

RESOLUTION No. 23-194

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS MIAMI VA HEALTHCARE SYSTEM, TO ESTABLISH GENERAL WORKING RELATIONS AND REINFORCE INTER-AGENCY COORDINATION TO PROVIDE ADEQUATE LEVELS OF POLICE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, it is the responsibility of the governments of the United States Department of Veterans Affairs Miami VA Healthcare System and the City of Doral (“City”), to establish general working relationships between the Miami VA Healthcare System Police Service and the City’s Police Department as a means of reinforcing inter-agency coordination and responsibility concerning law enforcement, emergency response, request for assistance, physical security, and access control operations at the Miami VA Healthcare System; and

WHEREAS, Staff recommends that the City Council approve the Memorandum of Understanding (“MOU”) between the United States Department of Veterans Affairs Miami VA Healthcare System and City, to establish general working relations and reinforce inter-agency coordination to provide adequate levels of police service, in substantially the form attached hereto as Exhibit “A”.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Approval. The Memorandum of Understanding between the United States Department of Veterans Affairs Miami VA Healthcare System and City of Doral, in substantially the form attached hereto as Exhibit "A", which is incorporated herein and made a part hereof by this reference, is hereby approved. The City Manager is hereby authorized to execute the Memorandum of Understanding on behalf of the City subject to approval as to form and legal sufficiency by the City Attorney.

Section 3. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

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

The foregoing Resolution was offered by Vice Mayor Puig-Corve who moved its adoption. The motion was seconded by Councilmember Porras and upon being put to a vote, the vote was as follows:


Mayor Christi Fraga	Yes
Vice Mayor Oscar Puig-Corve	Yes
Councilwoman Digna Cabral	Yes
Councilman Rafael Pineyro	Yes
Councilwoman Maureen Porras	Yes

PASSED AND ADOPTED this 8 day of November, 2023.



CHRISTI FRAGA, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



VALERIE VICENTE, ESQ. for
NABORS, GIBLIN & NICKERSON, P.A.
CITY ATTORNEY

EXHIBIT “A”



**MEMORANDUM OF UNDERSTANDING
BETWEEN
UNITED STATES DEPARTMENT OF VETERANS AFFAIRS MIAMI VA
HEALTHCARE SYSTEM
AND
CITY OF DORAL POLICE DEPARTMENT**

This Memorandum of Understanding (MOU) is entered into between the U.S. Department of Veterans Affairs (VA) Miami VA Healthcare System (MVAHS) and the City of Doral Police Department, hereinafter referred to as "parties."

1. PURPOSE. To establish general working relationships between the MVAHS Police Service and the City of Doral Police Department as a means of reinforcing inter-agency coordination and responsibility concerning law enforcement, emergency response, requests for assistance, physical security, and access control operations at the Miami VA Healthcare System at 1201 NW 16th St, Miami, FL 33125.

2. REFERENCES.

- a. VA Directive 0730, Security and Law Enforcement, 12 December 2012
- b. VA Handbook 0730, Security and Law Enforcement, 11 August 2000

3. GENERAL.

- a. Miami VA Healthcare System is located in the City of Miami, Florida. MVAHS provides primary, specialty, and extended care to Veterans throughout South Florida. The mission of the MVAHS is to provide timely, efficient, ethical, safe, compassionate, and quality health care to Veteran patients.
- b. The City of Doral Police Department has proprietary jurisdiction with the Federal Government over Miami VA Healthcare System's properties. This jurisdiction grants local law enforcement agencies the authority to jointly enforce Federal and state laws with VA Police on MVAHS properties.

4. RESPONSIBILITIES.

- a. MVAHS Police Service will:
 - (1) Maintain law and order and enforce Federal and state laws and VA regulations at the Miami VA Healthcare System, including the office building, located at 3200 NW 67th Avenue, Suite: #695, in Miami, Florida 33166, and designated parking lots, for the protection of property owned or occupied by the VA and persons on the property.
 - (2) May provide a primary initial response to incidents or emergency situations at the MVAHS.
- b. The City of Doral Police Department will:
 - (1) Respond to MVAHS Police Service's requests for assistance. Such assistance may include, but is not limited to, the following situations:



U.S. Department of Veterans Affairs
Veterans Health Administration
Miami VA Healthcare System

1201 Northwest 16th Street
Miami, Florida 33125
www.miami.va.gov

- (A) Armed hostage-taking situations that would require an armed response to assist VA Police in containing the situation until appropriate Federal agencies (such as the Federal Bureau of Investigation - FBI) can respond to assume control.
 - (B) Crimes involving armed robberies of funds, drugs, or properties where the individuals committing the crimes leave VA police jurisdiction.
 - (C) Vehicle accident investigations, which may result in non-injuries, injuries, or death involving the VA Police patrol vehicles.
 - (D) Any major incident that would require additional Officers for traffic control to allow emergency vehicles clear access to the facility.
- (2) Provide additional Officers when needed to assist with the physical arrest of a violent/disorderly person(s) who poses a serious threat to VA patients, visitors, medical staff, or themselves.
 - (3) Provide assistance in the transportation of prisoner(s) who have been arrested at the Miami VA Healthcare System on occasions when there are not enough VA police officers on duty to cover transportation.
 - (4) Authorize access to and use of the City of Doral Police Department central dispatch and patrol units in the field for VA Police. The parties agree that the access and use of such information are solely limited to official law enforcement purposes and that the process of programming VA radios would be at no cost to the City of Doral.
 - (5) Should any VA Police Officer be involved in a shooting, the FBI will be notified immediately. If the FBI declines the investigation, or if the FBI response is delayed, the City of Doral Police Department may provide investigative assistance to MVAHS Police. This assistance may range from establishing, preserving, and controlling the crime scene, to performing as the lead investigative agency.
 - (6) COMPACT ACT Section 205 Police Crisis Intervention Training for VA Police requires that each VA medical center police service develop a plan to enter into partnerships with local mental health organizations and experts, Veteran community organizations, as well as local police departments to share training resources on Crisis Intervention Teams (CIT). This assistance may range from collaborated training and sharing law enforcement to coordinated intervention tactics when there is an extreme crisis involving a Veteran(s).

5. ACCEPTANCE & RATIFICATION

- a. The provisions of this MOU are effective upon signature and date as indicated below and will be reviewed every 3 years, or as required.
- b. This agreement may be unilaterally suspended or cancelled by either side upon giving at least 180 days written notice to the other party.
- c. This MOU does not create additional jurisdiction or limit or modify existing jurisdiction vested in the parties. This MOU is intended exclusively to provide guidance and documents an agreement for general support between the parties. Nothing contained herein creates or extends any right, privilege, or benefit to any person or entity.



U.S. Department of Veterans Affairs
Veterans Health Administration
Miami VA Healthcare System

1201 Northwest 16th Street
Miami, Florida 33125
www.miami.va.gov

d. Other areas of mutual interest may arise where services and support from one party of this MOU are required by the other party of this MOU. This MOU is not meant to limit those instances nor prohibit cooperation outside the above-listed situations set forth and agreed upon.

FOR DEPARTMENT OF VETERANS AFFAIRS MIAMI VA HEALTHCARE SYSTEM

Steven D. McCarver
Chief of Police, Miami VA Healthcare System

Date

Kalautie S. JangDhari
Executive Director, Miami VA Healthcare System

Date

FOR CITY OF DORAL POLICE DEPARTMENT

Edwin Lopez
Chief of Police, City of Doral Police Department

Date