

RESOLUTION NUMBER 25-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; AUTHORIZING ITS CHIEF OF POLICE ON BEHALF OF THE CITY, TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE), A COMPONENT OF THE DEPARTMENT OF HOMELAND SECURITY (DHS), AS A PARTICIPATING U.S. GOVERNMENT AGENCY, TO PROVIDE OPERATIONAL ASSISTANCE PERTAINING TO ENFORCEMENT OF IMMIGRATION LAWS, A COPY OF WHICH IS PART HEREOF AS EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Eustis, Florida wishes to enter into a Memorandum of Agreement, 287(g) Task Force Model (the "MOA"), with the United States Immigration and Customs Enforcement ("ICE"), a component of the Department of Homeland Security, regarding the nomination and certification of officers or employees of the Eustis Police Department ("EPD") to perform immigration enforcement functions as specified under the MOA.

WHEREAS, the nomination and training of EPD personnel to perform the functions specified under the MOA will be under the direction, supervision, and delegation of ICE; and

WHEREAS, the powers and jurisdiction of the EPD will not be limited by the terms of the MOA; and

WHEREAS, the scope of the duties of the EPD, including the lines of authority, are specified within the MOA; and

WHEREAS, authorization to perform immigration officer functions under the MOA is contingent upon the completion of mandatory training and examinations by the respective EPD officers and employees as administered and determined by ICE; and

WHEREAS, EPD personnel is prohibited from performing immigration-related duties under the MOA without completion and passage of the required ICE training and examinations; and

WHEREAS, the selection of EPD personnel to complete the mandatory training and examination process shall be made by the chief officer of the EPD, subject to and in accordance with the prerequisites outlined in the MOA; and

WHEREAS, personnel expenses related to the performance of duties by EPD in accordance with the MOA shall be borne by the EPD; and

WHEREAS, disclosure of information obtained or developed in accordance with the MOA is under the control of ICE and shall only be disclosed under the circumstances enumerated in the MOA, which shall not limit or excuse full compliance with applicable laws and regulations, including Chapter 119, Florida Statutes; and

WHEREAS, EPD personnel acting in accordance with the MOA are bound by all applicable federal civil rights statutes and regulations; and

WHEREAS, the MOA provides for specific procedures under which a complaint can be lodged against EPD personnel for misconduct, including violations of federal civil rights statutes and regulations; and

WHEREAS, the City Commission believes that it is in the best interests of the EPD to enter into the MOA.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

SECTION 1.

That each of the above-stated recitals is hereby adopted and confirmed.

SECTION 2.

That the MOA is hereby approved in substantially the form attached hereto as Exhibit "A," and the Mayor is hereby authorized to direct the EPD Chief of Police to execute the MOA, once approved by the City Attorney as to form and legal sufficiency.

SECTION 3.

That the EPD is authorized to take any action which is necessary to implement this Resolution and the MOA.

SECTION 4.

That this Resolution shall become effective immediately upon adoption by the City Commission.

SECTION 5

That the MOA shall become effective immediately upon the signature of both ICE and the EPD.

DONE AND RESOLVED this 3rd day of April 2025, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE CITY OF EUSTIS,
FLORIDA**

Willie L. Hawkins
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 3rd day of April 2025, by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for reliance by the City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 25-26 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk