



MEMORANDUM
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Clerk of the Board of County Commissioners
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PSASC
Agenda Item No. 6A

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

DATE: July 9, 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:

May 14, 2014

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)

Wednesday, May 14, 2014

9:30 AM

Commission Chambers

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

Members Absent: Bruno A. Barreiro.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

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

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

Report: *The Public Safety and Animal Services 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 Attorney Alexander Bokor; and Deputy Clerks Cynthia White and Mary Smith-York.*

Assistant County Attorney Alexander Bokor advised that the one change to today's (5/14) agenda was the addition of Item 1E2, which was reflected on the printed Official Agenda.

Commissioner Edmonson asked that Agenda Item 2C be deferred pending receipt of the report associated with this item.

It was moved by Commissioner Bovo that today's (5/14) agenda be accepted with the change as requested by Commissioner Edmonson. 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).

1C **PLEDGE OF ALLEGIANCE****1D** **REASONABLE OPPORTUNITY FOR THE PUBLIC TO BE HEARD AS PROVIDED IN RULE 6.06**

Report: *Chairwoman Heyman advised that, pursuant to Florida Statute, every item on today's (5/14) agenda was considered a public hearing item and that those wishing to speak should come forward when the item was introduced.*

1E **SPECIAL PRESENTATION(S)**

1E1

141048 Citizen's

Sally A. Heyman

CITIZEN'S PRESENTATION BY MR. BRIAN MULHEREN *Presented*
RE: ISSUES WITH EMERGENCY COMMUNICATION
RADIOS RELATED TO ENCRYPTION

Report: *Mr. Brian Mulheren appeared before the Committee and presented his issues with the use of the digital emergency communication radios with as related to encryption. He indicated that the current system was inadequate to accommodate the large amount of data required for encryption and caused calls to drop. Mr. Mulheren noted the current vendor, Harris Radio, had a history of nonfunctioning red emergency buttons on its radios and requested that the Miami-Dade Police Department (MDPD) immediately revert back to the analog radio system. Mr. Mulheren stated that this was also a concern for the Fire Department and noted the City of Miami Beach Police Department reverted back to its previous analog system when its digital system failed to work properly.*

Mr. Neil Alter, 9801 Collins Avenue, Bal Harbour, appeared before the Committee and asked that an investigation be done to determine what the motive was for selecting this particular communication system and whether the analog system was assessed/evaluated while the digitalized modification was being shopped. He also questioned the expenditure of \$25 million for a system that did not function properly and indicated this issue greatly impacted the safety of the community.

Chairwoman Heyman acknowledged the public and operational concern related to this matter and noted the system was modified pursuant to the Federal Communications Commission (FCC) requirement for more signals because of the County's growth. She said the choice was made to switch from analog to digital and to add the encryption; however, some disruption in the communication system and safety concerns had resulted. Chairwoman Heyman expressed concern regarding the malfunction of the radio's red emergency button; crashing of the computers; and dropping of zones on the digital system. She referenced the increasing number of incident reports received with respect to this issue and advised that professionally trained men and women in the Police and Information Technology

Departments continued working. Chairwoman Heyman questioned whether removing the system's encryption aspect would resolve the issues and noted the rate of return was secondary to the safety of constituents and the individuals who ensure their safety.

Mr. Angel Petisco, Information Technology Department Director, noted the digital system was implemented for non-public safety on December 10, 2012, replacing the Enhanced Digital Access Communications System (EDACS) by the same manufacturer. He stated this was done as part of the rebanding initiative mandated by the FCC, during which the new \$160 million system was purchased by the County for \$25 million, and implemented on April 15, 2013. Mr. Petisco stated there were issues with the encryption; therefore, the encryption feature for non-Special Response Team (SRT) channels was disabled temporarily to enable staff to better diagnose the problems for the vendor to work with the issue offline. He advised that the vendor was onsite 24/7 to address the issues as they surfaced, consisting of a team of more than 30 engineers/developers/technicians. Mr. Petisco informed Committee members that the EDACS was available, was reviewed daily, and radios could be switched back to that system on a moment's notice. Additionally, he noted any analog radio system, once implemented, generally had a shelf life of 15 to 20 years; therefore, digital systems would become the predominant technology of the future.

Deputy Director Juan Perez, Miami-Dade Police Department (MDPD), expressed appreciation to the public speakers who voiced their concerns regarding the radio communications issue. He explained that police officers were end-users of the radios and did not understand the technological aspect that caused the problems; however, he advised that MDPD staff partnered with ITD staff to isolate the problems and remove the kinks from the system. Mr. Perez said the department would continue working with Harris Radio and ITD to reach a solution to this critical issue.

Chairwoman Heyman expressed concern that Commission members were made aware of this problem from an article in the newspaper and Mr. Mulheren citizen's presentation, as well as by officers and other individuals. She noted this was unacceptable and explained that the consequences

affected constituents' services and safety. Chairwoman Heyman expressed appreciation for staff's efforts toward resolving this issue and pointed out the need for the vendor to provide a solution.

