



# CITY OF DORAL RECORD (MASTER) COPY TRANSMITTAL FORM

OFFICE OF THE CITY CLERK  
Page 1 of 1

Transmittal From: Police  
*Department*

Delivered by: Esther  
*Name*

Date of Transmittal: May 24, 2011



The following record (master) copy is being transmitted to the Office of the City Clerk:

- |   |                          |
|---|--------------------------|
| <input type="checkbox"/> Contract             | Vehicle Title            |
| <input checked="" type="checkbox"/> Agreement | Special Magistrate Order |
| <input type="checkbox"/> Lease                | Other:                   |
| Deed  | _____                    |
| Bond Documentation                            | _____                    |

Is this record (master) copy to be recorded with the County Clerk?  Yes  No

Description of Record Copy:

1 - Memorandum of Agreement - Weaponry Transfer and Release Document - M-79 Grenade Launcher

~~2 - FDLE Red Light Camera Operations Supplement to Criminal Justice User Agreement~~

*Office of the City Clerk Administrative Use Only*

Received by: Kristha Gomez

Reviewed for completion by Barbara Huere

Returned to originating Department for the following corrections on N/A  
*Date*

Archived in the Office of the City Clerk on 5/31/11 (Date)

Copy provided in electronic format to originating Department on 5/31/11 (Date)

# MEMORANDUM OF AGREEMENT

## WEAPONRY TRANSFER AND RELEASE DOCUMENT

KNOW ALL MEN BY THESE PRESENTS: That the State of Florida acting by and through the Department of Management Services, Bureau of Federal Property Assistance as the State of Florida Single Point of Contact (hereinafter called the BFPA) pursuant to the authority contained in the National Defense Authorization Act for 1990 AND 1991, as amended for and in consideration of and in reliance upon the representations of the Doral Police Department whose address is 8300 NW 53<sup>rd</sup> Street, Suite 101 Doral Florida 33166 (hereinafter called the DPD) that the Property hereinafter described is required in the furtherance of it's law enforcement program and that such property will be used in connection with law enforcement and more specifically for all the following purpose(s):

### In Support of Law Enforcement Operations

In accordance with the proposed program and plan as set forth in the DPD "Letter of Request" dated (date of weapon request letter) which Expression of Interest is hereby incorporated herein and made a part hereof, and for no other purpose, does hereby deliver, sell, assign, and transfer all of its rights, title, and interest in and to the following described weaponry:

M-79 Grenade Launcher 1 each S/N 100577

Together with all appurtenances, and accessories attached thereto, (all of which are hereinafter referred to as the Property), unto the DPD to have and to hold the Property, all singular forever, this donation being made on an "as is," "where is" basis without warranty of any kind, and delivery made at the present location of the Property regardless of where the same may be situated or the condition thereof; Subject however to the following conditions:

1. **There are hazards associated with the use of the property that can cause damage to property and serious injury or death. The DPD agrees to provide appropriate training to any person who may use the property. The DPD further agrees that it is not the responsibility of the State of Florida, Department of Management Services or the BFPA to provide appropriate training to any person who may use the property. The DPD agrees to maintain, at its expense, adequate liability and property damage insurance and worker's compensation insurance to cover any such claims. To the extent permitted by state law, the LEA shall indemnify and hold the State of Florida harmless from any and all suits, actions, demands, or claims of any nature arising out of the use of property. The State assumes no liability for damages or injuries to any person or property from the use of the property.**
2. The DPD agrees that the Property shall not be used for purposes other than law enforcement efforts.
3. The Property shall be placed in use by the DPD for the purpose stated above no later than 12 months after acquisition thereof and shall be used thereafter for such purpose in perpetuity.
4. Within 12 months of possession by the DPD, the DPD shall make reports to the BFPA on the use, condition, and location of the Property and on other pertinent matters as may be required from time to time by the BFPA.

