

# MEMORANDUM

Agenda Item No.10(A)(6)

---

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

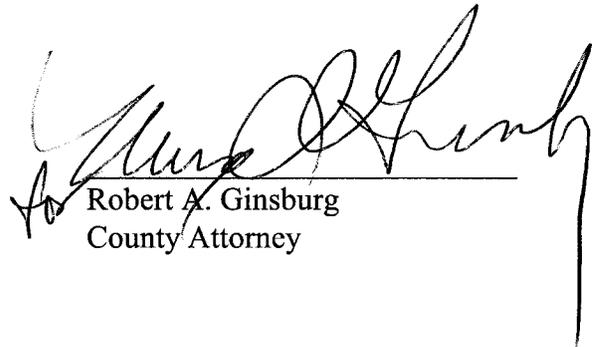
**DATE** October 19, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution directing County  
Manager to seek reclassification  
of persons employed by MDPD  
and Corrections between  
October 1, 1978 and July 1, 1984

---

The accompanying resolution was prepared and placed on the agenda at the request of  
Commissioner Sally A. Heyman and Commissioner Dorrin D. Rolle.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



# MEMORANDUM

(Revised)

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

**DATE:** October 19, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 10(A)(6)

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. 10(A)(6)

Veto \_\_\_\_\_

10-19-04

Override \_\_\_\_\_

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

RESOLUTION URGING THE FLORIDA LEGISLATURE TO AMEND FLA. STAT. CH. 121, PERTAINING TO THE FLORIDA RETIREMENT SYSTEM, TO PROVIDE SPECIAL RISK RETIREMENT CREDIT FOR PERSONS ATTENDING POLICE OFFICER OR CORRECTIONAL OFFICER ACADEMY CLASSES BETWEEN OCTOBER 1, 1978 AND JULY 1, 1984, AND AUTHORIZING THE EXPENDITURE OF UP TO \$1,000,000 TO PURCHASE RETIREMENT CREDIT ON BEHALF OF ANY SUCH OFFICERS EMPLOYED BY THE COUNTY

**WHEREAS**, law enforcement officers and correctional officers are employed in inherently dangerous professions and are called upon daily to perform tasks that are high risk in nature; and

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

**WHEREAS**, some persons enrolled in academy classes for the Miami-Dade Police Department and Corrections and Rehabilitation Department between October 1, 1978 and July 1, 1984; did not receive credit for special risk employment for purposes of retirement while attending the academy; and

**WHEREAS**, the special risk designation for the retirement enhancement was in place for persons in law enforcement and correctional officer academy classes 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; may have negatively impacted law enforcement and correctional officers who were in academy classes 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 MIAMI-DADE COUNTY, FLORIDA**, that this Board:

Section 1. Urges the Florida Legislature at its earliest opportunity to amend Fla. Stat. Ch. 121, pertaining to the Florida Retirement System, to authorize persons enrolled in a police officer or correctional officer academy between October 1, 1978 and July 1, 1984, and who did not receive special risk retirement credit, to receive such credit for the time they spent in the academy, on the condition that the persons' employer make the necessary contributions to the Florida Retirement System to pay for such credit.

Section 2. Authorizes the County Manager to spend up to \$1,000,000 for the purpose of purchasing Florida Retirement System special risk credit on behalf of County police officers and correctional officers who attended the police or correctional training academy between October 1, 1978 and July 1, 1984 and did not receive credit for special risk retirement.

Section 3. The Clerk of the Board is directed to transmit a certified copy of this resolution to the Governor, the President of the Senate, the Speaker of the House, and the Chair and members of the Miami- Dade County State Legislative Delegation.

The foregoing resolution was sponsored by Commissioner Sally A. Heyman 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  
Dorrian D. Rolle  
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 19<sup>th</sup> day of October, 2004. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

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.



Lee Kraftchick