



MEMORANDUM  
Harvey Ruvin  
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PSASC  
Agenda Item No. 6A

**TO:** Honorable Chairwoman Sally A. Heyman  
and Members, Public Safety and Animal Services  
Committee

**DATE:** January 15, 2014

**FROM:** Christopher Agrippa  
Director, Clerk of the Board Division

**SUBJECT:** Approval of Commission  
Committee Minutes

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Public Safety and Animal Services Committee:

**November 13, 2013**

CA/msy  
Attachment



Stephen P. Clark  
Government Center  
111 N.W. 1st Street  
Miami, FL 33128

## CLERK'S SUMMARY OF

### Meeting Minutes

#### Public Safety & Animal Services Committee

Sally A. Heyman (4) Chair; Esteban L. Bovo, Jr. (13) Vice Chair; Commissioners  
Bruno A. Barreiro (5), and Audrey M. Edmonson (3)

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**Wednesday, November 13, 2013**

**9:30 AM**

**Commission Chambers**

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**Members Present:** Esteban L. Bovo, Jr., Audrey M. Edmonson, Sally A. Heyman.

**Members Absent:** None.

**Members Late:** Bruno A. Barreiro .

**Members Excused:** None.

**Members Absent County Business:** None.

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**1 MINUTES PREPARED BY:**

**Report:** *Mary Smith-York, Commission Reporter  
(305) 375-1598*

**1A INVOCATION AS PROVIDED IN RULE 5.05  
(H)**

**Report:** *The Committee convened in a moment of silence,  
followed by the Pledge of Allegiance.*

**1B**      **ROLL CALL**

**Report:** *In addition to the Committee members, the following staff members were present: Deputy Mayor Genaro "Chip" Iglesias; Assistant County Attorneys Gerald Sanchez and Benjamin Simon; and Deputy Clerks Jovel Shaw and Mary Smith-York.*

*Assistant County Attorney Sanchez noted the following changes should be made to today's (11/13) agenda as requested in County Commission Chairwoman Rebeca Sosa's Memorandum entitled "Requested Changes to the Public Safety & Animal Services Committee Agenda:" Agenda Items 1F1 Supplement, 2C, and 3A should be added.*

*It was moved by Commissioner Bovo that the Committee approve today's (11/13) agenda with the requested changes noted by Assistant County Attorney Sanchez. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 3-0 (Commissioner Barreiro was absent).*

*Chairwoman Heyman announced that, pursuant to a new Florida Statute, everyone would be allowed to speak on any item before the Committee and that if an item was waived to the Full Board individuals would be allowed to speak on the item before the Full Board. She pointed out that once the public hearing for an item was held in a Committee meeting, there would be no further opportunity for anyone to speak when the item was presented before the Full Board. Chairwoman Heyman explained that everyone would be given the opportunity to speak on items, even those not scheduled for public hearing; the length of time allowed would depend upon the number of speakers; and the public hearing would be conducted in a fair and impartial manner.*

*Following her remark that some items on today's (11/13) agenda would be heard out of order, Chairwoman Heyman opened the floor and called for anyone wishing to speak on any item other than Item 1F1, which was a public hearing item.*

*Mr. Terry Murphy, 1001 Brickell Bay Drive, Miami, appeared before the Committee and presented his concerns regarding the status of the competitive bid issued last summer soliciting a*

*design consultant for the design and structure of the diversion facility. He stated that included in this procurement item was the responsibility to obtain zoning authorization from the City of Miami, on the site on NW 7th Avenue, provided by the State of Florida. Mr. Murphy referred to public records available online, indicating that six firms submitted proposals for this approximately \$1.1 million competitive process. He stated the record indicated that since the end of August, additional steps should have occurred including first tier ranking, first tier final ranking, schedule of presentations, second tier final ranking; however, the online record indicates that there had been no progress. Mr. Murphy asked that this issue be addressed by the County Administration following the presentation by Honorable Judge Steve Leifman (Item 1D1).*

**1C PLEDGE OF ALLEGIANCE**

**1D SPECIAL PRESENTATIONS**

1D1

**131606 Special Presentation****Sally A. Heyman****SPECIAL PRESENTATION BY JUDGE STEVE LEIFMAN  
RE: FORENSIC JAIL DIVERSION FACILITY (MENTAL  
HEALTH ARRESTEES AND INMATES)****Presented**

