

**RESOLUTION NO. 2021 – 3968**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, APPROVING AN AGREEMENT WITH THE STATE OF FLORIDA, OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA TO REIMBURSE THE STATE FOR THE COST OF THE STATE ATTORNEY PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE CITY CODE OF ORDINANCES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Springs (the “City”) Council finds that it is necessary to enforce and prosecute violations of the City’s Code of Ordinances (“Code”) in order to maintain and improve the health, safety, and welfare of the City’s community; and

**WHEREAS**, Section 27.02, Florida Statutes, authorizes the State Attorney to prosecute violations of municipal ordinances that are punishable by incarceration if the prosecution is ancillary to a State prosecution or if the State Attorney has contracted with the municipality for reimbursement; and

**WHEREAS**, the City Council desires to enter into an agreement with the State of Florida, Office of the State Attorney for the Eleventh Judicial Circuit of Florida (the “State Attorney”) for the purpose of reimbursing the State Attorney for the cost of the State Attorney prosecuting certain criminal violations of the City Code, as set forth in Exhibit “A” attached hereto (the “Agreement”); and

**WHEREAS**, the City Council finds that this Resolution will promote the health, safety, welfare of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by reference.

**Section 2. Approval.** The City Council approves the Agreement with the State Attorney.

**Section 3. Authorization.** The City Council hereby authorizes the City Manager to execute the Agreement and any renewals thereof, in substantially the form attached

hereto as Exhibit "A," subject to the approval of the City Attorney as to form, content, and legal sufficiency.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by Councilman Best who moved its adoption. The motion was seconded by Councilman Vazquez and upon being put to a vote, the vote was as follows:

Vice Mayor Bravo	<u>YES</u>
Councilman Bob Best	<u>YES</u>
Councilman Dr. Walter Fajet	<u>YES</u>
Councilwoman Dr. Victor Vazquez	<u>YES</u>
Mayor Maria Puente Mitchell	<u>YES</u>

PASSED AND ADOPTED this 10<sup>th</sup> day of January, 2022.

ATTEST:

  
ERIKA GONZALEZ-SANTAMARIA, MMC  
CITY CLERK

  
MARIA PUENTE MITCHELL  
MAYOR



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
CITY ATTORNEY