

RESOLUTION NO. 2021- _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION AND CITY ATTORNEY'S OFFICE TO ENGAGE WITH THE ELEVENTH JUDICIAL CIRCUIT COURT OF FLORIDA, IN ORDER TO DETERMINE THE VIABILITY OF ASSIGNING CERTAIN COUNTY COURT JUDGES TO EXCLUSIVELY PRESIDE OVER CITY OF MIAMI BEACH CRIMINAL MISDEMEANOR AND MUNICIPAL ORDINANCE VIOLATION CASES; AND FURTHER, REQUESTING THE CITY ADMINISTRATION TO REPORT BACK TO THE CITY COMMISSION, WITHIN NINETY (90) DAYS, REGARDING THE FEASIBILITY OF SUCH INITIATIVE WHICH, IF POTENTIALLY ACHIEVABLE, SHOULD INCLUDE THE IDENTIFICATION OF PROSPECTIVE COSTS, FUNDING SOURCES AND A PLAN FOR IMPLEMENTATION.

WHEREAS, the City of Miami Beach (the "City"), by and through its Municipal Prosecution Team, has prosecuted those individuals exclusively charged with violating the City's criminal ordinances since early-January 2018; and

WHEREAS, the Miami-Dade State Attorney's Office (the "Miami-Dade SAO") continues to be the prosecuting entity responsible for the prosecution of all State law (felony and misdemeanor) violations; and

WHEREAS, the City and the Miami-Dade SAO remain committed to reducing crime and providing the City's residents and visitors with a safe and secure environment to live, work and play; and

WHEREAS, due in part to its reputation as an internationally-renowned tourist destination and the constant heavy influx of tourists and other visitors, the City continues to contend with many misdemeanors and municipal ordinance offenses being committed within its jurisdictional bounds; and

WHEREAS, the City created the Police/Citizen Relations Committee ("PCRC"), which consists of fourteen (14) voting members having knowledge of, and an interest in, police-community relations and its impact upon the City of Miami Beach; and

WHEREAS, the PCRC is essentially tasked with identifying, evaluating and responding to the needs of both the community and the Miami Beach Police Department with regard to public safety and quality of life issues; and

WHEREAS, the PCRC has identified various public safety and quality of life concerns and provided potential resolutions to such issues through numerous motions transmitted to the Mayor and City Commission by way of Letters to Commission ("LTCs"), e-mails and other means; and

WHEREAS, amongst such LTCs provided by the PCRC to the Mayor and City Commission, is an LTC from late 2020 pertaining to the idea of establishing a local court and dedicated Miami Beach judges to address quality of life cases and offenders; and

WHEREAS, there are presently approximately sixteen (16) County Court Criminal Judges who oversee cases in which the defendants are charged with State law misdemeanors and/or the City's municipal ordinance violations; and

WHEREAS, assigning certain, dedicated County Court Criminal Judges to preside over all City of Miami Beach misdemeanor and municipal ordinance violation cases would aid in providing such Judges a further understanding as to those issues affecting the City's residents and visitors, the history of habitual offenders, and further enable such Judges to fashion the appropriate resolution(s) to such cases with regard to the needs of both the offender and the City.

NOW THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby direct the City Administration and City Attorney's Office to engage with the Eleventh Judicial Circuit Court of Florida, in order to determine the viability of assigning certain County Court Judges to exclusively preside over City of Miami Beach criminal misdemeanor and municipal ordinance violation cases; and further, requesting the City Administration to report back to the City Commission, within ninety (90) days, regarding the feasibility of such initiative which, if potentially achievable, should include the identification of prospective costs, funding sources and a plan for implementation.

PASSED and ADOPTED this _____ day of December, 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

12-7-21

Date