

MEMORANDUM

Agenda Item No. 8(I)(1)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: February 1, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution retroactively authorizing the County Mayor to apply for and receive funds from the High Intensity Drug Trafficking Areas (HIDTA) program, administered by the Office of National Drug Control Policy, for use by the Miami-Dade Police Department, and to execute a Memorandum of Understanding with the Monroe County Sheriff's Office; further authorizing the County Mayor to expend HIDTA funds in the amount of \$10,000.00 from the South Florida High Intensity Drug Trafficking Area, and to execute any award letters, contracts, agreements, and memoranda, and to execute any amendments to such contracts, agreements, and memoranda as may be required by program guidelines, and to exercise any cancellation or extension provisions contained therein

Resolution No. R-112-22

The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman and Co-Sponsor Chairman Jose "Pepe" Diaz.



Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: February 1, 2022

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Retroactively Authorizing the Application and Receipt of Grants from the High Intensity Drug Trafficking Areas Program and Authorizing the Expenditure of Awarded Funds

Recommendation

It is recommended that the Miami-Dade Board of County Commissioners (Board) approve the attached resolution retroactively authorizing the County Mayor or County Mayor's designee's action of applying for and receiving no-match grant funds, in an amount of \$10,000.00, from the United States Drug Enforcement Administration (DEA) High Intensity Drug Trafficking Areas (HIDTA) program, administered by the Office of National Drug Control Policy, for use by the Miami-Dade Police Department (MDPD). It is further recommended that the County Mayor or County Mayor's designee be authorized to expend awarded HIDTA program funds herein, as well as HIDTA funds awarded in future grant cycles, and to execute any contracts, agreements, and memoranda as may be required by HIDTA program guidelines.

Scope

These grant funds will support countywide services.

Delegation of Authority

The County Mayor or County Mayor's designee is retroactively authorized to apply for and receive HIDTA funds in the amount of \$10,000.00, from the South Florida HIDTA program, via the Monroe County's Sheriff's Office. The County Mayor or County Mayor's designee is authorized to expend awarded HIDTA funds, and execute any contracts, agreements, and memoranda as may be required by program guidelines, after a review by the County Attorney's Office for form and legal sufficiency, and to exercise any cancellation or extension provisions contained therein, and to execute any amendments, provided that such amendments do not alter the term or purpose of the contracts, agreements, and/or memoranda. The County Mayor or County Mayor's designee is authorized to apply for, receive, and expend HIDTA program funds awarded in future grant cycles.

Fiscal Impact/Funding Source

Miami-Dade County will not incur any costs related to awarded HIDTA program funds.

Track Record/Monitor

To ensure compliance with grant guidelines, the expenditure of awarded HIDTA program funds will be monitored by Assistant Director Gustavo Knoepffler, of the MDPD's Departmental Services, as well as Sergeant Samir Amado, of the MDPD's Fiscal Administration Grants Management Section.

Background

The HIDTA program, administered by the Office of the National Drug Control Policy, and created by the Anti-Drug Abuse Act of 1988, provides financial assistance to federal, state, local, and tribal law enforcement agencies operating in areas determined to be critical drug-trafficking regions of the United States. The main goal of the HIDTA program is to disrupt the market for illegal drugs by dismantling and disrupting drug trafficking and/or money laundering organizations. There are currently 33 HDTAs, as well as HIDTA-designated counties in all 50 states, Puerto Rico, the U.S Virgin Islands, and the District of Columbia. The HDTAs are directed and guided by executive boards composed of an equal number of regional federal and non-federal (state, local, and tribal) law enforcement leaders. Miami-Dade County, along with Martin, Palm Beach, Broward, Collier, and Monroe counties comprise the South Florida HIDTA. Moreover, the Monroe County Sheriff's Office serves as the fiduciary, receiving and disbursing HIDTA grant funds allocated to the South Florida HIDTA.

