

RESOLUTION NO. 2021- _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA; SAID AMENDMENT TO VEST JUDICIAL POWER IN, AND PROVIDE EXPRESS AUTHORITY FOR, ANY MUNICIPALITY OF THE STATE TO ESTABLISH A LOCAL COURT, COMPRISED OF AN ELECTED JUDICIARY, TO PRESIDE OVER CRIMINAL CASES EMANATING FROM WITHIN ITS JURISDICTION.

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 misdemeanor and criminal municipal ordinance offenses being committed within its jurisdictional bounds; and

WHEREAS, these misdemeanor and municipal ordinance offenses adversely impact residents' quality of life and tourists' vacation experience, and continue to generate an inordinate number of issues and complaints from the City's residents and visitors; and

WHEREAS, in Article V, Section 1, the Constitution of the State of Florida (the "State Constitution") vests judicial power in a Supreme Court, District Courts of Appeal, Circuit Courts and County Courts; 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, the State Constitution further expressly states that no other courts may be established by the State, any political subdivision or any municipality; and

WHEREAS, establishing a local court, in the City of Miami Beach, comprised of an elected judiciary, would enable such Miami Beach court judges to gain a clear perspective and familiarity with regard to those issues affecting the City, and develop a further understanding as to the impact these criminal misdemeanor, quality of life offenses have upon the City's residents and visitors.

NOW THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby urge the Florida Legislature to propose an amendment to the Constitution of the State of Florida; said amendment to vest judicial power in, and provide express authority for, any municipality of the state to establish a local court, comprised of an elected judiciary, to preside over criminal cases emanating from within its jurisdiction.

PASSED and ADOPTED this _____ day of December, 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Steven Meiner)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney **MAF**

11-30-21
Date