

RESOLUTION NO. 21-55

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND SHERIFF GREGORY TONY REGARDING RESOLUTION OF THE FEDERAL EQUITABLE SHARING DISPUTE, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN; AUTHORIZING AND DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about July 11, 2014, a deputy sheriff assigned to the City of Weston conducted a traffic stop of a tractor-trailer vehicle traveling through the City of Cooper City ("City") that was suspected of having been car-jacked; and

WHEREAS, on July 14, 2014, following an investigation by Sheriff Deputies assigned to the City of Cooper City, the City of Weston, the BSO Robbery Unit, the BSO Strategic Investigations Division, and federal law enforcement officers, the tractor-trailer vehicle was x-rayed by United States Customs Officials at Port Everglades and was found to contain \$1,956,187.00 in United States currency; and

WHEREAS, the City and BSO have been engaged in a dispute as to the amount of the City's fair share of the confiscated funds; and

WHEREAS, the City and BSO have reached a resolution to their dispute as to the allocation of the confiscated funds, as detailed in the memorandum of understanding attached hereto as Exhibit "A"; and

WHEREAS, the agreed upon resolution will result in the City receiving new radios and an additional public safety service or asset valued approximately \$580,000 over a three (3) year period; and

WHEREAS, the City Commission deems it to be in the best interests of the citizens and residents of the City to enter into the MOU with BSO providing for a resolution of the federal equitable sharing dispute.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1: **Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed. All exhibits attached hereto and incorporated herein and made a part hereof.

Section 2: That the memorandum of understanding between the City and Sheriff Gregory Tony regarding resolution of the federal equitable sharing dispute, attached hereto as Exhibit “A” and incorporated herein, is hereby approved. That the appropriate city officials are hereby authorized and directed to execute the memorandum of understanding and to take any and all action necessary to effectuate the intent of this resolution.

Section 3. **Conflicts.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 4. **Severability.** If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

Section 5. **Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

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PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2021.

GREG ROSS
Mayor

ATTEST:

KATHRYN SIMS, CMC
City Clerk

ROLL CALL

Mayor Ross _____
Commissioner Green _____
Commissioner Meltzer _____
Commissioner Pulcini _____
Commissioner Shrouder _____

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney