



COUNCIL AGENDA STATEMENT

Meeting Date: January 12, 2021
To: Honorable Mayor and City Council
Through: George Garrett, City Manager

Agenda Item: **Resolution 2021-03**, Pursuant To The Departments Of Veterans Affairs And Housing And Urban Development, And Independent Agencies Appropriations Act Of 1990 And In Support Of The City’s CDBG-DR Grant With Said Agencies And The Florida Department Of Economic Opportunity Hereby Adopting And Agreeing To Enforce A Policy Prohibiting The Use Of Excessive Force By Law Enforcement Agencies Within The Jurisdiction Of The City Of Marathon Against Any Individual(S) Engaged In Nonviolent Civil Rights Demonstrations; And Providing For An Effective Date.

BACKGROUND & JUSTIFICATION:

The City has accepted and is carrying out multiple projects funded by the Departments Of Veterans Affairs And Housing And Urban Development through the Florida Department of Economic Opportunity. Pursuant to Public Law 101-144 – November 9, 1989, Section 519, None of the funds appropriated under title II of this Act under the heading entitled Community Planning and Development, Community Development Grants, to any department, agency, or instrumentality of the United States may be obligated or expended to any municipality that fails to adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within the jurisdiction of said municipality against any individuals engaged in nonviolent civil rights demonstrations; and

CONSISTENCY CHECKLIST:

| | Yes | No |
|-----------------------|-------------|-------|
| 1. Comprehensive Plan | _____ | _____ |
| 2. Other | _____X_____ | _____ |
| 3. Not applicable | _____ | _____ |

FISCAL NOTE:

Approved by Finance Director: _____

RECOMMENDATION:

Council Approve Resolution

**CITY OF MARATHON, FLORIDA
RESOLUTION 2021-03**

A RESOLUTION OF THE CITY OF MARATHON, FLORIDA, PURSUANT TO THE DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT OF 1990 AND IN SUPPORT OF THE CITY'S CDBG-DR GRANT WITH SAID AGENCIES AND THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY HEREBY ADOPTING AND AGREEING TO ENFORCE A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE BY LAW ENFORCEMENT AGENCIES WITHIN THE JURISDICTION OF THE CITY OF MARATHON AGAINST ANY INDIVIDUAL(S) ENGAGED IN NONVIOLENT CIVIL RIGHTS DEMONSTRATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has accepted and is carrying out multiple projects funded by the Departments Of Veterans Affairs And Housing And Urban Development through the Florida Department of Economic Opportunity; and

WHEREAS, Pursuant to Public Law 101-144 – November 9, 1989, Section 519, None of the funds appropriated under title II of this Act under the heading entitled Community Planning and Development, Community Development Grants, to any department, agency, or instrumentality of the United States may be obligated or expended to any municipality that fails to adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within the jurisdiction of said municipality against any individuals engaged in nonviolent civil rights demonstrations; and

WHEREAS, the City of Marathon supports this law in principal and practice.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

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

Section 2. The City hereby adopts and agrees to enforce a policy prohibiting the use of excessive force by law enforcement agencies within the jurisdiction of the city of marathon against any individuals engaged in nonviolent civil rights demonstrations.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 8TH DAY OF JANUARY 2021.

THE CITY OF MARATHON, FLORIDA

Luis Gonzales, Mayor

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

Steve Williams, City Attorney