



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

**Health, Public Safety & Intergovernmental
Committee**

July 16, 2009

2:00 P.M.

Commission Chamber

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Commission Auditor
111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

**Legislative Notes
Health, Public Safety & Intergovernmental Committee
Meeting Agenda**

July 16, 2009

Written analyses and notes for the below listed items are attached for your consideration:

Item Number(s)

2(A)	2(E)
3(A)	3(C)
3(D)	3(E)
3(F)	3(G)
3(I)	3(J)
WORKSHOP ITEM 2(A)	

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
Elizabeth N. Owens, Legislative Analyst
Lauren Young-Allen, Legislative Analyst
Michael Amador-Gil, Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 2(A)
File Number: 092108
Committee(s) of Reference: Health, Public Safety & Intergovernmental
Date of Analysis: July 14, 2009
Type of Item: Directive; Evaluation of Lease Contracts
Sponsor: Commissioner Jose "Pepe" Diaz

Summary

This resolution directs the County Mayor to evaluate the cost of current lease contracts and their current market value, and when possible, to renegotiate these lease agreements to achieve savings in instances when the language in the leases provides a basis for possible renegotiation of terms. This resolution also directs the County Mayor to provide a report on the results of the evaluation to the Board of County Commissioners (BCC) within 60 days of the effective date of the resolution.

Background and Relevant Legislation

The County often leases space for its various agencies to use primarily for administrative offices. General Services Administration (GSA), which serves as the County's leasing agent, is primarily responsible for identifying suitable spacing needs that cannot be met with existing inventory.

In lease agreements presented to the BBC for approval, GSA does provide information on the size and location of the proposed leased space, a justification for the acquisition, and an economic analysis or comparison of alternative leasing sites. However, GSA does not provide an economic analysis which identifies costs that may accrue while a County agency occupies the space for the duration of the lease term versus the costs that would accrue for alternative sites, if occupied over the same period of time. For instance, information provided by GSA to the BCC does not calculate, assess or factor-in certain identified costs (such as automatic yearly rent inflators) when comparing the costs of alternative sites which may not have automatic adjustments in rent.

The County Code authorizes GSA to enter into lease agreements, and arrangements, upon terms and conditions and in a manner as it deems necessary. Under this broad authority, GSA is not limited by law to control the terms and conditions of its lease agreements. Accordingly, this resolution directs the County Mayor, via his designee (GSA), to track the cost of leased space and identify and evaluate opportunities to aggressively renegotiate to a lower lease rate, especially In light of anticipated budgetary constraints.

Budgetary Impact

This item has no budgetary impact, other than man-hours expended by staff in evaluating current lease contracts.

Prepared By: Lauren Young-Allen

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 2(E)
File Number: 091804
Committee(s) of Reference: Health, Public Safety & Intergovernmental
Date of Analysis: July 14, 2009
Type of Item: Rules of Procedure; Committee Review
Sponsor: Commissioner Katy Sorenson

Summary

This ordinance amends the Board of County Commissioners' (BCC) Rules of Procedure.

Specifically, this ordinance amends Rule 4.01(j) (codified as Chapt. 2, Art. I, §2-1, of the County Code), which governs exceptions to committee review. The proposed ordinance adds to the list of legislation exempt from committee review "resolutions related to contract lobbyists' conflict waiver requests."

Background and Relevant Legislation

Recently, a number of legislative items regarding waiving the conflict-of-interest provisions set forth in a lobbying contract with the County have been presented to the BCC for approval. As a county lobbyist, a lobbying firm is required to comply with County-enacted policy requiring County lobbyists to seek BCC approval to conduct specific lobbying activity which may conflict with the County's interest.

Most recently, the BCC granted the Carrie Meek Group a limited waiver of the conflict-of-interest provisions set forth in that firm's lobbying contract with the County. However, at the June 11, 2009 Health, Public Safety & Intergovernmental Committee meeting, in which the Carrie Meek Group waiver request was presented, the committee deliberated for an extensive period of time, and ultimately voted to forward the item without recommendation. Several committee members expressed concern as to the appropriateness of granting an exemption to the conflict-of-interest prohibition which would, in essence, allow the firm to represent a party whose interests are directly adverse to the County's yet concurrently maintain diligent representation of the County's interests.

