

MEMORANDUM

Agenda Item No. 11(A)(16)

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

DATE: November 15, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving the
terms of and authorizing the
County Mayor to execute
Amendment #1 to the Law
Enforcement Mutual Aid
Agreement between Miami-
Dade County and the City of
Miami for Voluntary
Cooperation and Operational
Assistance

Resolution No. R-1128-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
County Attorney

GBK/ks



MEMORANDUM

(Revised)

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

DATE: November 15, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

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. 11(A)(16)
11-15-22

RESOLUTION NO. _____ R-1128-22

RESOLUTION APPROVING THE TERMS OF AND
AUTHORIZING THE COUNTY MAYOR OR COUNTY
MAYOR'S DESIGNEE TO EXECUTE AMENDMENT #1 TO
THE LAW ENFORCEMENT MUTUAL AID AGREEMENT
BETWEEN MIAMI-DADE COUNTY AND THE CITY OF
MIAMI FOR VOLUNTARY COOPERATION AND
OPERATIONAL ASSISTANCE

WHEREAS, pursuant to section 23.12 *et seq.*, Florida Statutes, the "Florida Mutual Aid Act," Miami-Dade County ("County") and the City of Miami ("City") are authorized to enter into mutual aid agreements for voluntary cooperation across jurisdictional lines; and

WHEREAS, the County and the City have previously entered into a Law Enforcement Mutual Aid Agreement for Voluntary Cooperation and Operational Assistance ("Mutual Aid Agreement"); and

WHEREAS, the County and the City wish to amend the existing Mutual Aid Agreement to provide for joint law enforcement efforts regarding crimes in specified zones that cross the County's and the City's jurisdictional boundaries; and

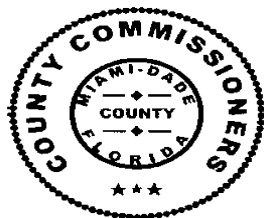
WHEREAS, the County and the City wish to provide for joint law enforcement in these zones to address crimes wherein the victim is not an individual, but rather the people of the State of Florida, such as disorderly intoxication, loitering or prowling, and littering,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the terms of Amendment #1 to the Law Enforcement Mutual Aid Agreement Between Miami-Dade County and the City of Miami for Voluntary Cooperation and Operational Assistance, in substantially the form attached hereto as Exhibit A and made a part hereof, and authorizes the County Mayor or the County Mayor's designee to execute the Amendment.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** 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	Kionne L. McGhee	aye
Jean Monestime	aye	Raquel A. Regalado	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	absent

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of November, 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "Anita Viciano Zapata", written over a horizontal line.

Anita Viciano Zapata

**LAW ENFORCEMENT MUTUAL AID AGREEMENT
BETWEEN MIAMI-DADE COUNTY AND
THE CITY OF MIAMI
FOR VOLUNTARY COOPERATION AND
OPERATIONAL ASSISTANCE
AMENDMENT #1**

In compliance with and under the authority of the Mutual Aid Agreement heretofore entered into by and between the City of Miami, Florida, and Miami-Dade County, Florida, it is hereby declared that said Mutual Aid Agreement be amended to include the following amended language under Section VI. CONCURRENT JURISDICTION:

D. >>Special Provisions for Concurrent Jurisdiction:

Joint enforcement of all laws in the below described "Joint Enforcement Zones" wherein the State of Florida is the victim (e.g., disorderly intoxication, loitering or prowling, littering):

1. Beginning at the west lateral line of the intersection of S.W. 46th Avenue and S.W. 8th Street (Tamiami Trail), all sidewalks and right-of-way eastbound along the center line of S.W. 8th Street (Tamiami Trail) terminating at the east lateral line of S.W. 40th Avenue, including all areas within 100 feet, north and south, of the aforesaid route, as illustrated in Exhibit 1 to this amendment, titled "Area 1 Combined Interlocal Agreement"; and

2. Beginning at the west lateral line of the intersection of S.W. 76th Avenue and S.W. 8th Street (Tamiami Trail), all sidewalks and right-of-way eastbound along the center line of S.W. 8th Street (Tamiami Trail) terminating at the east lateral line of S.W. 67th Avenue, including all areas within 100 feet, north and south, of the aforesaid route, as illustrated in Exhibit 2 to this amendment, titled "Area 2 Combined Interlocal Agreement."

E.<< General Requirements:

1. Officers shall not utilize unmarked vehicles to make traffic stops or to engage in vehicle pursuits.

2. Concurrent law enforcement jurisdiction pursuant to this Agreement does include preplanned operations, undercover investigations, stings, or sweeps.
3. Officers shall not conduct routine patrol activities outside of their jurisdiction.
4. Reports of any action taken pursuant to this Agreement shall be faxed to the agency head of the agency within whose jurisdiction the action was taken, as soon as possible after the action.
5. Any conflicts regarding jurisdiction will be resolved by allowing the agency within whose jurisdiction the action took place to take custody of any arrestees and/or crime scenes.
6. All concurrent jurisdiction stationary surveillance activities shall require notification of the agency within whose jurisdiction the surveillance takes place. The notification shall include the general location of the surveillance, and a description of the vehicles involved. Mobile surveillance shall not require notification unless concurrent jurisdiction enforcement activities take place.

