

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2641.19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING AN AGREEMENT WITH THE CITY OF SUNNY ISLES BEACH TO SHARE LICENSE PLATE READERS LOCATED IN THE 19400 BLOCK OF COLLINS AVENUE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach (the "Town") Police Department (the "Police Department") and the City of Sunny Isles Beach (the "City") Police Department wish to share the detection data, hotlists and hardware of License Plate Readers to be located at the 19400 block of Collins Avenue; and

WHEREAS, the Town Council wishes to enter into an agreement with the City for the shared use of information as provided for in the Agreement, attached hereto as Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Approval of Agreement. The Town Council hereby authorizes and approves the Agreement in substantially the form attached hereto as Exhibit "A" (the "Agreement").

Section 3. Implementation. Subject to the approval of the Town Attorney, the Town Manager is authorized to execute the Agreement and is directed to take all steps reasonably necessary to implement the Agreement and this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

The Motion to adopt the foregoing Resolution was offered by Councilmember Bernstein, seconded by Councilmember Lusskin, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida this 17th day of September, 2019.




MAYOR GLENN SINGER

ATTEST:



LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT "A"

(Attach Agreement between the Town and City)



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: September 17, 2019

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manager

Item Number:

10

Subject: Resolution No. 2641.19- Recommending the data sharing of
LPR Cameras with Sunny Isles Police Department.

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2641.19 as presented.

Background:

The Town wishes to share all data obtained by the License Plate Readers with Sunny Isles Beach Police Department (SIBPD). The Data includes data detection, hotlists and hardware of License Plate Readers to be located at the 19400 block of Collins Avenue.

Fiscal Impact:

None.

**AGREEMENT TO SHARE LICENSE PLATE READER
DETECTION DATA, HOTLISTS AND HARDWARE**

This Agreement is made and entered into as of the _____ day of _____, 2019, by and between **The City of Sunny Isles Beach, Florida (“THE CITY”)**, through its Police Department, and **The Town of Golden Beach, (“THE TOWN”)**, through its Police Department, in which the parties agree to share the detection data, hotlists, and hardware of the License Plate Readers located at the 19400 block of Collins Avenue. This Agreement shall remain in full force and effect unless terminated pursuant to the provisions of Section 8 below.

IT IS UNDERSTOOD AND AGREED BY BOTH PARTIES THAT:

1. **THE CITY**, at its sole cost and expense, shall install the License Plate Reader cameras together with all necessary components to cover both lanes northbound and both lanes southbound at the existing pole located in the 19400 block of Collins Avenue within **THE TOWN**. **THE CITY** shall retain ownership of the entire License Plate Reader system.

2. **THE TOWN** agrees to permit **THE CITY** to utilize the power source present at that location and to allow **THE CITY’S** Police Department to control, maintain and repair the License Plate Reader system as necessary.

3. **THE CITY’S** Police Department shall modify **THE TOWN’S** Police Department users to accommodate **THE TOWN’S** ability to search the License Plate Reader system through Law Enforcement Archival Reporting Network (“LEARN”).

4. **THE CITY** and **THE TOWN** hereby authorize each other, through each’s authorized employees who have an approved login and password, to access the License Plate Reader detection data and/or hotlist information residing in its respective Vigilant Solutions account as permitted by applicable law.

5. Each party shall retain control of all information in its Vigilant Solutions account and is responsible for creating, updating, and deleting records in its respective account in accordance with its respective retention policies. Each party is likewise responsible for the management of its respective account and shall ensure that any and all License Plate Reader detection data, hotlist information and networking resources are to be accessed solely by employees who are legally authorized to review criminal history data and that such data are used solely for law enforcement purposes consistent with the law.

6. The parties agree that all information contained in a License Plate Reader account is confidential and is not subject to public disclosure, except as required by law.

7. In the event any portion of this Agreement is deemed to be in violation of any law, ordinance or regulation, said portion and said portion only shall be deemed null and void. This Agreement shall be interpreted in accordance with the laws of the State of Florida.

8. Either party may terminate this Agreement at any time for any reason upon providing the other party sixty (60) days written notice. Upon termination, **THE CITY** will take possession of the entire License Plate Reader System.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first above written.

ATTEST:

CITY OF SUNNY ISLES BEACH, FLORIDA

Mauricio Betancur, CMC, City Clerk

Christopher J. Russo, City Manager

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Ed Dion, City Attorney

ATTEST:

TOWN OF GOLDEN BEACH, FLORIDA

Lisette Perez, Town Clerk

Alexander Diaz, Town Manager

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

Stephen Helfman, Town Attorney