In light of the extensive debates occurring during the committee meeting and the subsequent BCC meeting regarding the waiver of conflicting interests, this type of legislative item is now being proposed to be exempt from committee review.

Policy Change and Implication

Other legislative items which have also drawn considerable discussion due to their substantive nature, and which are exempt from committee review, are: quasi-judicial items, special taxing districts, bid protests, settlements, options-to-renew, and resolutions recommending acceleration or deceleration of General Obligation Bonds funding of projects. Therefore, the proposal to amend the Rules of Procedure to include lobbyists' conflict waivers is consistent with the enumerated exemptions.

Budgetary Impact

None

Prepared By: Lauren Young-Allen

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(A)
File Number: 092001
Committee(s) of Reference: Health, Public Safety and Intergovernmental Committee
Date of Analysis: July 14, 2009
Type of Item: Inter-local Agreement

Summary

This resolution authorizes the execution of an Inter-local Agreement (ILA) with the Miami-Dade County Public Schools/Lindsey Hopkins Technical Educational Center (MDCPS/LHTEC) to provide academic and career/technical education for inmates in the Miami-Dade Corrections and Rehabilitation Department (MDCR) detention facilities during FY 2009-10 at a cost not to exceed \$400,000.

This ILA comes before the Board of County Commissioners (BCC) annually for authorization.

Background and Relevant Legislation

Since 1987, the Miami-Dade Public School System has provided inmates at MDCR facilities specific training in career/technical education courses, Adult Basic Education, or a General Education Development (GED) in accordance with the criteria set by the State of Florida.

Policy Change and Implication

This ILA with MDCPS/LHTEC provides the following:

- An opportunity for Miami-Dade County inmates to continue their education through career/technical and academic classes while incarcerated;
- Courses provided to inmates at six (6) MDCR facilities in Miami-Dade County;
- The academic/educational courses provided at no cost to the County; and
- The career/technical educational courses will not exceed 405 contact hours per course, per student, per trimester.

For FY 2009-10, MDCR anticipates awarding more than 60 GED certificates.

The courses provided consist of Adult Basic Education (ABE), English for Speakers of Other Languages (ESOL), GED preparation, Automotive Technology, Automotive Collision Repair and Refinishing, Automotive Detailing and Reconditioning, Business Systems, Cabinet Making, Applied Welding

Technology, Printing and Graphic Arts, Gasoline Engine Services, Carpentry, Custom Garment, Cosmetology, Facials Specialist, Nails Specialty, etc.

Question and Comments

- Please provide any data on the recidivism rates for the inmates who have participated in this program compared to those who do not get any career/technical or academic education while incarcerated?
- During the 2005-06 school year, 3,544 inmates attended career/technical and academic education classes provided by this ILA.
- From 2001 to 2008, MDCR has had 597 inmates receive their GED.
- The FY 2007-08 agreement provided up to 410 contact hours of career/technical educational courses to be paid from the Inmate Welfare Fund at a cost of \$400,000. At that time, the Inmate Welfare Fund was budgeted at \$600,000. The FY 2008-09 agreement provided 405 contact hours, a decrease from the previous year. In addition, the FY 2007-08 agreement included revised criteria for the inmates' coursework, student class supplies, standards for GED testing, criteria for student/teacher ratio and a revised indemnification clause.

Budgetary Impact

The Inmate Welfare Fund, which receives revenues from the inmate commissary program, funds the cost of providing these courses to incarcerated inmates. According to the County Manager's memo, in FY 2009-10 the Inmate Welfare Fund is budgeted at \$673,000 which is \$273,000 more than the estimated cost to provide these services. **What will MDCR do with the extra funds?**

Prepared by: Elizabeth N. Owens

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 092039
File Number: 3(C)
Committee(s) of Reference: Health, Public Safety & Intergovernmental Committee
Date of Analysis: July 14, 2009
Type of Item: Cooperative Agreement

Summary

This resolution authorizes a Cooperative Agreement (Agreement) with the Miami-Dade County Public Schools (MDCPS) to provide educational classes for juveniles in the custody of the Miami-Dade Corrections and Rehabilitation Department (MDCR) at no cost to Miami-Dade County.