**Report:** *Assistant County Attorney Gerald Sanchez read into the record the foregoing special presentation.*

*Chairwoman Heyman provided a brief overview of the purpose for this presentation, stating that this was in response to the Management Watch Request submitted in August 2013, specifically addressing the mentally ill incarcerated. She stated that representatives from the Public Defender's Office, the Department of Corrections and Rehabilitation, and the Court Administrations Office were present in connection with this item and that members of the public would also be given the opportunity to express their concerns on this matter. Chairwoman Heyman recognized Judge Leifman to make his presentation.*

*Honorable Judge Steve Leifman appeared before the Committee and stated that he was Chair of the Eleventh Judicial Circuit on Criminal Mental Health Projects. He stated that Miami-Dade County had the largest percentage of people with mental illnesses of any urban area within the United States; nearly three times the national average. Judge Leifman noted 9.1 percent of the general population, approximately 177,000 adults and 55,000 children, who live in this community had a form of serious mental illness, generally schizophrenia, bipolar, or major depression. He pointed out that Florida was the 49th per capita funded state with respect to mental illness which resulted in its jails becoming the largest psychiatric facilities in the state of Florida. Judge Leifman informed members that the nearly 20,000 people who were booked into the County's jails each year were in need of acute mental healthcare treatment at the time of their arrests. He explained that there were approximately 1,200 people in custody with a serious mental illness—much more than any State Hospital in Florida. He reported that the County was spending nearly \$178,000 daily to house people with mental illness in the County's jail facilities, which cost taxpayers approximately \$65 million annually. Judge Leifman indicated that the County's corrections system served as a repository of failed public policies and because the facilities*

were so old, they were not conducive for treatment. He emphasized that people in jail with serious mental illnesses generally remain eight times longer at nearly seven times the cost than their mentally healthy counterparts with the same criminal charges. Additionally, he noted, those individuals who were extremely mentally ill were housed on the facility's ninth floor and required intensive observation every 15 minutes, at an extraordinary cost to the County.

Judge Leifman explained that viewing this problem as a criminal rather than disease model caused the County to spend time, money, and resources dealing with the persons' charge rather than their illnesses. Describing the current process, he stated that those persons would be adjudicated and released without any access to treatment and sometimes, within seconds, they would be re-arrested because they were so ill.

Judge Leifman stated that in 2004 during the County Commission's review of the Building Better Communities General Obligation Bond (GOB) program, his team proposed an idea of providing treatment to those individuals who were incarcerated with mental illnesses by creating a phenomenal forensic diversion facility. He explained that this facility would not be considered a jail and would be eligible for state and federal funding for treatment. Judge Leifman referred to Corrections & Rehabilitation Department (C&R) Director Timothy Ryan's report on all the charges pending against people with mental illnesses, noting more than 50 percent of inmates with serious mental illnesses were charged with offenses that would be eligible for some type of diversion program. He noted the idea for the diversion facility was to provide all the services under one roof, including a crisis stabilization unit, short-term residential unit, a meaningful day activity program, supportive employment, etc., that would be funded by state and federal dollars. Judge Leifman stated that the facility leased from the State contained a massive kitchen that could accommodate a culinary program to help individuals to live independently upon their release. He also noted he was working with Miami-Dade Homeless Trust and housing providers, and considering the idea of building supportive housing atop the parking lot of the facility leased from the State. Judge Leifman noted the diversion facility would also house a probation unit and a courtroom to adjudicate cases while the individuals were at the facility. He reiterated that these mentally ill individuals would

not be on a County corrections floor; rather they would be in a part of the facility that would not be paid for by the County but with other funds. Judge Leifman stressed the importance of providing an entire rehabilitation program for these individuals with very serious illnesses so that they could be released when they were fully recovered and able to stay out of the system.

Judge Leifman noted the community supported this great model, as did the Grand Jury, whose report prompted the Mayor to establish a Task Force focused on implementing the Grand Jury's recommendations. He advised that all of those recommendations were realized with the exception of opening the diversion facility. Judge Leifman stated that, prior to the Grand Jury's report nearly one person with a serious mental illness was shot and killed each month during an encounter with law enforcement. He stated that since the Mayor's Task Force began its process, over 4,000 police officers had been trained in "Crisis Intervention Team Policing," with amazing results. He provided statistics from the Miami-Dade County and City of Miami Police Departments, stating that of the approximately 10,000 mental health calls received last year, only 27 resulted in arrests and no shootings or injuries occurred. Judge Leifman informed members that as a result of this reduction in arrests, the jails' population dropped from 7,800 to 5,000 and the County saved nearly \$12 million a year by closing the Women's Detention Center.

