

RESOLUTION NO. 2019-R-138

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF AN INTERAGENCY AGREEMENT FOR ACCESS TO FCIC/NCIC VIA MIAMI-DADE COUNTY/ MIAMI-DADE POLICE DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the parties to this agreement are Miami-Dade County, through the Miami-Dade Police Department (“MDPD”), and the North Miami Police Department (“NMPD”) (collectively, the “Parties”), and

WHEREAS, the MDPD and NMPD are law enforcement agencies, formally recognized by the Federal Bureau of Investigation (“FBI”) and the Florida Department of Law Enforcement (“FDLE”); and

WHEREAS, the MDPD and NMPD both have the benefit of access to the Florida Criminal Justice Network (“CJNet”), National Crime Information Center (“NCIC”), the Florida Crime Information Center (“FCIC”), and the Interstate Identification Index (“III”), which are all hereafter collectively referred to as FCIC, via network connectivity to the FDLE; and

WHEREAS, the participating agency wishes to access FCIC/NCIC for the administration of criminal justice; and

WHEREAS, the parties agree as follows:

1. The participating agency shall:

- A. Be entitled to use, through agents and employees of the MDPD, the computer system provided via the MDPD for the purpose of gaining access to information systems including but not limited to FCIC/NCIC, Law Enforcement Interface System (LEIS), Electronic Arrest Form (e A-FORM), and the Miami-Dade CJIS System.
- B. Abide by all applicable local, state, and federal laws, rules and regulations, as well as the FBI CJIS Security Policy and rules and regulations of FCIC, with regard to the use of said computer systems.

C. Abide by all the terms and conditions of the Criminal Justice User Agreement executed between the FDLE and the MDPD, dated **June 10, 2016**, a copy of which is attached to this Interagency Agreement.

D. Only use the information technology systems for the administration of criminal justice.

2. Cancellation

Either party may terminate this agreement upon thirty (30) days written notice, except that the MDPD may terminate this agreement immediately and without notice upon finding that the participating agency has violated the terms of this agreement.

3. Term

This Agreement shall be effective from the date of execution by the final signatory and shall continue for a period of five years. This Agreement may be formally renewed for one period consisting of five years.

4. Amendments

This Agreement may be amended as necessary to comply with requirements regarding access to these information systems, as set forth by the FBI, the FDLE and/or the MDPD. All amendments must be in writing and executed by all parties.

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

Section 1. **Approval of Mutual Aid Agreement.** The City Council hereby approves the Execution of an Interagency Agreement for Access to FCIC/NCIC via Miami-Dade County/ Miami-Dade Police Department and the North Miami Police Department.

Section 2. **Authority of City Manager.** The City Manager is authorized to execute the Interagency Agreement between The City of North Miami and Miami-Dade County.

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

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 26th day of November, 2019.


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: Keys

Vote:

Mayor Philippe Bien-Aime
Vice Mayor Carol Keys, Esq.
Councilman Scott Galvin
Councilwoman Mary Estimé-Irvin
Councilman Alix Desulme, Ed.D.

<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)