This Agreement comes before the Board of County Commissioners (BCC) annually for authorization.

Background and Relevant Legislation

Since 1983, MDCPS has provided educational courses to incarcerated juvenile inmates in the custody of MDCR. This Agreement provides education services for school-age students detained at both the Turner Guilford Knight Correctional Center (both girls and boys) and the Women's Detention Center (girls only).

Policy Change and Implication

Agreement Terms

- This Agreement is for the 2009-10 school year.
- This Agreement may be renewed upon MDCPS approval and mutual consent of the County Manager and the Superintendent.
- There is no fiscal impact to the County.
- MDCPS provides certified instructors, the required materials and equipment to conduct high school and GED classes.

Questions and Comments

- Does this agreement include summer school?
- Currently, how many students are enrolled and what is the estimated enrollment for this Agreement?
- According to staff, the instruction schedule follows the regular Miami-Dade County Public Schools calendar for secondary schools (grades 6-12), which complies with State of Florida and Florida Board

of Education laws and requirements. Instruction is available 180 school days, for 300 “Contact Minutes” per day.

- According to staff, the goals are similar to those in the traditional school setting for achievement of a high school diploma. However, many of the juveniles do not complete the educational requirements for high school graduation prior to their release from custody or transfer to the State prison system. Further, once juveniles reach 18 years of age, they must continue (if they choose to) through adult community educational programs toward attainment of a GED.

Budgetary Impact

Under this Agreement, there is no fiscal impact to the County. MDCPS provides the educational courses and are reimbursed by the State of Florida in accordance with the Full-Time Equivalency (FTE) count. The FTE is the method used by the State to account for students for funding purposes.

Prepared by: Elizabeth N. Owens

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(D) & 3(E)
File Number: 091926 & 092052
Committee(s) of Reference: Health, Public Safety & Intergovernmental Committee
Date of Analysis: July 14, 2009
Type of Item: Lease Agreement

Summary

Item 3(D) authorizes a Lease Agreement for office space located at 8260 N.E. 2 Avenue, Miami, Florida, with the Center for Haitian Studies, Inc. According to General Services Administration (GSA) staff, the Miami-Dade County Department of Health is setting up seven Women, Infants and Children Nutrition Program (WIC) centers throughout the County to be in close proximity to the most unemployed area in the community for their WIC program. GSA has identified and is negotiating leases in Florida City, West Dade, Overtown, Hialeah, North Miami and Little Haiti. Currently, the Miami-Dade County Department of Health is located in Goulds, Homestead, Northwest 22 Avenue & 53 Street, Sweetwater, Coconut Grove and Naranja Community Health Center.

Item 3(E) authorizes a Lease Agreement for administrative office space located at 551 West 51 place, Third Floor, Hialeah, Florida with Citrus Health Network, Inc. According to GSA staff, the State has acknowledged that the funding is available and is consistent with the 2008-2009 Core Contract Certification.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(F)
File Number: 091965
Committee(s) of Reference: Health, Public Safety & Intergovernmental
Date of Analysis: July 14, 2009
Type of Item: Firefighter Training Agreement
Sponsor/ Requester: Miami-Dade Fire & Rescue Department

Summary

This resolution authorizes the County Mayor to execute a retroactive agreement with Miami-Dade College for purposes of training Miami-Dade Fire Rescue firefighter recruits to meet Firefighters I and II standards. The term of the agreement is for 1 year, and will retroactively begin July 1, 2009 and end on June 30, 2010, at a cost of approximately \$121,000.

