

RESOLUTION NO. 2022-R-68

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR ACCESS TO BIOMETRIC FACIAL ANALYSIS SYSTEM (“BFAS”) BETWEEN THE CITY OF NORTH MIAMI AND FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES (“FLHSMV”) TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT’S ABILITY TO ACCESS FLHSMV’S BFAS; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the Florida Department of Highway Safety and Motor Vehicles (“FLHSMV”) collects and maintains all Florida Driver’s License information to identify individuals, as part of its statutorily mandated duties and responsibilities; and

WHEREAS, the City of North Miami (“City”) must enter into a Memorandum of Understanding (“MOU”) with FLHSMV for access to their records and to provide for the conditions and limitations under which FLHSMV agrees to make available electronic access to its Biometric Facial Analysis System (“BFAS), including digital images of full-face Driver’s License photographs for the purposes of biometric facial analysis and comparison; and

WHEREAS, the North Miami Police Department has determined that access to FLHSMV’s records and BFAS will enhance its ability to investigate and solve crimes; and

WHEREAS, the North Miami Police Department is qualified to obtain personal information under the exception numbers, listed in Attachment I of the MOU, authorized by the Driver’s License Privacy Act (“DPPA”), and Florida Statutes 119.0712 (2) and 322.142.

WHEREAS, the Mayor and City Council believe that the MOU for these purposes will benefit the residents of the City and should be entered into.

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

Section 1. Approval of Agreement. The City Council hereby approves the Memorandum of Understanding for Access to Biometric Facial Analysis System between the City IWO # 22.198 (VM)

of North Miami and Florida Department of Highway Safety and Motor Vehicles attached as “Exhibit 1.”

Section 2. Authority of City Manager and Police Chief. The City Manager and the Chief of Police are authorized to execute the Memorandum of Understanding, attached as “Exhibit 1.”

Section 3. Effective Date. This Resolution will be effective upon adoption.

PASSED AND ADOPTED by a 4-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 24th day of May, 2022.


PHILIPPE BIEN-AIME
MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Timothe

Vote:

Mayor Philippe Bien-Aime	<u> X </u>	(Yes)	<u> </u>	(No)
Vice Mayor Alix Desulme, Ed.D.	<u> X </u>	(Yes)	<u> </u>	(No)
Councilman Scott Galvin	<u> X </u>	(Yes)	<u> </u>	(No)
Councilwoman Kassandra Timothe, MPA	<u> X </u>	(Yes)	<u> </u>	(No)
Councilwoman Mary Estimé-Irvin	<u> </u>	(Yes)	<u> </u>	(No) Absent