5. The DPD shall not sell, trade, barter, lease, bail, encumber, cannibalize, or dismantle for parts, or otherwise dispose of the Property or any parts thereof, or remove it permanently for use outside the State of Florida

The Bureau of Alcohol, Tobacco and Firearms (ATF) has identified M-79 Grenade Launcher being transferred to the DPD activity as machine guns as defined by 26 U.S. Code 5845(b). Machine guns not owned by the United States, or any agency thereof, must be registered with the ATF. Therefore, the DPD further agrees to lawfully register the property by submitting an ATF Form 10, Application for Registration of Firearms Acquired by Certain Government Entities, to ATF.

Upon receipt of a properly executed Form 10, ATF will accept the registration of the weapons and notify the submitting agency. Any machine guns registered in this manner are restricted to law enforcement use only.

6. The receiving agency may only dispose of the Property
  - (a) through transfers approved by the BFPA to other qualifying law enforcement agencies;
  - (b) by BFPA approved destruction; or
  - (c) abandonment of the firearms to ATF with notification to the BFPA.

The weapons may not be transferred to licensed firearms dealers or other persons.

7. Where fraud, indication of fraud, or theft is indicated, a report with all known information shall be made by the DPD to the BFPA who will forward the information to DLA. DLA will advise the State Coordinator on further actions. The DPD shall assist the DLA and other Federal and State Agencies in investigating such cases.

IN WITNESS WHEREOF, the BFPA has duly executed this instrument this  
16<sup>th</sup> day of May, 2011.

State of Florida Acting by  
and through the Department of  
Management Services, Bureau of  
Federal Property Assistance

By: Rita Acevedo  
Rita Acevedo

Title: Surplus Property Supervisor

COUNTY of Bradford

STATE of Florida

On this 16<sup>th</sup> day of May, 2011, before me appeared Rita Acevedo, to me personally known, who, being by me duly sworn, says that she is the person who executed the foregoing instrument and that such instrument was executed under duly delegated authority on behalf of the Bureau of Federal Property Assistance and acknowledged the foregoing instrument to be the free act and deed of the State of Florida.

Given under my hand and official seal the day and year above written.

\_\_\_\_\_  
Printed Name of Notary Public

Claire Skrovanek Coleman  
Signature of Notary Public

(S E A L)  
My Commission  
Expires: \_\_\_\_\_

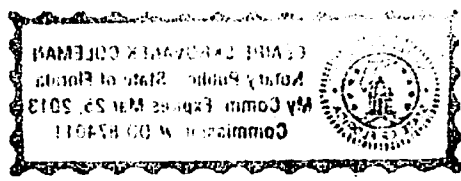


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**CONFIDENTIAL**

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IN WITNESS WHEREOF, the DPD has duly executed this instrument this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

LEA Authorized Representative

By: Ricardo Gomez Chief  
Printed Name of Representative

Title: Ricardo Gomez Chief  
Signature

STATE of Florida

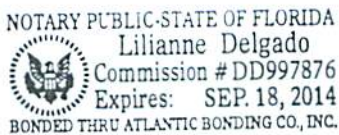
COUNTY of Miami-Dade

On this 11 day of May, 2011, before me appeared  
Ricardo Gomez, to me personally known, who, being by me  
duly sworn, says that he is the person who executed the foregoing instrument on behalf  
of said City of Doral Police Department, and acknowledges to me  
that he was duly authorized to execute the same as a free act and deed of  
said City of Doral Police Department.

Given under my hand and official seal the day and year above written.

Lilianne Delgado  
Printed Name of Notary Public

Lilianne Delgado  
Signature of Notary Public



(S E A L)

My commission

Expires: Sept. 18, 2014

Administrative Information

For: Franklin D. Roosevelt  
President of the United States

Franklin D. Roosevelt  
President

1941

1941-1942

to me personally, and being by me  
to the President who created the National Security Council  
and who has since that time been the only one to have  
the right to sign such orders.

and the President has since that time been the only one to have

United States of America

Franklin D. Roosevelt  
President

THE UNIVERSITY OF TEXAS AT AUSTIN  
Lillian B. ...  
1941-1942

1941-1942