



**CITY COMMISSION
ORDINANCE/RESOLUTION**

TITLE: Resolution 21-55 (Administration/City Attorney)

DESCRIPTION: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND SHERIFF GREGORY TONY REGARDING RESOLUTION OF THE FEDERAL EQUITABLE SHARING DISPUTE, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN; AUTHORIZING AND DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY MANAGER RECOMMENDATION:

The City Manager recommends approval of Resolution 21-55 and the memorandum of understanding between the City and the Sheriff's Office.

BACKGROUND OF ITEM:

In July 2014, a deputy sheriff assigned to the City of Weston conducted a traffic stop of a tractor-trailer vehicle traveling through the City of Cooper City that was suspected of having been car-jacked. Following an investigation by Sheriff Deputies assigned to the City of Cooper City, the City of Weston, the BSO Robbery Unit, the BSO Strategic Investigations Division, and federal law enforcement officers, the tractor-trailer vehicle was x-rayed by United States Customs Officials at Port Everglades and was found to contain \$1,956,187.00 in United States currency.

In August, 2019, following multiple negotiations in order to resolve the dispute, as detailed in the memorandum of understanding the parties agreed that Sheriff would use the federal sharing award to purchase radios for law enforcement and fire rescue personnel assigned to the City under the police and fire services agreements, contingent upon the City and Sheriff renewing agreements for such services; the parties informal agreement to purchase radios using the federal asset sharing award was occasioned by Broward County's efforts to upgrade its emergency communications systems, wherein Broward County required law enforcement and fire rescue personnel to upgrade their radios to make them compliant with the P25 standard. The Sheriff entered into a lease/purchase installment agreement with Motorola for the purchase of

P25 radios and related equipment for all BSO sworn personnel, including for law enforcement and fire rescue personnel assigned to provide services to city. In or about May 2020, the first of three annual installment payments for the radios and related equipment was due, including the City’s portion of that installment; however, since agreements for police and fire services were not yet in place between the sheriff and city, the city’s portion of first installment payment was paid from the City’s general revenue fund rather than from the federal asset sharing award.

On or about October 1, 2020, the parties entered into agreements for police and fire services. The second installment payment to Motorola was paid by BSO in May of 2021, and the third installment payment to Motorola is due on or about May 1, 2022. The Sheriff shall utilize additional federal forfeiture funds in an amount equal to the value of the first annual installment payment of the radios to acquire an additional public safety asset or public safety service (hereinafter “Public Safety Purchase”) to be utilized within the City, in accordance with this MOU and the Federal Equitable Sharing Guidelines. The parties wish to memorialize their agreement that the City’s portion of the third installment payment to Motorola for the radios and related equipment and the Public Safety Purchase will be made from the federal sharing award, and to provide for the ownership of the radios and related equipment and any public safety asset acquired through the Public Safety Purchase during the term of the agreements for police and/or fire services, and upon expiration or termination of the agreements for police and/or fire services.

<u>General Ledger Acct. Number</u>	<u>Budgeted Amount</u>	<u>Requested Amount</u>	<u>Remaining Amount</u>

ATTACHMENTS:

1. Resolution 21-55
2. Memorandum of Understanding