This Amendment shall be in effect from the date of signing and shall remain in full force through and including January 1, 2025, the expiration date of the existing Mutual Aid Agreement between the above parties. This Amendment may be cancelled by either party upon thirty (30) days written notice to the other party.

AGREED TO AND ACKNOWLEDGED this _____ day of _____, 2022,

MIAMI-DADE COUNTY

Daniella Levine Cava, Mayor

Alfredo "Freddy" Ramirez III, Director
Miami-Dade Police Department

ATTEST:

Harvey Ruvlin, County Clerk
Miami-Dade County, Florida

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

Geri Bonzon-Keenan, County Attorney
Miami-Dade County, Florida

AGREED TO AND ACKNOWLEDGED this _____ day of _____, 2022,

THE CITY OF MIAMI

Arthur Noriega V.
City Manager

Manuel Morales, Chief
Miami Police Department

ATTEST:

Todd B. Hannon, City Clerk
City of Miami

APPROVED AS TO LEGAL FORM
AND CORRECTNESS:

Victoria Méndez, City Attorney
City of Miami

APPROVED AS TO INSURANCE
REQUIREMENTS:

Ann-Marie Sharpe
Risk Management Director



Area 1 Combined Interlocal Agreement

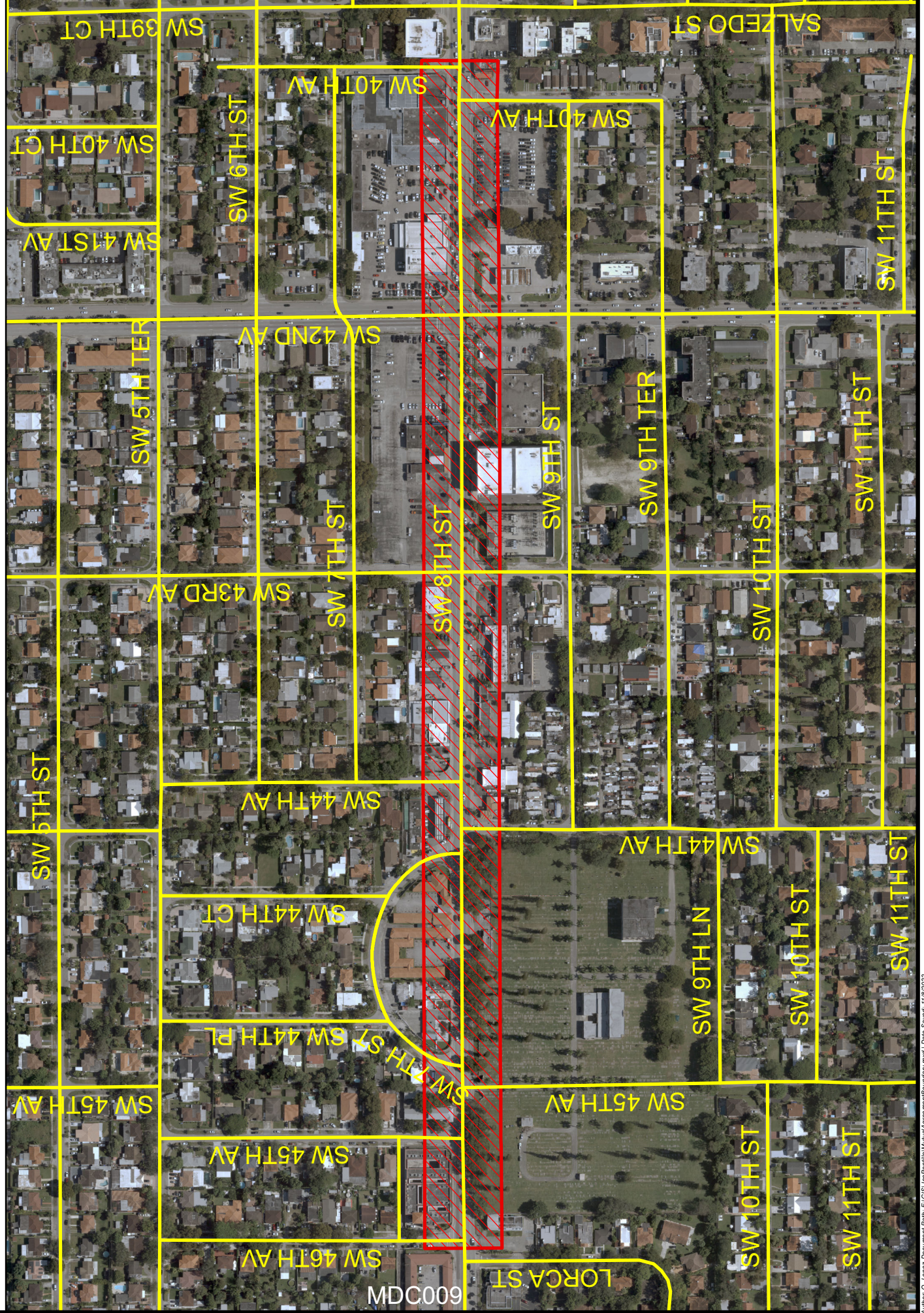
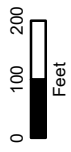




Exhibit 2

Area 2 Combined Interlocal Agreement



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