The South Florida HIDTA Executive Board awarded HIDTA funds in the amount of \$10,000.00 for use by the MDPD to support investigative efforts focused on reducing drug trafficking in the area. To receive and expend awarded HIDTA program funds, the MDPD must enter an MOU with the South Florida HIDTA fiduciary, the Monroe County Sheriff's Office. The MDPD desires retroactive authority for the application and receipt of HIDTA program funds, and the execution of the MOU attached and labeled herein as Exhibit A, as the MOU expires on March 30, 2022.



JD Patterson
Chief Public Safety Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: February 1, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(I)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(I)(1)
2-1-22

RESOLUTION NO. R-112-22

RESOLUTION RETROACTIVELY AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR AND RECEIVE FUNDS FROM THE HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA) PROGRAM, ADMINISTERED BY THE OFFICE OF NATIONAL DRUG CONTROL POLICY, FOR USE BY THE MIAMI-DADE POLICE DEPARTMENT, AND TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE MONROE COUNTY SHERIFF'S OFFICE; FURTHER AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPEND HIDTA FUNDS IN THE AMOUNT OF \$10,000.00 FROM THE SOUTH FLORIDA HIGH INTENSITY DRUG TRAFFICKING AREA, AND TO EXECUTE ANY AWARD LETTERS, CONTRACTS, AGREEMENTS, AND MEMORANDA, AND TO EXECUTE ANY AMENDMENTS TO SUCH CONTRACTS, AGREEMENTS, AND MEMORANDA AS MAY BE REQUIRED BY PROGRAM GUIDELINES, AND TO EXERCISE ANY CANCELLATION OR EXTENSION PROVISIONS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Retroactively authorizes the County Mayor or County Mayor's designee to apply for and receive funds from the High Intensity Drug Trafficking Areas (HIDTA) program, administered by the Office of National Drug Control Policy, for use by the Miami-Dade Police Department.

Section 2. Retroactively authorizes the County Mayor or County Mayor's designee to execute the Memorandum of Understanding with the Monroe County Sheriff's Office for the reimbursement of \$10,000.00 in overtime expenses for Miami-Dade Police Department officers assigned to the South Florida HIDTA Task Force Program.

Section 3. Authorizes the County Mayor or County Mayor’s designee to expend \$10,000.00, from the South Florida HIDTA Task Force Program, for use by the Miami-Dade Police Department.

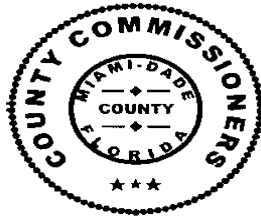
Section 4. Authorizes the County Mayor or County Mayor’s designee to apply for, receive, and expend additional funds from the HIDTA program awarded in future grant cycles.

Section 5. Authorizes the County Mayor or County Mayor’s designee to execute contracts, agreements and/or memoranda as may be required by HIDTA program guidelines, and to execute any amendments contained therein, provided that such amendments do not alter the term or purpose of the contracts, agreements, and/or memoranda, and to exercise any termination or extension provisions contained therein.

The foregoing resolution was offered by Commissioner **Joe A. Martinez** , who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	absent	Rebeca Sosa	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of February, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "AVZ", is written over a horizontal line.

Anita Viciano Zapata

**MEMORANDUM OF UNDERSTANDING REGARDING
OVERTIME REIMBURSEMENT**

between

MONROE COUNTY SHERIFF'S OFFICE

and

MIAMI-DADE COUNTY

IN CONSIDERATION of the promises and mutual covenants and agreements contained herein, the parties agree as follows:

I. PURPOSE AND PARTIES

The South Florida High Intensity Drug Trafficking Area (SFLHIDTA) is a task force program funded by grants through the Office of National Drug Control Policy, Executive Office of the President of the United States. SFLHIDTA is governed regionally by the SFLHIDTA Executive Board which determines how said grant funds are allocated. The Monroe County Sheriffs Office ("MCSO"), a political subdivision of the State of Florida, serves as a fiduciary, receiving and disbursing federal grant funds allocated to SFLHIDTA.

The South Florida HIDTA Executive Board has approved **Miami Dade County**, through the **Miami-Dade Police Department** (Agency) **\$10,000** for overtime (and the purchase of evidence) in support of investigative efforts pertaining to the Cocaine Strategy Initiative approved by ONDCP.