In response to Commissioner Bovo's questions regarding whether the contract had been paid and if the payment was refundable if the issue was not resolved, Mr. Petisco stated that approximately half of the contract was paid and that the vendor's corporate office indicated it was willing to do whatever was required to correct this problem. He explained that staff was currently using the new system with the encryption feature switched off for the non-SRT units.

With respect to Commissioner Bovo's inquiry on the safety of the members of the public and officers using the equipment, Mr. Perez advised that only minor incidents had been reported. He stated the encryption was removed to address the noise issue and the old EDACS would be used until the issues were corrected.

Discussion ensued between Commissioner Bovo and staff regarding why encryption was necessary and whether the vendor, Harris Radio, had experienced similar issues with its equipment previously.

Chairwoman Heyman asked Deputy Mayor Genaro Iglesias along with the appropriate administration to provide the Committee with periodic update reports as efforts to address the emergency communication radio system progressed.

1E2

141095 Discussion Item Sally A. Heyman
CITIZEN'S PRESENTATION BY MR. WALTER CLARKE Presented
TO DISCUSS: "ONGOING CORRECTIONS ISSUES"

Report: *Assistant County Attorney read the foregoing proposed discussion item into the record.*

Chairwoman Heyman welcomed Mr. Walter Clark to present his concerns regarding "Ongoing Corrections Issues," and noted Assistant County Attorney Alexander Bokor would state, for the record, any restrictions on the discussion of this issue.

Assistant County Attorney Bokor advised that staff would not be able to comment on issues involving the ongoing investigations related to this matter.

Chairwoman Heyman informed Mr. Clark that his request to address a specific incident was not before the Committee today (5/14) and advised that dialogue, in an open forum, that would create interference with open investigations was not permitted.

Mr. Walter Clark, Corrections Officer (Ret), Miami-Dade Corrections and Rehabilitation, appeared before the Committee, noted his affiliations, including the United States Army, and indicated several issues needed to be addressed in the C&R Department. He informed that the document he distributed earlier, for Committee members' review, contained information regarding those issues, including former C&R Director, Mr. Timothy Ryan's itinerary depicting his continued interaction with C&R staff. Mr. Clark stated his organization believed Mr. Ryan's continued involvement with the department's daily operations may have contributed to the incident that occurred within the C&R facility on December 30th.

Chairwoman Heyman cautioned Mr. Clark against mentioning issues related to the case currently under investigation and requested that he confine his dialogue to the parameters, work environment, and job descriptions of the employees in the Corrections Department.

In response to Chairwoman Heyman's question regarding the status of former C&R Director Ryan's role with the County, Deputy Mayor

Iglesias confirmed that Mr. Ryan was no longer employed by the County, was no longer the Director of C&R, and was no longer conducting meetings in the C&R Department.

Officer Alphonso Bruton, Corrections and Rehabilitation Department, advised that the radios used by Corrections and Rehabilitation Department staff were exhibiting similar communication issues as those noted by the Miami-Dade Police Department staff. He described problems regarding the inoperable intercom system and the radios, and explained how this impacted operations and safety at the C&R facilities.

Chairwoman Heyman asked Officer Bruton to provide the ITD Director with his specific concerns regarding the issues he presented today (5/14), so they could be addressed appropriately.

In response to Commissioner Edmonson's question regarding the broken intercom system, Ms. Marydel Guevara, Corrections and Rehabilitation Director, advised that the intercom system referred to by Mr. Bruton was in the Training and Treatment Center. She noted there was a wiring problem and stated that staff was currently addressing this concern.

Mr. Bruton informed Committee members that the intercom system had been inoperable since Hurricane Katrina in 2006 and that he mentioned this issue, along with complaints concerning visitation, to Lieutenant Daniels during a recent visit to the facility.

Discussion ensued between Commissioner Edmonson and staff regarding the safety issues and concerns related to the inoperable intercom system and unaddressed incident reports. Mr. Bruton indicated the issues had not been presented to Ms. Guevara, after she assumed the C&R Director position.

Ms. Guevara advised that she would develop the scope for the intercom system project and ensure that it was funded; however, should funding issues develop, she would bring it to the Committee's attention.

Commissioner Edmonson requested Deputy Mayor Iglesias to let the Committee members know if any legislation was necessary to address these issues.

Commissioner Bovo noted the Corrections staff would present its proposed budget at the Finance Committee's June 2014 meeting, and encouraged Commissioner Edmonson and all Commission members to attend and discuss this issue further.

Commissioner Bovo questioned how quickly the Administration addressed issues identified by employees and noted those issues should not come before the Board.

Deputy Mayor Iglesias noted he was unable to provide a specific timeline for addressing issues reported by staff, because each issue was different; however, he concurred departmental issues should not have come before this Committee. He agreed to review this issue further to determine the level of priority and address it appropriately.

Commissioner Bovo suggested that the Administration perform a type of audit/inspection of the facilities and evaluate the findings to establish procedures. He recommended staff look into issues, even when they did not appear to be high priority.

Commissioner Edmonson reminded colleagues that previously the County's Corrections System was not considered a priority. Additionally, she stated for the record that she did not want to hear that retaliation was brought against employees for reporting issues and requested that staff ensure that did not occur.