Chairwoman Heyman acknowledged Judge Leifman for his working with the County's Corrections Chiefs to redirect their approach to handling mentally ill individuals when they enter into the system. She noted for the record that the Corrections and Rehabilitation Department was erroneously reflected as the initiator in the document and indicated that Judge Leifman should be recognized as the catalyst for this initiative.

Judge Leifman explained that this was a collaborative effort. He noted the Florida Mental Health Institute (FMHI) at the University of South Florida (USF) conducted a study on the highest utilizers of criminal justice in mental health services in Miami-Dade County. He noted the FMHI was the only institute in the United States with blended data sets that included records from the Florida Department of Law Enforcement, Medicaid, and Baker Act programs. Judge

Leifman stated that, contrary to his expectations, the study resulted in a list of only 97 names, primarily of men diagnosed with schizophrenia, who over a five-year period, were arrested nearly 2,200 times, spent 27,000 days in jail and 13,000 days in psychiatric facilities, which cost local taxpayers over \$30 million. He commented on the devastating impact this situation had on those individuals and their families and how research showed that the longer mentally ill individuals went without treatment the more likely they were to develop permanent brain damage. Judge Leifman pointed out that the proposed diversion facility would break this devastating cycle; the taxpayers had approved the bond issue for the diversion facility and additional funding was available that the County could use to treat mental illness as a disease rather than a crime. He noted his team was working with Otsuka Pharmaceuticals and this community was chosen as a beta test site to use the most sophisticated technology available to develop a continuum of care for this population; this would allow consumers to be a part of the technology to ensure that these individuals were helped before their illness caused them to be arrested. Judge Leifman reiterated that the mentally ill must be treated and that the only missing piece that would allow this to happen was the diversion facility. He asked the Committee members to support this initiative so it could move forward and give these individuals a chance to lead a normal life.

Chairwoman Heyman asked Assistant County Attorney Benjamin Simon to explain what the Florida Department of Justice's (DOJ) Consent Decree required with respect to the custodial care of mentally ill inmates by December 2014.

Assistant County Attorney Benjamin Simon advised that the Consent Decree required that the "mental health treatment center" must be opened by the end of 2014.

Judge Leifman noted some debate existed as to what the term "mental health treatment center" meant and explained that he interpreted it to mean a jail facility paid for by C&R to treat the mentally ill population; not a forensic diversion facility, which the taxpayers passed separately for the proposed site. He noted he was working with the Mayor's Office to resolve these complex issues and emphasized the need to find a solution as soon as possible.

*Pursuant to Chairwoman Heyman's request, Assistant County Attorney Simon reiterated that the Consent Decree required that there be a mental health treatment center that commenced operations by the end of December 2014.*

*Chairwoman Heyman noted the bond issue for the diversion facility was \$22.1 million and there was a commitment from the Mayor's Office to address this matter.*

*Judge Leifman pointed out that the State of Florida had leased the facility to the County for 99 years for the amount of \$1.00 per year, adding that seven years had already passed.*

*Chairwoman Heyman acknowledged former County Commissioner Natacha Seijas for being a champion for the mentally ill, noting she was present for the ribbon cutting ceremony at the facility on 22nd Street and Second Avenue, which currently remained shuttered. She pointed out that this property was owned by the State of Florida, zoned for the intended purpose, and was adjacent to County-owned property that could be used for expansion if necessary.*

*Mr. Carlos J. Martinez, Miami-Dade Public Defender's Office, appeared before the Committee and noted he had additional copies of his letter to Miami-Dade Mayor Carlos Gimenez, dated October 30, 2013, regarding the use of the Krome Facility for mentally ill pre-trial detainees, introduced into the record by Chairwoman Heyman. Referring to the Consent Decree and recent letter from the DOJ instructing the County to expedite removal of the people from the ninth floor, he stated that his office received no response to its request for information on the DOJ's specific concerns. Mr. Martinez stated that the directive in the DOJ's letter, to shut down the ninth floor, had created an emergency to which the Mayor's Office was diligently seeking solutions. Mr. Martinez noted one of the Mayor's proposals was to transfer those residing on the ninth floor of the County Jail, which was next door to his Public Defender's Office, to the Krome Detention Center. He pointed out that the distance was problematic, noting people on the ninth floor awaiting pre-trial must be visited for evaluation and he did not believe that the evaluators would travel that distance. As an alternative, Mr. Martinez recommended that rather than using the Krome facility for pre-trial detainees, it be used to house inmates who had already been sentenced,*

