

MEMORANDUM

Amended
Agenda Item No. 11(A)(2)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 4, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution establishing as
County policy that Miami-Dade
County will not consider requests
for mutual aid for voluntary
cooperation and operational
assistance for preplanned
voluntary major events without
reimbursement of personnel costs
from the requesting agency

Resolution No. R-767-24

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor
Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 4, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

Amended

SUBJECT: Agenda Item No. 11(A)(2)

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 _____

Amended
Agenda Item No. 11(A)(2)
9-4-24

R-767-24
RESOLUTION NO. _____

RESOLUTION ESTABLISHING AS COUNTY POLICY THAT
MIAMI-DADE COUNTY WILL NOT CONSIDER REQUESTS
FOR MUTUAL AID FOR VOLUNTARY COOPERATION AND
OPERATIONAL ASSISTANCE FOR PREPLANNED
VOLUNTARY MAJOR EVENTS WITHOUT
REIMBURSEMENT OF PERSONNEL COSTS FROM THE
REQUESTING AGENCY

WHEREAS, section 23.12 *et seq.*, Florida Statutes, known as the “Florida Mutual Aid Act,” authorizes law enforcement agencies to enter into written agreements for voluntary cooperation, requested operational assistance, or a combination; and

WHEREAS, section 23.1225, Florida Statutes, provides that such mutual aid agreements must specify, among other terms, “the agency or entity that shall bear any liability arising from acts undertaken under the agreement” and “the amount of any compensation or reimbursement to the assisting agency or entity”; and

WHEREAS, in 2015, this Board passed Resolution No. R-214-15, approving the terms of a mutual aid agreement for voluntary cooperation and operational assistance between Miami-Dade County and select governing bodies and their respective law enforcement agencies, including municipal police departments (the “2015 Mutual Aid Agreement”); and

WHEREAS, the 2015 Mutual Aid Agreement provides that a party to the agreement may request voluntary cooperation and operational assistance for a number of circumstances and conditions, including, but not necessarily limited to, “major events; e.g., sporting events, concerts, parades, fairs, festivals, and conventions”; and

WHEREAS, the 2015 Mutual Aid Agreement provides that the agency providing aid shall be responsible for compensating its own employees rendering aid and for defraying travel and maintenance expenses; and

WHEREAS, this Board is concerned that the 2015 Mutual Aid Agreement is being invoked for preplanned voluntary major events, resulting in mutual aid from the Miami-Dade Police Department being rendered at the County's cost, which can be substantial; and

WHEREAS, this Board wishes to ensure that the 2015 Mutual Aid Agreement is not used to shift the costs of major events onto the County; and

WHEREAS, to that end, this Board wishes to establish as County policy that Miami-Dade County will not consider requests for mutual aid for voluntary cooperation and operational assistance for preplanned voluntary major events without reimbursement of personnel costs from the requesting law enforcement agency; and

WHEREAS, for preplanned voluntary major events where law enforcement assistance is being requested from the Miami-Dade Police Department, Miami-Dade County will require a separate agreement for the event, pursuant to which a requesting agency must agree to reimburse Miami-Dade County for personnel costs in connection with the rendered aid,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board establishes as County policy that Miami-Dade County will not consider requests for mutual aid for voluntary cooperation and operational assistance for preplanned voluntary major events without reimbursement of personnel costs from the requesting law enforcement agency. For preplanned voluntary major events, a separate agreement or memorandum of understanding between Miami-Dade County and the requesting law enforcement agency shall be presented to the Board of County

Commissioners for approval and, after election of the Sheriff, to the elected county Sheriff, with notice to the district commissioner. Such agreement must include the approximate cost to the County for the requested personnel.

The Prime Sponsor of the foregoing resolution is Chairman Oliver G. Gilbert, III. It was offered by Commissioner **Oliver G. Gilbert, III**, who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	nay	Sen. René García	nay
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	nay
Micky Steinberg	nay		

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of September, 2024. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Anita Viciania Zapata