MCSO, as fiduciary for SFLHIDTA, and Agency do hereby agree as follows. In support of the above named initiative the Agency may request reimbursement for:

OVERTIME

1. For task force officers assigned to the above name Initiative. Officer(s) must be eligible for such compensation from their parent agency/department for work conducted in support of the Initiative. SFLHIDTA funds shall not be used to pay for overtime related to training attendance, or non-investigative administrative work, or fringe benefits.
2. SFLHIDTA funded overtime for fulltime participants shall not exceed the lower of applicable state and local regulations for an officer's parent agency or 25% of the federal GS-12 Step-I pay scale for federal law enforcement officer "Rest of US" that is in effect at the beginning of the calendar year (January 1). The Agency of the individual receiving SFLHIDTA-funded overtime shall ensure the maximum amounts are not exceeded. Funds must be spent in compliance with established SFLHIDTA Program Policy, including multi-agency participation, collocation and the SFLHIDTA intelligence sharing plan.
3. The Agency will submit a claim for reimbursement with the following documentation:
 - a. A letter on Agency letterhead outlining total amount of request, time period of the overtime incurred, and instructions as to how check should be made payable and an

address and contact person for remittance.

- b. The Overtime Summary/Certification Sheet "Request for Reimbursement of South Florida SFLHIDTA Overtime Expenses" filled out and signed by an authorized representative of the agency.
- c. Copies of the Agency's overtime authorization sheets providing reference to the SFLHIDTA Initiative with signatures of the employee and supervisor.
- d. Either the individual pay stubs or a report from the Agency's payroll system showing the amount paid to the officer for that overtime.
- e. Copies of the Agency's timesheets for the relevant time periods to verify the method of overtime calculation.

PURCHASE OF EVIDENCE AND/OR INFORMATION (PE/PI):

Per ONDCP Program Guidance 7.25.1, your agency must have written procedures that incorporate the elements listed below. This information must be made available to the HIDTA Director, his/her representatives, or representatives of ONDCP upon request. When submitting reimbursement requests include copies transaction records that reflect these elements:

- Case identifier
- The date of payment(s) of confidential funds
- The name of the payer and a witness to the payment
- The name of the person approving the payment
- The purpose for which the funds were used
- Informant number or other non-sensitive identifier; and
- Adequate explanation to allow an auditor to determine that the funds were properly categorized.

II. POINTS OF CONTACT:

MCSO:

Patrick McCullah, General Counsel
Monroe County Sheriffs Office
5525 College Road
Key West, Florida 33040
Telephone: 305.292.7020; Fax: 305.292.7070;
E-mail: pmccullah@keysso.net

SFHIDTA:

Lissette Meneses
Fiscal Officer
3200 Meridian Parkway Suite 101
Weston, FL 33331
Phone: 954-430-4903 Email: lmmeneses@sflhidta.org

AGENCY:

The Agency's designated contact concerning this MOU, including reimbursement requests and disclosures, shall be:

Sgt. Corey Jones
Miami -Dade Police Department
799 NW 81 St
Miami, FL 33147
Phone: 786-314-4277; Email: U305625@mdpd.org

III. TERM AND TERMINATION:

1. This MOU is effective as of September 22, 2021, and remains through March 30, 2022.
2. Either party may terminate this MOU at any time by providing (30) days prior written notice of termination.
3. In the event of a material breach of this MOU, either party may immediately terminate this MOU.

MONROE COUNTY SHERIFF'S OFFICE

Name: _____

Title: _____

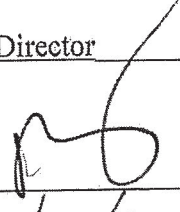
Sign: _____

Date: _____

MIAMI-DADE POLICE DEPARTMENT

Name: Alfredo Ramirez III

Title: Director

Sign: 

Date: 11/22/2021

MIAMI DADE COUNTY

Name: _____

Title: _____

Sign: _____

Date: _____