

RESOLUTION NO. 2020-139

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES AND THE CITY OF COCONUT CREEK TO PROVIDE THE CITY WITH ELECTRONIC ACCESS TO FLORIDA DRIVER'S LICENSE AND IDENTIFICATION CARD PHOTOGRAPHS, WHICH ARE USED IN THE BIOMETRIC FACIAL ANALYSIS SYSTEM; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 25, 2020, the City entered into a Memorandum of Understanding (MOU) with the Pinellas County Sheriff's Office for electronic access to their Face Analysis Comparison and Examination System (FACES); and

WHEREAS, FACES uses mugshots and Florida Driver's License and Identification Card Photographs for facial analysis comparison; and

WHEREAS, the Florida Department of Highway Safety and Motor Vehicles (FDHSMV) collects and maintains all Florida Driver's License and Identification Card Photographs that are used by the Pinellas County Sheriff's Office (FACES) and Florida's Facial Recognition Network (FR-NET); and

WHEREAS, the City must enter into a separate MOU with FDHSMV for access to their records. This MOU provides the conditions and limitations under which FDHSMV agrees to make available electronic access to driver's license information, including digital images of full-face driver's license photographs through FACES and FR-Net.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

Section 2: That the City Commission has reviewed and hereby approves the attached MOU between the Florida Department of Highway Safety and Motor Vehicles and the City of Coconut Creek for the purpose of accessing the Florida Driver's License and Identification Card Photograph database.

Section 3: That the City Manager, or designee, is hereby authorized to execute said MOU between the Florida Department of Highway Safety and Motor Vehicles and the City of Coconut Creek, attached hereto and made a part hereof.

Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 10th day of September, 2020.

Louis Sarbone, Mayor

Attest:

Leslie Wallace May, City Clerk

Sarbone	<u>Aye</u> __
Rydell	<u>Aye</u> __
Tooley	<u>Aye</u> __
Belvedere	<u>Aye</u> __
Welch	<u>Aye</u> __