Background and Relevant Legislation

Under §633.35, entitled Firefighter Training & Certification, of the Fla. Stat (2008), the division of the State Fire Marshall has established a firefighter training program consisting of a minimum of 360 hours. The training which provides basic employment training, must be administered by approved agencies and institutions. Upon completion of all training, the State Fire Marshall issues a certificate of compliance to persons who have successfully passed the training program and an examination prescribed by the State Fire Marshall. No person may be employed as a regular or permanent firefighter by any political subdivision of the state for a period in excess of 1 year from the date of initial employment until he or she has obtained a certificate of compliance.

The Administration notes that the College is an approved facility which has been providing certification training services to MDR since 1992. The prescribed curriculum for training recruits for Firefighter I and II status is set forth in §69A.37.055 of the Fla. Administrative Code. Under §69A.37.055, the Minimum Standards Course and training shall consist of 206 hours of training to become Firefighter I compliant and an additional 192 hours to become Firefighter II compliant. Completion of both parts represents the required 398 hours, referred to collectively as the "Minimum Standards Course," which is required to be certified as a firefighter.

Pursuant to §69A.37.055, Part I of the curriculum requirement is to include orientation session, incident command, wild land fire fighting, fire department terminology, emergency driving, physical fitness education, successful completion of first responder course, and awareness of Level Hazardous Materials.

Part II of the curriculum is to include Florida specific requirements, examinations, statewide emergency response, thermal imaging, air monitoring, firefighter safety and survival and physical fitness training.

Budgetary Impact

The Administration reports that the College currently charges \$1,120 for Firefighter Minimum Standards Training and \$560.00 for First Responder Training, totaling \$1,680.00 per student. The Administration further notes that the cost associated with the training and certification of new recruits is included in the MDR Training and Safety Division budget.

Policy Change and Implication

None

Prepared By: Lauren Young-Allen

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(G)
File Number: 0919999
Committee(s) of Reference: Health, Public Safety & Intergovernmental
Date of Analysis: July 15, 2009
Type of Item: Interlocal Agreement with Bay Harbor Islands; Fire Station
Sponsor/ Requester: Miami-Dade Fire & Rescue Department
Commission District 4

Summary

This resolution authorizes the execution of an Interlocal Agreement with the Town of Bay Harbor Islands in which the County and the Town will share in the costs of re-designing and converting a portion of the Town's new garage into a fire station to be located at 95th Street, Bay Harbor Islands. The proposed fire station will serve Bal Harbor, Bay Harbor and Surfside.

Background

The Town of Bay Harbor, which has begun constructing a 425 space parking garage, initially allocated 7,300 square feet of the garage's 1st floor for prospective retail tenants. However, the Town has approached the County's Fire Department to consider leasing the space for a new fire station.

If the Interlocal Agreement is approved by the Board of County Commissioners (BCC), the proposed fire station will be a 2-bay station approximately 7,200 square feet, which is the available space. The proposed station will be staffed by 3 paramedics, 24 hours a day, year-round.

The Town Council, at its April 13, 2009 meeting, has already authorized the execution of the Interlocal Agreement, and has authorized an expenditure from its Parking Fund Reserves which constitutes half of the estimated costs.

Policy Change and Implication

BCC has previously authorized the Fire Department to renovate and lease space for purposes of establishing a fire station. In 2005, the BCC authorized, under R-1081-05, Miami-Dade Fire Rescue to renovate and lease, for 25 years, a portion of an existing building as a temporary fire station while the department constructed the permanent Highland Oaks Fire Station No. 63. The temporary leased station

is equipped with 3 emergency response units and responds to the emergency fire and medical services within a two-mile radius. Therefore, the pending proposed Interlocal Agreement is consistent with prior authorizations.

Budgetary Impact

Under the terms of the proposed Agreement, the County and the Town will split 50-50 the cost of the design and construction modifications (to accommodate required ceiling clearances in the apparatus bays) estimated to be \$61,000. Any future or further modifications to the plans, specification or drawings made by the County after the execution of the Interlocal Agreement, for purposes of accommodating the County's use of the garage as a fire station, will be the sole responsibility of the County.