which would then create additional space at TGK or another facility more amenable for treatment. He noted this was not the perfect solution, but would satisfy the DOJ's mandate to shut down the ninth floor. He explained that the close proximity of the jail to his office made it convenient for his assigned staff to conduct daily rounds on the ninth floor of the TGK to ensure that inmates were properly housed. Mr. Martinez also pointed out that many mental health inmates had attorneys who would object to traveling all the way to Krome to visit their clients. With respect to the recommendation that video conferencing be used to communicate with the individuals housed at Krome, he noted he was opposed to having the mentally ill viewed by video and emphasized the importance of interacting with those patients face to face. Mr. Martinez expressed his willingness to work toward the best solution, indicating that he would travel some distance, but opposed going as far as the Krome facility. He noted the ideal resolution would be to open the proposed diversion facility by December 2014.

Chairwoman Heyman noted the obligations for the courts and that Ms. Sandria Garcia, Chief Deputy Court Administrator, who was present on behalf of the Court Administration, Eleventh Judicial Circuit of Florida, and the public needed to know that a deficiency in that budget became the County's and taxpayers' obligation.

Judge Leifman pointed out that this was also a public health issue, noting the Jackson Health System was being over-utilized in this regard because all of these individuals were uninsured and visited the Jackson Health System (JHS) Crisis Stabilization Unit several times a year at an enormous cost.

Chairwoman Heyman reminded everyone that the cost for mental health treatment would not be borne by County taxpayers, but would be paid by the Federal Government and the State of Florida for custodial care. She noted after touring the North Dade Correctional Facility, it was decided this was not an option; however, it was recommended that the diversion facility be opened due to its close proximity. Chairwoman Heyman noted staff indicated an analysis could be done, within two days, to determine what it would cost to open this facility and that it would be less than the \$22.1 million available in the GOB, since the building already existed.

*In response to Chairwoman Heyman's inquiry as to whether that amount had been calculated, Deputy Mayor Genaro "Chip" Iglesias advised that calculations for a complete diversion facility exceeded \$21 million because of the necessity to build courtroom facilities, etc. He explained that the discussion on the diversion facility had merged with the issues on the ninth, eighth, and tenth floors of the Corrections building. Mr. Iglesias stated that the concept of utilizing the facility in conjunction with a diversion program was initially articulated in a report by Dr. Joel Dvoskin to the Mental Health Task Force a few years ago, which pointed out that the problem in the community was so great that a diversion facility alone would not meet that demand.*

*Chairwoman Heyman asked Deputy Mayor Iglesias what the cost would be to open the existing building as a 100-bed facility for mental health processing and diversion.*

*Mr. Iglesias reiterated that he was informed by the Internal Services Department that the cost to open that facility would exceed \$21 million. He clarified that the concept of relocating mentally ill inmates to a diversion program would cost \$26 million.*

*In response to Chairwoman Heyman's request for clarification on what it would cost to open the diversion facility, Judge Leifman noted the original plan was for a diversion facility with one jail floor. He explained that after being screened, the individuals would be transferred to a different floor for treatment and the County would no longer be responsible for the cost. Judge Leifman stated that initially the County asked the Task Force to consider designating two jail floors and later requested that four jail floors be considered. He explained how this was a logical request since it would consolidate the population into one location and save costs towards healthcare, staffing, etc. Judge Leifman stated that he agreed to this request contingent upon the County using GOB funds for that aspect and there being sufficient funds remaining to build a short-term residential facility on the grounds. He noted that the agreement was that the County would have four floors and the Courts would have two floors inside the facility and would build a short-term residential facility on the grounds. Judge Leifman noted the County recently indicated that it might have need of a jail facility for primary health and mental health similar to a successful model in*

Pinellas County and began focusing on the \$90 million GOB funds for Corrections to build that type of facility and return to the Courts the original concept. He indicated that this was the first time he heard the figure \$26 million, noting the increased costs were mainly due to upgrading the floors within the existing facility to a corrections grade level.

