

RESOLUTION NO. R-2013-65

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI POLICE DEPARTMENT, MIAMI-DADE COUNTY, AND THE MIAMI-DADE POLICE DEPARTMENT TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT'S PARTICIPATION IN "OPERATION STONEGARDEN"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the City of North Miami, Miami-Dade County, and the Miami-Dade Police Department are desirous of entering into a Memorandum of Understanding with each other to complement ongoing law enforcement efforts as they apply to illegal alien, narcotic, and terrorist smuggling within the Miami-Dade County area; and

WHEREAS, the intent of "Operation Stonegarden" is to enhance law enforcement preparedness and operational readiness along land and water borders of the United States with strong cooperation between federal, state, and local law enforcement agencies; and

WHEREAS, the Mayor and City Council believe that a Memorandum of Understanding for this purpose will benefit the residents of the City and should be entered into with Miami-Dade County and the Miami-Dade Police Department.

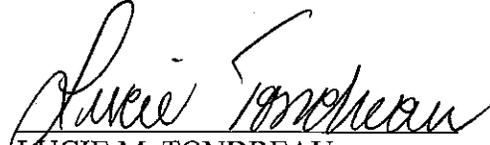
NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Approval of Memorandum of Understanding. The Mayor and City Council of the City of North Miami, Florida, hereby approve the Memorandum of Understanding between the City of North Miami, Miami-Dade County, and the Miami-Dade County Police Department for the North Miami Police Department's participation in Operation Stonegarden, attached as "Exhibit 1."

Section 2. Authority of City Manager and Police Chief. The City Manager and the Chief of Police are hereby authorized to execute the Memorandum of Understanding attached as "Exhibit 1" with Miami-Dade County and the Miami-Dade County Police Department.

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

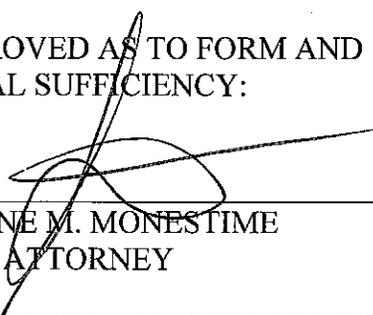
PASSED AND ADOPTED by a 4-1 vote of the Mayor and City Council of the City of North Miami, Florida, this 25 day June, 2013.


LUCIE M. TONDREAU
MAYOR

ATTEST: 

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Vice Mayor Steril

Seconded by: Mayor Tondreau

Vote:

| | | | | |
|-----------------------------------|---------------|-------|---------------|------|
| Mayor Lucie M. Tondreau | <u> x </u> | (Yes) | <u> </u> | (No) |
| Vice Mayor Marie Erlande Steril | <u> x </u> | (Yes) | <u> </u> | (No) |
| Councilperson Scott Galvin | <u> </u> | (Yes) | <u> x </u> | (No) |
| Councilperson Carol F. Keys, Esq. | <u> x </u> | (Yes) | <u> </u> | (No) |
| Councilperson Philippe Bien-Aime | <u> x </u> | (Yes) | <u> </u> | (No) |

Memorandum of Understanding
Operation Stonegarden
Miami-Dade County
Miami-Dade Police Department and
City of North Miami

1. Purpose:

This Memorandum of Understanding (MOU) will implement the Operation Stonegarden grant awarded to Miami-Dade County from the State of Florida Division of Emergency Management via the Department of Homeland Security, Federal Emergency Management Agency's (FEMA) Operation Stonegarden Grant Program. This MOU is between Miami-Dade County and the City of North Miami. Authority for this grant initiative was approved by the Board of County Commissioners on December 5, 2006, Resolution R-1379-06 (**Attachment 1**).

The intent of Operation Stonegarden (OPSG) is to enhance law enforcement preparedness and operational readiness along land/water borders of the United States with strong cooperation/coordination between federal, state, local, and tribal law enforcement agencies in support of U.S. Customs and Border Protection, U.S. Border Patrol (CBP/USBP), as outlined in the National Border Patrol Strategy.

2. Background:

This operation will be conducted by the Miami-Dade Police Department's Marine Patrol Unit, in conjunction with members of following municipalities, state and tribal law enforcement agencies: Coral Gables Police Department, Miami Police Department, Miami Beach Police Department, North Miami Police, and Florida Fish and Wildlife Conservation Commission. Operations will commence with the current operations order.

The overall mission of Operation Safe Coast is to complement ongoing law enforcement efforts as they apply to illegal alien, narcotic, and terrorist smuggling in the Miami-Dade County AOR. Due to personnel constraints, the majority of marine law enforcement activity in the AOR operates mostly on a day shift, Monday through Friday, with minimal staffing on nights and weekends. Operation Safe Coast will focus enforcement efforts during hours that marine law enforcement in the AOR normally has low staffing levels. The target time is anticipated to being an Evening shift (1800hrs - 0200hrs), when smugglers may anticipate reduced enforcement efforts by marine law enforcement. There are several strategic law enforcement/marine facilities that could be used as a base of operation and or transient point(s), to include; Pelican Harbor Marina, Matheson Hammock Marina and Black Point Marinas.