The Administration reports that the estimated annual cost for staffing the fire station will be \$1.8 million for FY 2010-2011, and will be funded from the Fire Department's operating budget. Pursuant to the Agreement terms, the County will be responsible for the final build-out of the leased space for the new station. The Town Council minutes disclose that the County is willing to commit up to \$1 million for the build-out. (Minutes of Town Council Meeting, handwritten p.28, 2nd ¶). This has been confirmed by Fire staff. The Administration notes that the planned renovations will be funded from impact fees, future debt proceeds or a reallocation of current Sunshine Loan funds.

If the Agreement is approved, the County and the Town will subsequently enter into a future 30-year lease agreement in which the County will rent the fire station space for \$16 per square foot. Possible additional lease terms include a yearly inflator percentage and utility costs borne by the County.

If the County decides to not execute the subsequent lease agreement, then the County will be solely responsible for all costs to restore the parking garage to its original design up to \$100,000. Such costs include design, construction, demolition, and remediation.

Addendum - Mayor's Proposed FY 2010-2011 Budget

At the County Mayor's budget conference, held on July 15, 2009, the Mayor disclosed that 9 fire stations will not be built or renovated. The pending Bay Harbor Fire Rescue Station (Station 76) is listed in the proposed budget as a capital project that will be completed and fully funded. (Source: Proposed FY 2011 Capital Budget, Vol.III, p.14).

Prepared by: Lauren Young-Allen

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(I)
File Number: 091988
Committee(s) of Reference: Health, Public Safety & Intergovernmental Committee
Date of Analysis: July 14, 2009
Type of Item: Mutual Aid Agreement

Summary

This resolution authorizes the County Mayor or his designee to renew the law enforcement Mutual Aid Agreement (Agreement) between Miami-Dade County and the Miami-Dade Public Schools. The Agreement combines the elements of both a voluntary cooperation agreement and a requested operational assistance agreement. **This Agreement will expire on January 1, 2015.**

Florida Statutes, Chapter 23, Part 1 specifies procedures allowing a law enforcement agency to enter into a mutual aid agreement with another law enforcement agency. The Act recognized the existing and continuing possibility of the occurrence of natural and manmade disasters or emergencies and other major law enforcement problems, including those that cross jurisdictional lines.

The Act defines a mutual aid agreement as:

- A voluntary cooperative written agreement between two or more law enforcement agencies, which permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines;
- A requested operational assistance written agreement between two or more law enforcement agencies, which agreement is for the rendering of assistance in a law enforcement emergency; or
- A combination of these agreements.

Background and Relevant Legislation

The Board of County Commissioner, through Resolution 1131-04, renewed the Mutual Aid Agreement on September 9, 2004, and expires on January 1, 2010. According to the Miami-Dade Police Legal Bureau, the purpose of this Agreement is to authorize the very limited extension of the authority of the Miami-Dade Schools Police Department.

The proposed Agreement differs from the September 9, 2004 Mutual Aid Agreement. The proposed Agreement includes: (1) designation of the County Mayor and the Superintendent of Miami-Dade School

Board as the Chief Executive Officer; (2) additional actions under Forfeitures. The new language instructs the participating agency, either Miami-Dade Police Department or the Miami-Dade Schools Police Department, must request sharing, in writing, before the entry of a Final Order of Forfeiture, or they will be barred from claiming any portion of the property forfeited; (3) a Conflicts rule whenever an officer renders assistance to the requesting agency; (4) a Complaints section and identifies the Director or Chief of Police, or his/her designee of the agency employing the officer will be responsible for the investigation of the complaint; (5) Section III which identifies provisions for voluntary and operational assistance; and (6) Section V which provides procedures when applying in mutual aid operations.