Discussion ensued between Chairwoman Heyman and Assistant County Attorney Simon confirming that the language in the Consent Decree did not dictate the number of jail floors or other specific details; rather, it simply requested that a center be established for the mentally ill individuals in custody.

Chairwoman Heyman referred to the \$22.1 million GOB dollars that the County Mayor placed under the control of the Courts for administration to establish a diversion facility to allow the removal of hundreds of individuals from the jail population and enable them to be properly diagnosed and treated using State and Federal funds. She asked Judge Leifman what steps the County could take to open the diversion facility by December 2014 in accordance with the Consent Decree.

Judge Leifman noted the best option would be to identify an existing space to relocate the population from the ninth floor to a more appropriate setting temporarily to satisfy the DOJ's Consent Decree. Additionally, he stated there were three other options available: The first option was that the GOB Bond Issues for Corrections and the Diversion Facility could be combined, which the GOB Committee had approved, and the diversion facility could be built on that particular site. He noted, however, this option would probably only address the behavioral health, mental health, and substance abuse population and not the primary health issues. He said that this population was considered as having serious mental illnesses and co-occurring disorders (substance abuse) and that there were 1,200 people on psychotropic medication currently in the County's jail system. He indicated that four to six hundred people could be moved from that population into the facility within a year. Judge Leifman stated that the second option pertained to the County's desire to build a primary health and mental health facility, indicating that the Krome facility was probably less expensive but posed other concerns including distance and staffing. He noted the third option

was to look for a different site that would be closer to the diversion facility. He stated that it would be helpful for someone, preferably an economist, to analyze this issue comprehensively with respect to how it impacted JHS, C&R, Medicaid, etc. and bring back the findings, bearing in mind the urgency of this situation.

Chairwoman Heyman asked how this issue would be impacted if the facility located at 22nd Avenue and 7th Street, which was already zoned and County-owned, was rehabilitated and used to start treating the mentally ill population in accordance with the Consent Decree.

Judge Leifman stated he believed that this would reduce the mental health population in the correctional setting from one third to one half. He noted he did not believe that it would cost more than \$21 million to accomplish this goal.

In response to Chairwoman Heyman's question regarding whether intake processing of mentally ill persons for the diversion program needed to conform to jail standards, Mr. Timothy Ryan indicated that it depended upon the persons' charges and their behavior.

Judge Leifman stated that a person charged with certain offenses would not be eligible for diversion and would remain in jail. He noted the objective was to work in conjunction with the State Attorney's Office and the Public Defender's Office to implement risk assessments, at the time of the arrest, to identify who was eligible for the diversion program. He conceded that Mr. Ryan's answer would be correct if jail cells were included at that facility.

Chairwoman Heyman reiterated her concerns with the County's failure to move forward on rehabilitating the existing building leased by the State of Florida and using it as a mental health diversion facility.

Judge Leifman noted if the County rejected the option of merging the two buildings, the Courts would recapture the funds allocated for that purpose and initiate a procurement process.

Chairwoman Heyman commented that Mayor Gimenez directed the County's Administration to accept those funds and stated that the terms of the consent decree could be met.

*In response to Chairwoman Heyman's question as to whether having the facility located in the City of Miami complied with the requirements of the consent decree, Assistant County Attorney Simon noted there was no required location in the consent decree.*

*In response to Commissioner Barreiro's question regarding how the diversion process would be executed, Judge Leifman explained that before the person's charges had been resolved, he/she would be moved into the diversion facility. He added that the treatment/service would be either in lieu of or in conjunction with their sentence, after which they would move out. He provided an example of this process, noting a similar felony diversion program was currently being administered.*

*Commissioner Barreiro spoke in support of moving this diversion facility initiative forward.*

*In response to Commissioner Bovo's inquiry regarding the County's delay in moving forward with the facility on 7th Street and 22nd Avenue, Deputy Mayor Iglesias explained that discussion was held with regard to utilizing two floors for mentally ill inmates and two floors for diversion, or utilizing all four floors for diversion and finding alternate locations for inmates. He noted during dialogue on the issue of relocating individuals from the ninth floor, options considered included moving people from the eighth, ninth, and tenth floors to other existing locations outside the facility and sharing space for mentally ill inmates. Mr. Iglesias said he believed that the most logical transition would be to not permit Acute Level 1 inmates into the diversion program and to permit Level 3 and 4 inmates to participate. Referring to the search for alternatives, he noted, this not only included the immediate solution of moving people from the ninth floor, but the long-term approach for handling those who would remain at the facility. Mr. Iglesias noted several aspects needed to be considered regarding the diversion facility, including the option of using the Krome facility. He noted staff was considering Krome because it was adjacent to land controlled by the County, upon which a facility could be built. Additionally, he noted, centralizing some of the mentally ill population in a better setting was advantageous, particularly as it would reduce operational costs pertaining to the provision of correctional health services. Deputy Mayor Iglesias noted there was*

