



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
CONSENT RESOLUTION

#16-0267

TO: Honorable Mayor and Members
Fort Lauderdale City Commission

FROM: Cynthia A. Everett, City Attorney

DATE: February 16, 2016

TITLE: Resolution Formally Electing Not to Participate in Broward County's Civil Citation Program

Recommendation:

It is recommended that the City Commission adopt a resolution formally electing not to participate in Broward County's Civil Citation Program, and directing the City Manager to develop an adult civil citation program, subject to review by the City Attorney, that would provide for the issuance of civil citations to individuals found in possession of twenty grams or less of cannabis and individuals charged with other municipal ordinance violations, and that would include an educational program and a treatment program, as appropriate.

Background:

On November 10, 2015, the Broward County Board of County Commissioners adopted Ordinance No. 2015-45, which created Section 21-5¹ of the Broward County Code effective November 17, 2015. The ordinance provides for the issuance of a civil citation for possession of twenty grams or less of cannabis, and provides for associated financial penalties, community service, and educational and treatment programs.

Currently the Police Department has a mandatory juvenile civil citation program that includes all non-violent misdemeanor offenders. It is estimated that less than two hundred adult first time non-violent misdemeanor offenders were arrested in 2015. The first time offenders would have been eligible to participate in an adult civil citation program if there was one available. An adult civil citation program would be administered by expanding the current juvenile civil citation program. With an additional 200 participants, the Police Department has indicated that it can manage the increased number without additional resources.

Resource Impact:

There is no fiscal Impact.

¹ Although ordained as Section 21-5 in Ordinance 2015-45, the section was renumbered as Section 21-6 in the Broward County Code.

Exhibits

Exhibit 1: Memorandum dated January 15, 2016, from Dina Kaizen, Assistant City Attorney
Exhibit 2: Resolution

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Charter Officer: Cynthia A. Everett, City Attorney