

# Memorandum



**Date:** November 20, 2008

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** Phase-out of Specialized Police Services Payments

Agenda Item No. 12(A)(1)

## Recommendation

It is recommended that the Board of County Commissioners (BCC), approve the resolution allowing the Town of Miami Lakes, Village of Palmetto Bay, City of Doral, City of Miami Gardens, and the Town of Cutler Bay (the Municipalities) change their respective charters removing the requirement to contract and pay for specialized police services with the Miami-Dade Police Department.

## Fiscal Impact/Funding Source

There is no fiscal impact to the County should this charter amendment be approved. With the adoption of the FY 2008-09 budget, specialized police services for the Municipalities was funded through the Countywide budget in the same manner it is for all other cities within the County.

## Track Record/Monitor

There will be no need to monitor any agreements if this charter amendment is approved.

## Background

The Town of Miami Lakes incorporated on December 5, 2000. As a condition of their incorporation, the BCC required Miami Lakes to contract and pay for specialized police services with the Miami-Dade Police Department (MDPD) in perpetuity, as required by the Miami-Dade County Code Sec. 20-26 (b). The Town of Miami Lakes has been receiving and paying for specialized police services from MDPD.

Prior to the incorporation of Miami Lakes, all other cities within Miami-Dade County have received specialized police services from MDPD without any additional charges. These services were funded through the Countywide general fund budget. The Municipalities were being treated differently from other existing municipalities incorporated prior to 2000 that were not required to contract and pay for specialized police services with MDPD. With the adoption of the FY 2006-07 budget, the BCC approved a phase-out of specialized police services payments from the Municipalities. Although the initial proposal was a three year phase-out, it was accomplished in two years.

The last year of the specialized police services phase-out was FY 2007-08; the Municipalities will not make a payment in FY 2008-09. Currently the charters of the Municipalities require them to contract and pay for specialized police services. This charter amendment remove that requirement. Additionally, County staff will bring an ordinance for BCC consideration removing Sec. 20-26 (b) that requires a future municipality to contract for specialized police services.

Because the requirement to contract and pay for specialized police services is being removed from the municipal charters at the request of the County, the County will fund a mail ballot election within the

Honorable Chairman Bruno A. Barreiro  
And Members, Board of County Commissioners  
Page 2

municipality. Additionally, the municipal charter change for the Town of Miami Lakes, Village of Palmetto Bay and City of Doral to phase-out mitigation may be included as an additional question on that ballot.

A handwritten signature in black ink, appearing to read "J Glazer-Moon for", written over a horizontal line.

Jennifer Glazer-Moon  
Director, Office of Strategic Business Management

cmo01809



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** November 20, 2008

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 12(A)(1)

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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 12(A)(1)  
11-20-08

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

RESOLUTION APPROVING AN AMENDMENT TO THE CHARTERS OF TOWN OF MIAMI LAKES, VILLAGE OF PALMETTO BAY, CITY OF DORAL, CITY OF MIAMI GARDENS, AND TOWN OF CUTLER BAY RELATING TO DELETING REQUIREMENT TO SEPARATELY CONTRACT FOR SPECIALIZED POLICE SERVICES AND REMOVING "MOST FAVORED NATION" PROVISION RELATED TO SPECIALIZED POLICE

**WHEREAS**, Section 6.05 of the Miami-Dade County Home Rule Charter requires an affirmative vote of two-thirds ( 2/3) of the members of the Board of County Commissioners then in office to approve the amendment of any pre-agreed condition contained in a municipal charter of a municipality prior to a vote of the municipality's electorate; and

**WHEREAS**, through various budget ordinances, the County has sought to phase out separate payments by the Town of Miami Lakes, Village of Palmetto Bay, City of Doral, City of Miami Gardens and Town of Cutler Bay for specialized police services by funding these services through the county wide millage; and

**WHEREAS**, the provisions in each of these municipalities charters requiring that they separately contract with Miami-Dade County for specialized polices services is no longer necessary; and

**WHEREAS**, the provision in each of these municipalities charters provides "Favored Nation Status," requiring modification of the municipalities' charter should a subsequently incorporated municipality be permitted to incorporate without separately contracting for specialize police services, is no longer necessary upon removal of the requirement to separately contract for specialized police services; and

**WHEREAS**, by removing the requirement that these municipalities separately contract for specialized police services, the provision for “Favored Nation Status” as it applies to specialized police services is no longer necessary; and

**WHEREAS**, the Board of County Commissioners is desirous of authorizing these municipalities to delete the obligation for separately contracting with Miami-Dade County for specialized police services along with deletion of “Favored Nation Status” as it applies to specialized police services,

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

**Section 1.** The Board of County Commissioners by an affirmative vote of two-thirds (2/3) of its members approves a ballot question which authorizes an amendment to the charters of the Town of Miami Lakes, Village of Palmetto Bay, City of Doral, City of Miami Gardens and Town of Cutler Bay which deletes the obligation for separately contracting with Miami-Dade County for specialized police services and which deletes the provisions in the aforementioned municipalities’ “Favored Nation Status” as it applies to specialized police services.

**Section 2.** This resolution shall be effective as to each municipality upon approval by the County Attorney of the form of the ballot questions consistent with the provisions of this resolution. A mail ballot shall be funded by the County.

The foregoing resolution was 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:

- |                                    |                    |
|------------------------------------|--------------------|
| Bruno A. Barreiro, Chairman        |                    |
| Barbara J. Jordan, Vice-Chairwoman |                    |
| Jose "Pepe" Diaz                   | Audrey M. Edmonson |
| Carlos A. Gimenez                  | Sally A. Heyman    |
| Joe A. Martinez                    | Dennis C. Moss     |
| Dorrin D. Rolle                    | Natacha Seijas     |
| Katy Sorenson                      | Rebeca Sosa        |
| Sen. Javier D. Souto               |                    |

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of November, 2008. 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.



Craig H. Coller

