



## Legislation Text

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**File #:** 18-684, **Version:** 1

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**TO:** Honorable Mayor & Members of the North Port Commission

**FROM:** Peter Lear, City Manager

**TITLE:** Memorandum of Agreement between the Florida Bureau of Federal Property Assistance and the North Port Police Department and State Plan of Operations between the State of Florida and the North Port Police Department.

### **Recommended Action**

Approve the Memorandum of Agreement between the Florida Bureau of Federal Property Assistance and the North Port Police Department and the State Plan of Operations between the State of Florida and the North Port Police Department.

### **Background Information**

This Memorandum of Agreement (MOA) will allow the North Port Police Department staff to request the transfer of property that is excess to the needs of the Department of Defense (DOD). The DOD is authorized to select property suitable to be used for law enforcement activities with an emphasis on counter-drug and counter-terrorism activities under such terms prescribed by the Defense Logistics Agency (DLA) as delegated by the Secretary, U.S. Department of Defense.

The DOD has final authority to determine the type, quantity, and location of excess personal property suitable for law enforcement activities, if any, that will be transferred to the State. The State will promulgate policy and procedure that will be consistent with Federal policy and procedure to transfer property to the Law Enforcement Agency (LEA). This property is not for personal use or gain and shall not be obtained for the purpose of sale, lease, rent, exchange, barter, secure a loan, or to otherwise supplement normal LEA budgets. All requests must be based on bona fide law enforcement requirements. Property must be placed in use within a year of receipt and utilized for a minimum of one year, unless otherwise approved by the State, Aircraft, Flight Safety Critical Aircraft Parts, and Munitions List Items requiring demilitarization may be transferred to the LEA for law enforcement activities. When no longer needed for law enforcement activities, such items must be reported to the State, returned to and received by the DLA at the closest approved Defense Reutilization and Marketing Office.

This MOA may be terminated by either party, provided the other party receives thirty (30) day notice, or as otherwise stipulated by public law. Such termination does not nullify the property use restrictions in place on property previously obtained in the program.

The Florida Bureau of Federal Property Assistance requires the executive head of the Law Enforcement Agency's signature on the document; however, a signature page was added for the Mayor's signature in conformance with the City of North Port Charter Section 5.03.

This has been reviewed and approved for legal content and form.

### **Strategic Plan**

Financially Responsible City Providing Quality Municipal Services.

### **Financial Impact**

N/A

**Procurement**

N/A

**Attachments:**

1. Memorandum of Agreement between the Florida Bureau of Federal Property Assistance and the North Port Police Department.
2. State Plan of Operations between the State of Florida and the North Port Police Department.

**Prepared by:** Jennifer Ayres

**Department Director:** Todd R. Garrison