

RESOLUTION NO. 2016-R-82

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT AND JOINT DECLARATION BETWEEN THE CITY OF NORTH MIAMI AND THE VILLAGE OF INDIAN CREEK, IN SUBSTANTIALLY THE ATTACHED FORM, TO PROVIDE FOR ADEQUATE LEVELS OF POLICE SERVICES; FURTHER AUTHORIZING THE CITY MANAGER AND POLICE CHIEF TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the entering into of mutual aid agreements between municipalities is authorized by Chapter 23, Florida Statutes, Florida Mutual Aid Act; and

WHEREAS, the City of North Miami and the Village of Indian Creek are desirous of entering into a Mutual Aid Agreement and Joint Declaration with each other to provide adequate levels of police service to ensure the public safety of their residents; and

WHEREAS, the Mayor and City Council believe that the Mutual Aid Agreement with the Village of Indian Creek and the accompanying Joint Declaration will benefit the residents of the City of North Miami and should be entered into with the Village of Indian Creek.

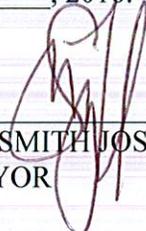
NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Approval of Agreement and Joint Declaration.** The Mayor and City Council of the City of North Miami hereby approve the Mutual Aid Agreement and Joint Declaration between the City of North Miami and the Village of Indian Creek, in substantially the attached form.

Section 2. **Authority of City Manager and Police Chief.** The City Manager and the Police Chief are authorized to execute the Mutual Aid Agreement and the Joint Declaration attached with the Village of Indian Creek.

Section 3. **Effective Date.** This Resolution shall become 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 23rd day of August, 2016.



DR. SMITH JOSEPH
MAYOR

ATTEST:



MICHAEL A. ETIENNE, 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: Desulme

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	<u>X</u>	(Yes)	<u> </u>	(No)
Vice Mayor Alix Desulme	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	<u> </u>	(No)
Councilwoman Carol Keys, Esq.	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Philippe Bien-Aime	<u>X</u>	(Yes)	<u> </u>	(No)

**JOINT DECLARATION OF THE CHIEF OF THE CITY OF NORTH MIAMI POLICE
DEPARTMENT AND THE CHIEF OF THE VILLAGE OF INDIAN CREEK PUBLIC
SAFETY DEPARTMENT PURSUANT TO MUTUAL AID AGREEMENT**

A deputy sheriff or police officer of either of the participating law enforcement agencies shall be considered to be operating under the provisions of the mutual aid agreement when:

Participating in law enforcement activities that are pre-planned and approved by each respective agency head, or

Appropriately dispatched in response to a request for assistance from the other law enforcement agency.

In compliance with, and under the authority of, the Mutual Aid Agreement, hereto entered into by the **City of North Miami**, Florida and the **Village of Indian Creek**, Florida, it is hereby declared that the following list comprises the circumstances and conditions under which mutual aid may be requested and rendered regarding police operations pursuant to the agreement. Said list may be amended or supplemented from time to time, as needs dictate by subsequent declarations.

1. Joint multi-jurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes and strikes.
3. Any natural disaster
4. Incidents which require rescue operations and crowd and traffic control measures, including, but not limited to: large scale evacuations, aircraft and shipping disasters, fires, explosions, gas line leaks, radiological incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
6. Escapes from or disturbance within detention facilities.
7. Hostage and barricaded subject situations, and aircraft piracy.
8. Control of major crime scenes, area searches, perimeter control, backups to emergency and in-progress calls, pursuits, coordinated off-duty work, and missing persons calls.
9. Participating in exigent situations without a formal request which are spontaneous occurrences such as area searches for wanted subjects, perimeters, crimes in progress, escaped prisoners. Traffic stops near municipal

boundaries, request for assistance and no local unit is available or nearby, calls or transmissions indicating an officer is injured, calls indicating a crime or incident has occurred in which a citizen may likely be injured and the assisting municipality is closer to the area than the officer receiving the call.

10. Enemy attack
11. Transportation of evidence requiring security.
12. Major events; e.g., sporting events, concerts, parades, fairs, festivals, and conventions.
13. Security and escort duties for dignitaries.
14. Emergency situations in which one agency cannot perform its functional objective.
15. Incidents requiring utilization of specialized units; e.g., underwater recovery, canine, motorcycle, crime scene, marine patrol enforcement or investigation, and police information.
16. Joint training in areas of mutual need.
17. Mutual enforcement of all existing applicable laws and ordinances and exercise of arrest powers within the area comprising the jurisdictional waters within respective municipal boundaries.

Date: _____

Date: _____

Clarke P. Maher
Chief of the Village of Indian Creek
Public Safety Department Public Safety
Village of Indian Creek, Florida

Gary Eugene
Chief of the City of North Miami Police
Department
City of North Miami, Florida

ATTEST:

ATTEST:

Marilane Lima, Village Clerk
Village of Indian Creek, Florida

Michael A. Etienne, City Clerk
City of North Miami, Florida