

RESOLUTION NO. 09 - 01

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY ATTORNEY'S OFFICE TO FILE APPROPRIATE LITIGATION AND ENTER INTO SETTLEMENT AGREEMENTS IN FORFEITURE MATTERS WITHOUT SEEKING COUNCIL APPROVAL; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Police Department, consistent with Chapter 932 of the Florida Statutes, seeks forfeiture of property which was used or intended to be used in violation of the Florida Contraband Forfeiture Act; and

WHEREAS, the need to file forfeiture actions in court must, upon the filing of an adversarial preliminary hearing, be done on an immediate basis; and

WHEREAS, the City Council recognizes that the City Attorney has the need to take immediate action or to settle forfeiture matters with the input of the Chief of Police; and

WHEREAS, the City Council hereby finds it to be in the best interests of its citizens to authorize the City Attorney's office to file appropriate litigation and enter into settlement agreements in forfeiture matters without seeking Council approval;

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

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The City Council hereby authorizes the City Attorney's office to file appropriate litigation and enter into settlement agreements in forfeiture matters without seeking Council approval.

Section 3. This resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Vice Mayor DiPietro, who moved its adoption. The motion was seconded by Councilman Van Name and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilmember Peter Cabrera	(Absent – not present at time of vote)
Councilwoman Sandra Ruiz	Yes
Councilmember Robert Van Name	Yes

PASSED AND ADOPTED this 14th day of January, 2009.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



f/ JOHN J. HEARN, CITY ATTORNEY