

**85850**

June 17, 2021

To: Board of Acquisition and Contract

From: Thomas A. Gleason  
Acting Commissioner - Sheriff

Re: Resolution authorizing the County of Westchester to enter into two Memoranda of Understanding with the United States Coast Guard: one regarding the enforcement of Maritime Safety and Security Zones, the other for Search and Rescue Communications, Coordination and Response.

The United States Coast Guard (“USCG”) has proposed to enter into two Memoranda of Understanding to work in collaboration with the Westchester County Department of Public Safety (“DPS”): one to provide cooperative enforcement of maritime safety zones; and the other to coordinate the communication of maritime distress calls.

The first proposed Memorandum Understanding (“MOU”) will be to enhance the safety and security of waters within the respective jurisdictions of USCG and the DPS and through the cooperative enforcement of maritime Safety and Security Zones that are created by the USCG under the authority of the Magnuson Act (50 USC 191) or the Ports and Waterways Safety Act (33 USC 1226(b)). It is of note that Security Zones, as defined in 33 C.F.R §6.01-5, are utilized for national security interests rather than for strictly for safety considerations. This program will promote national security and public safety by providing effective maritime enforcement of Safety and Security Zones within Westchester County and outlying areas.

The other proposed MOU will ensure the timely and thorough notification to response agencies of all confirmed maritime distress incidents. It will formalize the mechanism to be used when a confirmed maritime distress call is received by either the USCG or the DPS, through either a cell phone 911 emergency response call, or by other means.

Each proposed MOU will begin upon execution and remain in effect for four years after the effective date. Either party may terminate upon 30 days written notice. The MOU’s will be at no cost to the County.

These programs will be tracked and monitored by DPS on an ongoing basis for the duration of the contracts. The Commanding Officer of the Special Operations Division will conduct reviews during which feedback is gathered regarding the effectiveness of the programs. This information will be reported to the Commissioner of the Department of Public Safety.

Approval of the attached resolution by your Honorable Board is requested.

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APPROVED BOARD OF ACQUISITION & CONTRACT - 07/15/2021 - LISA MRHAJ, SECRETARY

RESOLUTION

Upon a communication from the Commissioner - Sheriff of Public Safety, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into two Memoranda of Understanding with the United States Coast Guard: one for the enforcement of Maritime Safety and Security Zones; the other for search and rescue communications, coordination and response (the "MOUs"), at no cost to the County; and be it further

RESOLVED, that the MOU's will commence upon execution and will continue for a term of four years; and be it further

RESOLVED, that either party may terminate upon 30 days written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions necessary to implement this Resolution.

Account to be Charged/credited N/A	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars

Budget Funding Year(s) \_\_\_\_\_ Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
(must match resolution)

Funding Source      Tax Dollars \_\_\_\_\_  
                                  State Aid \_\_\_\_\_  
                                  Federal Aid \_\_\_\_\_  
                                  Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/15/2021 - JAC MARIJAJ, SECRETARY