

RESOLUTION No. 2008-208-895

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER, THROUGH THE POLICE DEPARTMENT, TO BORROW GOODS FROM BUSINESSES LOCATED WITHIN THE CITY FOR USE IN THE POLICE DEPARTMENT CRIMINAL INVESTIGATIVE UNIT; AUTHORIZING WAIVERS FOR THIS PURPOSE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Miami Gardens Police Department's Criminal Investigative Unit oftentimes requires the use of various goods, including home electronics, jewelry and other property, to assist with undercover investigation, and

WHEREAS, it is cost prohibitive for the Police Department to purchase these goods whenever they are necessary, and

WHEREAS, the Police Department has made contact with various businesses located within the City of Miami Gardens who have agreed to assist the Police Department in its investigations by allowing the use of its goods for this purpose, and

WHEREAS, City Council would like to authorize the City Manager, through the Police Department, to coordinate with these business in order to use whatever goods might be required of the Police Department,

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

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

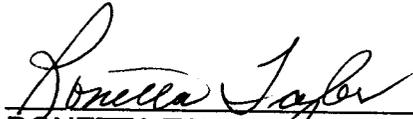
Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby authorizes the City Manager to coordinate with businesses located within the City of Miami Gardens for the purpose of using goods on a temporary basis to assist in undercover investigations. The City Manager is further authorized to execute liability waivers on behalf of the City for this purpose.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON OCTOBER 22, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilwoman Pritchett
SECOND BY: Vice Mayor Watson

VOTE: 7-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III
Councilman André Williams

Agenda Cover Page

Date: October 22, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: *N/A*

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Dr. Danny O. Crew

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ/Bid # *N/A*

Quasi-Judicial

Resolution

2nd Reading

Title

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Staff Summary

The Miami Gardens Police Department is requesting to use property owned by local businesses for temporary use in undercover police investigations. The use of such property would further the goal of the police department's investigations and assist in removing the presence of unwanted criminals and unlawful businesses within the City of Miami Gardens.

Analysis:

There are several Pawnbrokers and Second Hand Dealers in the City of Miami Gardens that are operating unlawfully in violation of state and local law. In an effort to eliminate such lawlessness, the Miami Gardens Police Department, Criminal Investigative Unit needs home electronics, jewelry, and other types of property to further many undercover investigations. There are businesses that are interested in allowing property to be used for investigative purposes on a temporary basis. The property used would be returned to the business upon completion of the investigation or upon termination of any criminal matter. Businesses would be required to sign waivers that would release the

City of Miami Gardens from any liability due to loss or damage to the property. The Agreement would also detail the waiver of any payment for the use of the property or for any compensation for its use.

Recommendation:

That the City Council authorize the City Manager to execute liability waivers with local business owners for the use of tangible property in criminal investigations on a temporary basis.