The MDPD is the primary organizational unit and the City of North Miami is the secondary organizational unit. With regard to this grant, as the grant was awarded to MDC, the MDPD will be the lead organization, as documented in the Operations Order. As the lead organization, the MDPD has primary responsibility to ensure compliance with grant requirements on behalf of MDC.

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3. Duration of Grant and Related MOU:

The initial operation period is from February 2, 2013 through July 31, 2013. Additional operation periods will be added with related approved Federal funding and Operations Orders. This MOU shall begin effective May 1, 2013, and shall be effective through the end of the grant period, July 31, 2013. All operations must conclude by this date for grant compliance. Requests for an extension must be made in writing by the City of North Miami to the MDPD. Extension requests must be made in compliance with grant requirements, including the grant period.

4. Department Roles and Responsibilities With Regard to This Grant:

The MDPD, as the sub-grantee, will monitor the implementation of this MOU in accordance with the grant requirements. This includes operational and administrative performance, fiscal management, reporting, and other related grant requirements as may be required by Operation Stonegarden and Florida Division of Emergency Management.

The City of North Miami will implement the grant funded initiative in accordance with all requirements provided by FEMA, Florida Division of Emergency Management, and the Miami-Dade Police Department. Also, the City of North Miami will conduct Operation Safe Coast operations in accordance with requirements by the Miami-Dade Police Department as lead agency for this grant.

5. Reporting Requirements

The Florida Division of Emergency Management has specific financial and administrative requirements, including reporting. In consideration of the MDPD role as the primary recipient/sub-grantee and the associated reporting requirements, the City of North Miami shall adhere to the following reporting requirements:

- a. All reports must be submitted to the MDPD Point of Contact;
- b. Program Status reports will use the form in **Attachment 2**;
- c. Reimbursement Requests will use the form in **Attachment 3**;
 - i. Reimbursement Reports must include a printout from agency financial system for the reporting period, the required financial report form, and other corresponding backup documentation.
- d. Report corrective actions using **Attachment 4**.
 - i. For any non-compliance issues, Corrective Action Plans must be submitted to address the non-compliance issues, including the non-compliance issue, specific action(s) to be taken to bring the situation into compliance, the entity/personnel responsible, the date

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to be completed and a copy of the source documentation for verification upon completion.

6. Submission of Reports:

- a. Reports must be submitted by the deadlines identified in **Attachment 5**.
- b. Reports must be signed and dated by authorized personnel
- c. Reports may be sent electronically to the MDPD Point of Contact.

MDPD, as the lead agency, must ensure compliance with all of the reporting requirements in relation to both financial and programmatic reports.

Non-compliance could be treated as a violation of the award agreement. In the event of non-compliance, City of North Miami will be required to submit a corrective action plan (**Attachment 4**) which stipulates the action to be taken to bring the project into compliance, the time frame for this action, and the person(s) responsible.

7. Grant Compliance, Non Compliance and Corrective Action:

The State award is a form of contract, outlining term and conditions for Miami-Dade County. This MOU is likewise a form of contract between Miami-Dade County and the City of North Miami. Non-compliance with requirements is considered a violation of the MOU. The MDPD may use any customary remedial actions necessary to ensure compliance, including withholding funds, termination, or suspension and debarment, as appropriate.

8. Department Representatives:

The Point of Contact for the MDPD is:

Name: Sergeant Randall Rossman
Phone Number: (305) 471-2501
Email Address: rrossman@mdpd.com

The Point of Contact for the City of North Miami is:

Name: **Trevor Shinn**
Phone Number: (305) 891-0294
Email Address: Tshinn@northmiamipolice.com

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The authorized personnel to sign reports, Fiscal and Operational, for City of North Miami is:

Name: Jorge Manresa
Phone Number: 305 891-0294
Email Address: jmanresa@northmiamipolice.com

9. Grant Requirements:

City of North Miami will be responsible for compliance with all grant requirements as stated in the grant award documents to MDC, **Attachment 6** and all other Operation Stonegarden requirements. In addition, the City of North Miami will implement the project in compliance with the approved Operations Order and budget.

10. MOU Amendment:

The MOU may be amended, based on request submitted in writing to the MDPD. These requests, upon approval, will be authorized by the MDPD, and when necessary by the Florida Division of Emergency Management.

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Miami-Dade County
Miami-Dade Police Department and
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Miami-Dade County:

Carlos A. Gimenez, Mayor
Miami-Dade County

Date

J.D. Patterson, Director
Miami-Dade Police Department

Date

City of North Miami:

Signing Official Name: Stephen Johnson
Print Title: City Manager, North Miami
City of North Miami

Date

Marc Elias, Jr.
North Miami Police Department

Date

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List of Attachments

- Attachment 1: Board of County Commission Resolution R-1379-06
- Attachment 2: Quarterly Status Report Form
- Attachment 3: Reimbursement Request Form
- Attachment 4: Corrective Action Report
- Attachment 5: Calendar of Reporting Deadlines
- Attachment 6: Approved Operations Order