

**MEMORANDUM**

**PSC**  
Agenda Item No. **3 (A)**

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**TO:** Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners      **DATE:** **September 14, 2004**

**FROM:** Robert A. Ginsburg  
County Attorney      **SUBJECT:** Resolution directing County Manager to seek reclassification of persons employed by MDPD between October 1, 1978 and July 1, 1984

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Natacha Seijas and Commissioner Dorrin D. Rolle.

  
\_\_\_\_\_  
Robert A. Ginsburg  
County Attorney

RAG/bw



# MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. DATE:  
and Members, Board of County Commissioners

FROM: Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- \_\_\_\_\_ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- \_\_\_\_\_ 6 weeks required between first reading and public hearing
- \_\_\_\_\_ 4 weeks notification to municipal officials required prior to public hearing
- \_\_\_\_\_ Decreases revenues or increases expenditures without balancing budget
- \_\_\_\_\_ Budget required
- \_\_\_\_\_ Statement of fiscal impact required
- \_\_\_\_\_ Bid waiver requiring County Manager's written recommendation
- \_\_\_\_\_ Ordinance creating a new board requires detailed County Manager's report for public hearing
- \_\_\_\_\_ Housekeeping item (no policy decision required)
- \_\_\_\_\_ No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

**RESOLUTION NO.** \_\_\_\_\_

**RESOLUTION DIRECTING COUNTY MANAGER TO SEEK RECLASSIFICATION OF THOSE PERSONS EMPLOYED BY THE MIAMI-DADE POLICE DEPARTMENT AND ENROLLED IN ACADEMY CLASSES FOR THE MIAMI-DADE POLICE DEPARTMENT BETWEEN OCTOBER 1, 1978 AND JULY 1, 1984 AS SPECIAL RISK FOR THE PURPOSES OF THE FLORIDA RETIREMENT SYSTEM, AND AUTHORIZING THE EXPENDITURE OF UP TO \$100,000 FOR SUCH PURPOSE**

**WHEREAS**, law enforcement is recognized as an inherently dangerous profession and police officers are called upon daily to perform tasks that are high risk in nature; and

**WHEREAS**, the legislature has recognized the high risks involved in law enforcement and has reacted accordingly by classifying the profession as special risk for purposes of the Florida Retirement System, thus, enhancing the retirement multiplier for law enforcement officers; and

**WHEREAS**, persons employed by the Miami-Dade Police Department and enrolled in law enforcement academy classes for the Miami-Dade Police Department between October 1, 1978 and July 1, 1984 did not receive credit for special risk employment for purposes of retirement; and

**WHEREAS**, the special risk designation for the retirement enhancement was in place for persons employed by the Miami-Dade Police Department and enrolled in law enforcement academy classes for the Miami-Dade Police Department prior to October 1, 1978 and subsequent to July 1, 1984; and

**WHEREAS**, the loss of special risk retirement credit for the period from October 1, 1978 through July 1, 1984 has negatively impacted Miami-Dade Police Department officers who were employed by the Miami-Dade Police Department and enrolled in an academy class for the Miami-Dade Police Department but not classified as special risk for purposes of the Florida Retirement System at that time,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA**, that this Board:

Section 1. Directs the County Manager to contact the Florida Retirement System for the purpose of reclassifying those persons employed by the Miami-Dade Police Department and enrolled in academy classes for the Miami-Dade Police Department between October 1, 1978 and July 1, 1984, if those persons so desire to be re-classified, as special risk for the purposes of the Florida Retirement System, for that period of time.

Section 2. Authorizes the County Manager to spend up to \$100,000 to pay the Florida Retirement System for the cost of designating those police officers identified above as special risk for the period October 1, 1978 through July 1, 1984.

The foregoing resolution was sponsored by Commissioner Natacha Seijas and Commissioner Dorrin D. Rolle and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson  
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro  
Betty T. Ferguson  
Joe A. Martinez  
Dennis C. Moss  
Natacha Seijas  
Sen. Javier D. Souto

Jose "Pepe" Diaz  
Sally A. Heyman  
Jimmy L. Morales  
Dorrin D. Rolle  
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this        day of  
      , 2004. This resolution shall become effective ten (10) days after the date of its adoption  
unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this  
Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney, as  
to form and legal sufficiency.   L.K.  

Lee Kraftchick

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