Miami-Dade Public Schools Proposed Tentative Budget and Millage Levies for 2009-10 show that the recommended millage levy is increasing due to the Required Local Effort increase mandated by the state legislature. On July 15, 2009, the School Board of Miami-Dade County will authorize the Superintendent to advertise a tentative budget and proposed millage levies. The recommend operating millage levy is 6.151 millis, a capital outlay millage levy of 1.700 millis, and a debt service levy of .297 mills, subject to certification. The recommend total millage levy for FY 2009-10 is 8.148 mills. The total recommended levy is .351 mills higher than the levy for FY 2008-09.¹

The following questions were answered by the Miami-Dade Police Legal Bureau:

1. What would be the fiscal impact to the County to shorten or increase the current jurisdiction of 1,000 feet around the school and school board property to 500 feet or 1,500 feet? *Police Legal Bureau staff aren't certain whether or not, or how, Miami-Dade School Board Police utilize the 1,000 foot extension of authority granted under the Mutual Aid Agreement, but the agreement specifically states enforcement actions within the 1,000 feet is limited to incidents involving school students and School Board employees, or the enforcement of State traffic laws. We would not be allowed to grant authority to assume general law enforcement responsibilities.*
2. How will the Miami-Dade Police Department (MDPD) provide sufficient manpower in the following fiscal year to School Police and maintain proper service levels? *Whenever MDPD responds to calls for assistance to MDSBP we utilize available on-duty resources, and if any extraordinary expenses are involved, we absorb those costs. However, any non-emergency assistance under the Mutual Aid agreement is voluntary. If requested, we evaluate the situation and available resources, and respond in a manner deemed appropriate.*
3. Will MDPD provide services during the recess periods? *If Miami-Dade Schools Police Department is unavailable to respond to calls for service on district school board property, we will respond. It should be noted that MDPD is obligated, as the sheriff's office, to be conservators of the peace in Miami-Dade County (See Florida Statutes Section 30.15, Powers, duties, and obligations).*
4. Who will determine the equal distribution of funds for forfeited property under the proposed mutual aid? Have we received any funds under past agreements? Where do

¹ Miami-Dade Public Schools, Financial Services, Richard H Hinds, Chief Financial Officer

those funds go? *The forfeiture language in the Agreement is generic in nature. Our Department has not participated in any forfeiture proceedings with Miami-Dade Schools Police Department. If Miami-Dade Schools Police Department, however, ever became involved in a situation where a large amount of money was confiscated, they would most likely need the assistance of the Miami-Dade Police Legal Bureau, Forfeiture Section. The funds that we receive as a result of forfeiture are deposited in the law enforcement trust fund, as per Florida Statutes Section 932.7055, Disposition of liens and forfeited property.*

Prepared By: Michael Amador-Gil

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 091990
File Number: 3(J)
Committee(s) of Reference: Health, Public Safety & Intergovernmental Committee
Date of Analysis: July 14, 2009
Type of Item: Mutual Aid Agreement

Summary

This resolution authorizes the execution of a Mutual Aid Agreement (Agreement) for law enforcement services between Miami-Dade County and participating municipalities. This Agreement will be effective upon execution and will expire on January 1, 2015.

Background and Relevant Legislation

The current Mutual Aid Agreement for law enforcement services between Miami-Dade County and participating municipalities expires on January 1, 2010.

Florida Mutual Aid Act (Act) - Florida Statutes, Chapter 23, Part 1

This statute specifies procedures allowing a law enforcement agency to enter into a mutual aid agreement with another law enforcement agency. The Act recognized the existing and continuing possibility of the occurrence of natural and manmade disasters or emergencies and other major law enforcement problems, including those that cross jurisdictional lines.

The Act defines a mutual aid agreement as:

- A voluntary cooperative written agreement between two or more law enforcement agencies, which agreement permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines;
- A requested operational assistance written agreement between two or more law enforcement agencies, which agreement is for the rendering of assistance in a law enforcement emergency; or
- A combination of these agreements.

Examples of Operational Assistance under this Agreement

- Providing assistance during hostage and barricaded subject situations, and aircraft piracy;
- Controlling major crime scenes, area searches, perimeter control, back-ups to emergency and in-progress calls, pursuits, and missing person calls;
- Providing assistance during any natural, technological or manmade disaster;

- Providing assistance during enemy attack; and
- Authorizing assistance during transportation of evidence requiring security.

