

## MEMORANDUM

Agenda Item No. 14(A)(1)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

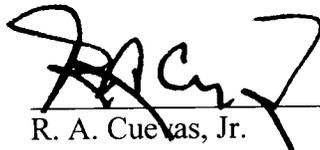
**DATE:** February 1, 2011

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

**SUBJECT** Resolution authorizing and directing the County Mayor to allow County Employees to donate leave time to the Police Officers Assistance Trust (POAT) funds established for the families of Officer Castillo and Officer Haworth and to permit such donations in the future

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** February 1, 2011

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County Attorney

**SUBJECT:** Agenda Item No. 14(A)(1)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 14(A)(1)  
2-1-11

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

RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO ALLOW COUNTY EMPLOYEES TO DONATE LEAVE TIME TO THE POLICE OFFICERS ASSISTANCE TRUST (POAT) FUNDS ESTABLISHED FOR THE FAMILIES OF OFFICER CASTILLO AND OFFICER HAWORTH AND TO PERMIT SUCH DONATIONS IN THE FUTURE

**WHEREAS**, Miami-Dade County's police officers provide an invaluable service to the Miami-Dade County community and to its visitors; and

**WHEREAS**, on January 20, 2011, all of Miami-Dade County suffered a tragic loss of life when Miami-Dade County Officers Roger Castillo and Amanda Haworth were killed while performing their duty to the community as law enforcement officers; and

**WHEREAS**, this loss of life is ever more tragic for the families of Officers Castillo and Haworth who are now at a time of critical need; and

**WHEREAS**, the Board of County Commissioners wishes to find a way for members of the County family of employees to show their appreciation and respect for the ultimate sacrifice made by Officers Castillo and Haworth by providing support to their families in this time of need; and

**WHEREAS**, an organization named the Police Officer Assistance Trust [POAT] was established in 1989 in response to the deaths in the line of duty of two Miami-Dade Police officers and the death of a City of Miami police officer; and

**WHEREAS**, POAT has since served the law enforcement community in times of need and is a 501(c) (3) non-profit organization operating within Miami-Dade County, Florida that

provides assistance to law enforcement officers and their families in times of crisis or critical need; and

**WHEREAS**, the Board of Trustees is comprised of representatives from the different levels of law enforcement in Miami-Dade County (federal, state, county, and municipal) as well as members from the Miami-Dade County business community and law enforcement related fraternal and labor organizations. The Board of Trustees and staff meet on a monthly basis to discuss and vote on various assistance cases, fundraisers, and other matters pertinent to the operation of the organization; and

**WHEREAS**, POAT has established trust funds to assist the families of Officer Castillo and Officer Haworth in this time of critical need and loss; and

**WHEREAS**, County employees that wish to donate annual leave time to the POAT Trust funds for Officer Castillo and Officer Haworth should be able to do so; and

**WHEREAS**, in the future critical needs may arise in the law enforcement community that would benefit from additional donations of annual leave time by County employees and such donations to POAT should be authorized; and

**WHEREAS**, the Board of County Commissioners wishes to authorize these donations to demonstrate its support for the families of Officer Castillo and Officer Haworth in this time of critical need and loss and to demonstrate its respect and admiration for the dedication of Officer Castillo and Officer Haworth; and

**WHEREAS**, the Board of County Commissioners wishes to authorize County employees to make such donations to POAT in the future to demonstrate its support for the law enforcement community in Miami-Dade County and their families,

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

**Section 1.** This Board hereby authorizes and directs the County Mayor or Mayor's designee to allow the donation by County employees of up to two (2) hours of annual or holiday leave time to the Police Officers Assistance Trust (POAT) funds established for the families of Officers Castillo and Haworth in this fiscal year.

**Section 2.** This Board hereby authorizes and directs the County Mayor or Mayor's designee to allow the donation by County employees of up to two (2) hours of annual or holiday leave time to the Police Officers Assistance Trust (POAT) for any funds established in the future for the families of any Miami-Dade County Police Department sworn personnel with such limitation of two (2) hours of time per County fiscal year.

**Section 3.** The County Mayor or Mayor's designee shall publicize and make available forms for employees to complete in order to authorize such annual and holiday leave contributions. The authorization forms to be distributed by the County Mayor or Mayor's designee should include: (a) an explanation of the POAT; and (b) a statement that the Board of County Commissioners has approved contributions of annual and holiday leave time and the two (2) hour donation limitation.

**Section 4.** This Board directs the County Mayor or Mayor's designee to arrange for the allocation of funds from the various departments whose employees contributed leave time to the POAT and to designate that such donations are to be used to exclusively for the families of Officers Castillo and Haworth. The County Mayor or Mayor's designee shall give as much notice as possible but in any event at least twenty-four (24) hours notice to this Board of his

intention to present the funds to POAT so that all interested members of this Board may attend any such presentation.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of February, 2011. 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.



Eric A. Rodriguez