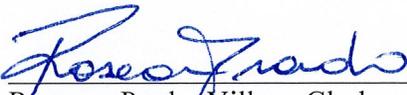
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6 PASSED AND ADOPTED this 8th day of November, 2018.
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13 **The foregoing resolution upon being**
14 **put to a vote, the vote was as follows:**

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16 
17 _____
18 Tracy Truppman, Mayor

19 Mayor Truppman: Yes
20 Vice Mayor Tudor: Yes
21 Commissioner Bilt: Yes
22 Commissioner Johnson-Sardella: Yes
23 Commissioner Ross: Yes

24 Attest:

25 
26 _____
27 Roseann Prado, Village Clerk

28 Approved as to form:

29
30 
31 _____
32 John R. Herin Jr., Village Attorney