Examples of Voluntary Cooperation under this Agreement

- Establishing joint multi-jurisdictional criminal investigations, or marine interdiction operations;
- Creating joint training in areas of mutual need;
- Providing security assistance and escort duties for dignitaries;
- Establishing a joint city-county traffic enforcement task force; and
- Authorizing assistance for major events – sporting events, concerts, parades, fairs, festivals and conventions, or off-duty special events.

Policy Change and Implication

Questions and Comments

- Under the current agreement, who are the participating municipalities?
- Under the current agreement, do we have any circumstances where this agreement was utilized – was there a need for assistance between Miami-Dade County and participating municipalities?
 - If yes, provide the incidences and the costs to the County.
 - Likewise, if the participating municipality came to our aid, provide the cost that municipality incurred?

Budgetary Impact

Pursuant to Florida Statute Chapter 23, Part 1, the assisting municipality is responsible for their cost incurred while providing mutual aid services.

Prepared by: Elizabeth N. Owens

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 2(A)

File Number: 091872

Committee(s) of Reference: Health, Public Safety & Intergovernmental Workshop

Date of Analysis: July 14, 2009

Type of Item: RFQ for County Lobbyists

Sponsor/ Requester: Procurement Management Department

Summary

This resolution authorizes the Administration to advertise a Request for Qualifications (RFQ) to obtain proposals from law firms, governmental affairs consulting firms, businesses, individuals, or a combination of each to provide representation and consulting services on behalf of the County before the executive and legislative branches of the federal government.

The term of each contract awarded is for 1 year with 3 one-year options-to-renew. A Small Business Enterprise selection is to be included for this solicitation.

Background

On January 24, 2006, the Board of County Commissioners (BCC) authorized the County Mayor to execute agreements with Greenberg Traurig, P.A., Alcade & Fay, and Tew Cardenas LLP to serve as the County's federal lobbyists and consultants. The County has already exercised the 3 one-year options-to-renew. These contracts will expire on February 5, 2010. The pending proposed resolution will allow the Administration to advertise for proposals from qualifying replacement firms, and to ultimately recommend which firms should be awarded the successor contracts.

This item did appear for consideration before the Health, Public Safety and Intergovernmental Committee on June 11, 2009. The committee forwarded the proposed resolution with amendments. Under the amended version of the proposed resolution:

- (1) the County will seek 1 or 2 firms, instead of 3;
- (2) the estimated contract cost is \$400,000 for services as opposed to \$200,000 per contract;
- (3) the solicitation will add experience in international trade and tourism as additional qualifications for the selected proposer;
- (4) work orders will be recommended by the Project Manager, reviewed by the County Attorney's Office and approved by the Chair of the Board of County Commissioners, or designee;

- (5) lobbyists' monthly activity reports will go directly to the Board of County Commissioners, Commission Auditor, and Office of Intergovernmental Affairs.

At the June 30, 2009 BCC meeting, this item, as amended, was carried over to July 2, 2009 for consideration, and ultimately deferred by the BCC pending the scheduling of a workshop. Notably, during the July deliberations, several Commissioners noted that the RFQ should also include an additional requirement that prospective lobbyists demonstrate access to or political affiliations with the current new federal administration.

Budgetary Impact

Presently, the Administration reports that as a result of the proposed reduction in the maximum number of awarded firms from 3 to 2, the total allocation is being reduced from \$1,125,000 to \$500,000 per year. This reduction is also the result of the removal of additional work orders and optional services originally allocated for 3 firms.

Under the prior contract, each contract was valued at \$200,000 annually, plus up to \$100,000 per contract annually for work orders. The contracts also included payment for approved optional services (consisting of the use of office space in Washington, D.C.; office related supplies and services used by the County; travel by the consultant for special projects at the County's request; and food, non-alcoholic beverage and receptions) or additional work orders, at the County's request, on an as-needed basis, in an amount not to exceed \$225,000 annually in the aggregate for all 3 contracts.

Prepared By: Lauren Young-Allen