no argument with the Courts from a programmatic standpoint; however, he said the County was committed to using the \$90 million GOB funds to build the best facility that the funds allowed. He stated that consideration was also being given to the option referenced earlier by Judge Leifman, regarding the opportunity to combine the two GOB funds in a centralized location to leverage the services provided by the County and the diversion program.

In response to Commissioner Bovo's inquiry as to whether the consent decree required that the diversion facility be operational by the end of next year, Assistant County Attorney Simon clarified that the facility must commence operations by end of 2014.

Responding to Commissioner Boyo's question as to whether the County Commission had the authority to direct staff to move forward with a particular facility, Assistant County Attorney Sanchez stated he believed that the County Commission had that authority.

Commissioner Bovo said he understood the concerns expressed today; however, he was supportive of the Board taking steps to direct staff to take action.

In response to Commissioner Edmonson's question regarding whether permits were required prior to moving forward with any facility, Mr. Iglesias confirmed that they were, adding that the active competitive process must be completed along with several additional steps in the process. Commissioner Edmonson expressed concern that the permitting process and construction period would make it impossible to complete the process and commence operations by the end of 2014.

Deputy Mayor Iglesias noted staff made a commitment to find a solution to this issue and pursuant to the DOJ's instruction, find a solution to a better setting for the inmates on the ninth floor.

Assistant County Attorney Sanchez advised Commissioner Edmonson that the Commission members would direct the Mayor to take action on this issue via resolution.

Chairwoman Heyman asked Deputy Mayor Genaro "Chip" Iglesias to provide Committee members, at the December 11, 2013 meeting, with



1E2

132231 Discussion Item Sally A. Heyman  
DISCUSSION ITEM REGARDING THE RELEASE AND *Presented*  
TRANSPORTATION FOR INMATES

**Report:** *Commissioner Edmonson noted during a County Commission meeting the Board directed Deputy Mayor Iglesias to schedule a Sunshine meeting among her, other interested commissioners and the Corrections staff to present a solution to the release of inmates. She explained that currently when inmates were released, they were transported by bus into areas of Districts 3 and 5, regardless of whether it was daytime or nighttime.*

*Chairwoman Heyman noted she concurred with Commissioner Edmonson's concern regarding the need to ensure that individuals released from custody were transported to areas providing them access to transit to their final destination.*

*In response to Commissioner Barreiro's request for a report identifying best practices for the release of prisoners in other areas, Commissioner Edmonson noted that information was being prepared by staff for presentation at the Sunshine meeting.*

1F **PUBLIC HEARING**

1F1

**131975 Ordinance**

Sally A. Heyman,

Lynda Bell

ORDINANCE RELATING TO TRAFFIC INTERSECTION SAFETY AND RED LIGHT VIOLATIONS; AMENDING SECTION 30-422 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING A LOCAL HEARING PROCESS FOR RED LIGHT CAMERA VIOLATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Edmonson*

*Vote: 2-1*

*No: Bovo, Jr.*

*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the forgoing proposed ordinance into the record simultaneously with companion Item 1F1 Supplement.*

*Chairwoman Heyman relinquished the Chair to Vice Chairman Bovo.*

*Vice Chairman Bovo opened public hearing and called for persons wishing to be heard. He closed the public hearing after no one appeared wishing to speak.*

*Hearing no questions or comments, the Committee members proceeded to vote on the ordinance, as presented.*

1F1 SUPPL

**132270 Supplement**

FISCAL IMPACT STATEMENT TO ORDINANCE RELATING TO TRAFFIC INTERSECTION SAFETY AND RED LIGHT VIOLATIONS; AMENDING SECTION 30-422 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING A LOCAL HEARING PROCESS FOR RED LIGHT CAMERA VIOLATIONS

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Edmonson*

*Vote: 2-1*

*No: Bovo, Jr.*

*Absent: Barreiro*

**2 COUNTY COMMISSION**

2A

**132101 Resolution**

Lynda Bell,

Sally A. Heyman

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO DEVELOP A PLAN FOR THE CREATION OF A LOCAL ONLINE LOST-AND-FOUND DATABASE AND SMARTPHONE APPLICATION FOR MISSING PETS WITHIN THE COUNTY

*Forwarded to BCC with a favorable recommendation*

*Mover: Bovo, Jr.*

*Seconder: Edmonson*

*Vote: 3-0*

*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the forgoing proposed resolution into the record.*

*Hearing no questions or comments, the Committee members proceeded to vote on the resolution, as presented.*

2B

**132193 Resolution**

Dennis C. Moss,

Audrey M. Edmonson

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO CONDUCT A FEASIBILITY STUDY TO DETERMINE THE AVAILABILITY, COSTS AND BENEFITS OF USING ARMORED POLICE SURVEILLANCE VEHICLES

*Forwarded to BCC with a favorable recommendation*

*Mover: Bovo, Jr.*

*Seconder: Edmonson*

*Vote: 3-0*

*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the forgoing proposed resolution into the record.*

*Commissioner Edmonson asked to be listed as a co-sponsor of this resolution.*

*Chairwoman Heyman recognized the Miami-Dade Police Department Director and staff present in connection with this item and invited them to speak if they desired.*

*Hearing no further questions or comments, the Committee members proceeded to vote on the resolution, as presented.*

2C

132196 Resolution Jean Monestime,  
 Sally A. Heyman, Lynda Bell, Audrey M. Edmonson,  
 Barbara J. Jordan, Dennis C. Moss, Juan C. Zapata  
 RESOLUTION DIRECTING THE MAYOR OR MAYOR'S  
 DESIGNEE TO IMPLEMENT POLICY ON RESPONDING  
 TO DETAINER REQUESTS FROM THE UNITED STATES  
 DEPARTMENT OF HOMELAND SECURITY  
 IMMIGRATION AND CUSTOMS ENFORCEMENT

*Forwarded to BCC with a favorable  
 recommendation*

*Mover: Bovo, Jr.*

*Seconder: Edmonson*

*Vote: 4-0*

**Report:** *Assistant County Attorney Gerald Sanchez read  
 the forgoing proposed resolution into the record.*

*Chairwoman Heyman relinquished the Chair to  
 Vice Chairman Bovo.*

*Vice Chairman Bovo opened public hearing and  
 the following individuals appeared:*

*Mr. Carlos Martinez, Miami-Dade County Public  
 Defender, appeared before the Committee and  
 provided a brief overview of the foregoing  
 resolution. He noted this was a budgetary item  
 passed by the County Commission to ensure that  
 the County was able to save over \$600,000. Mr.  
 Martinez stated that currently the County's  
 municipalities were no longer required to honor  
 the request to hold individuals who have  
 contravened the immigration laws. He noted  
 Homeland Security's policy clearly stated that  
 these holds were only requests; however, due to  
 the Federal Government's failure to reimburse  
 local governments for housing inmates on behalf  
 of Homeland Security, these entities have refused  
 to honor the requests. Mr. Martinez spoke in  
 support of the foregoing resolution, noting he  
 believed that this was a balanced approach which  
 denied these requests if the Federal Government  
 did not commit to fully reimburse the cost to house  
 inmates for Immigration Customs Enforcement  
 (ICE), while simultaneously providing the  
 authority to honor on a limited basis certain  
 detainees on individuals charged with forcible  
 felonies. He described how the process worked  
 and explained that family members were  
 encouraged to not post bonds because the  
 detainee would not be released if there was an  
 ICE hold and the bond money would be lost. He  
 indicated that there were several issues with the  
 ICE holds, as many were determined to be  
 invalid. In addition, he noted, a large number of  
 these ICE holds involved misdemeanor and low-  
 level felony offenses requiring very little*

supervision or bond. Mr. Martinez stated that the County's taxpayers were essentially paying the Federal Government for a service that it should be handling.

Chairwoman Heyman expressed her appreciation to the Public Defender and noted, for the record, that because of a delay in the process, many of these individuals were still being held. She reiterated Mr. Martinez' concerns that these individuals were being detained, based on the Federal Government's ICE hold request, even after a hearing before a judge and pre-trial determination of eligibility for early release. Chairwoman Heyman asked Mr. Martinez to meet with Deputy Mayor Iglesias to discuss the County services and costs related to and impacted by the ICE holds in order to calculate the amount of potential savings to the County.

Mr. Jonathan Fried, Executive Director, We Count, 715 NW 9 Court, Homestead, appeared before the Committee and noted he represented the following coalition of organizations in full support of the foregoing resolution: Florida Immigrant Coalition; Service Employees International Union; Americans for Immigrant Justice; Miami Workers Center; American Friends Service Committee; Research Institute on Social and Economic Policy at Florida International University; University of Miami Immigration Law Clinic; Greater Miami Chapter of the American Civil Liberties Union (ACLU).

Ms. Jeannette Smith, representing South Florida Interfaith Worker Justice, 150 SW 13 Avenue, appeared before the Committee and spoke in support of the foregoing resolution.

Seeing no other persons to appear wishing to be heard, Vice-Chairman Bovo closed the public hearing.

There being no further questions or comments, the Committee proceeded to vote on the foregoing resolution, as presented.

Commissioner Edmonson asked to be listed as Co-Sponsor of this resolution.

### 3 DEPARTMENT

3A

132230 Resolution

Sally A. Heyman,

Esteban L. Bovo, Jr.

RESOLUTION AUTHORIZING EXECUTION OF AN INTER-LOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND PALM BEACH COUNTY, THROUGH THE MIAMI-DADE FIRE RESCUE DEPARTMENT, FOR INTEROPERABLE COMMUNICATIONS AMONG PUBLIC SAFETY AND GENERAL GOVERNMENT AGENCIES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT, AMENDMENTS, RENEWALS, EXTENSIONS, AND ANY CANCELLATION PROVISIONS CONTAINED THEREIN (Miami-Dade Fire and Rescue Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Bovo, Jr.*

*Secunder: Edmonson*

*Vote: 3-0*

*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the forgoing proposed resolution into the record.*

*Hearing no questions or comments, the Committee proceeded to vote on the resolution, as presented.*

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

132122 Report

APPROVAL OF CLERK'S MEETING MINUTES FOR THE PUBLIC SAFETY AND ANIMAL SERVICES COMMITTEE: OCTOBER 9, 2013 (Clerk of the Board)

*Approved*

*Mover: Bovo, Jr.*

*Secunder: Edmonson*

*Vote: 4-0*

**Report:** *Assistant County Attorney Gerald Sanchez read the forgoing report into the record.*

*Hearing no questions or comments, the Committee proceeded to vote on the minutes for the October 9, 2013 meeting, as presented.*

7 REPORTS

**7A**      **NON-AGENDA ITEMS REPORT**

**Report:**    *1. RESEARCH FIRE BOAT REINSTATEMENT*  
Chairwoman Heyman asked the Deputy Mayor Genaro "Chip" Iglesias to bring back within 60 days a report on what financial options were available to the County for reinstatement of one or both fire boats, including the cooperative efforts in negotiations with 1403, so that people who were trained to work the boat could be assigned to respond to distress calls from trucks at the Port of Miami and at Haulover whenever needed. She asked that this effort be communicated to Homeland Security representatives with respect to potential chemical spills, sabotage, construction, and cargo and cruise passage, specifically at Government Cut. Chairwoman Heyman asked that Mr. Iglesias also consult with the State of Florida regarding the concept of assessing a users' fee of approximately \$5 for dry-docked boats awaiting construction and repairs in Miami-Dade County.

*2. UPDATE ON SAFER GRANT APPLICATION*  
In response to Commissioner Bovo's request for the status of the Staffing for Adequate Fire & Emergency Response (SAFER) Grant, Deputy Mayor Genaro "Chip" Iglesias explained that the recent governmental shutdown impacted the review process; however, he noted, the latest information received indicated that the grant would be awarded at the end of November 2013. He stated that staff was monitoring costs and in the event the County's application was unsuccessful, measures would be implemented to address the financial impasse for that time period.

Responding to Commissioner Bovo's question as to whether the County's legislative representatives were aware of and engaged in this endeavor, Deputy Mayor Iglesias noted they were and the Office of Intergovernmental Affairs had contacted each office regarding the grant.

**8**      **ADJOURNMENT**

**Report:**    *There being no further business to come before the Public Safety and Animal Services Committee, the meeting was adjourned at 11:15 a.m.*