Chairwoman Heyman asked Deputy Mayor Genaro Iglesias to perform a complete assessment of the Women's Detention Center Annex and provide the Committee with a report identifying what the requirements were to reopen the facility and downsize the population at the aged correctional facilities.

1F DISCUSSION ITEM(S)

1G PUBLIC HEARING

1G1

140861 Ordinance**Juan C. Zapata**

ORDINANCE ESTABLISHING COUNTY POLICY TO USE THE CIVIL AND CRIMINAL TRAFFIC INFRACTION SURCHARGE IMPOSED BY THE COUNTY PURSUANT TO STATE LAW AND SECTION 11-14 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO SUPPLEMENT, AND NOT REPLACE, EXISTING FUNDING FOR SERVICES AND PROGRAMS WITHIN THE UNINCORPORATED MUNICIPAL SERVICES AREA; AND DIRECTING COUNTY MAYOR TO EXPRESSLY SHOW SUCH FUNDING IN MAYOR'S PROPOSED FISCAL YEAR 2014-15 COUNTY BUDGET; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 140753]

*Motion dies due to lack of second
Mover: Bovo, Jr.*

Report: *Assistant County Attorney Alexander Bokor read the foregoing proposed ordinance into the record.*

Chairwoman Heyman opened the public hearing, and seeing no one to appear, she closed the public hearing.

It was moved, for discussion, by Commissioner Bovo, that the foregoing proposed ordinance be forwarded to the Board of County Commissioners. The motion died due to the lack of a second.

Chairwoman Heyman asked Deputy Mayor Genaro Iglesias to provide her with a report indicating the fiscal consequences implementing this surcharge would have on the courts countywide.

2 COUNTY COMMISSION

2A

141032 Resolution

Jose "Pepe" Diaz,

Esteban L. Bovo, Jr., Sally A. Heyman
 RESOLUTION DECLARING MONTH OF JUNE AS FIRE
 FIGHTER MEMORIAL MONTH AND AUTHORIZING A
 DISPLAY IN THE LOBBY OF THE STEPHEN P. CLARK
 CENTER

*Forwarded to the BCC by the BCC
 Chairperson with a favorable
 recommendation
 Mover: Bovo, Jr.
 Seconder: Edmonson
 Vote: 3-0
 Absent: Barreiro*

Report: *Assistant County Attorney Alexander Bokor read
 the foregoing proposed resolution into the record.*

*Chief Fire Officer Al Cruz, President, Metro-
 Dade International Association of Fire Fighters
 (IAFF) Local 1403, expressed support for the
 foregoing resolution and presented a brief
 historical overview, naming several firefighters
 who had lost their lives serving the community.
 He noted this declaration, which was long
 overdue, honored local firefighters and those from
 the Cities of Miami Beach, Hialeah, Coral Gables,
 Key Biscayne, and all firefighters.*

*Chairwoman Heyman asked to be listed as co-
 sponsors of the foregoing resolution and
 concurred with Mr. Cruz that this recognition of
 firefighters was long overdue.*

*Commissioner Bovo requested to also be listed as
 a co-sponsor.*

*Hearing no further questions or comments, the
 Committee proceeded to vote.*

2B

140898 Resolution

Barbara J. Jordan

RESOLUTION REQUESTING THE COUNTY MAYOR OR
 COUNTY MAYOR'S DESIGNEE TO DIRECT THE MIAMI-
 DADE POLICE DEPARTMENT TO PERFORM A STUDY
 AND PROVIDE A REPORT, WITHIN SIXTY (60) DAYS,
 ON MIAMI-DADE POLICE DEPARTMENT'S USE OF
 TASERS

Amended

Report: *(SEE AGENDA ITEM 2B AMENDED;
 LEGISLATIVE FILE NO. 141225.)*

2B Amended

141225 Resolution Barbara J. Jordan

RESOLUTION REQUESTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DIRECT THE MIAMI-DADE POLICE DEPARTMENT TO PERFORM A STUDY AND PROVIDE A REPORT, WITHIN SIXTY (60) DAYS, ON MIAMI-DADE POLICE DEPARTMENT'S USE OF TASERS [SEE ORIGINAL ITEM UNDER FILE NO. 140898]

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Bovo, Jr.

Secunder: Edmonson

Vote: 3-0

Absent: Barreiro

Report: *Assistant County Attorney Alexander Bokor read the foregoing proposed resolution into the record.*

Commissioner Bovo moved, for discussion, that the foregoing proposed resolution be forwarded to the Board of County Commissioners. This motion was seconded, for discussion, by Commissioner Edmonson.

Chairwoman Heyman opened the public hearing, and seeing no one appear, closed the public hearing.

In response to Commissioner Bovo's inquiry as to whether a period of 60 days was sufficient to develop a very comprehensive report, Deputy Mayor Genaro Iglesias noted his belief that the 60-day timeline was sufficient to accomplish that goal.

Commissioner Bovo inquired about the existence of reports concerning long-term effects from tasers and asked if the foregoing proposed resolution could be amended to include a study on whether an increase in the use of tasers caused a decrease in the use of lethal force.

Mr. Juan Perez, Deputy Director, Miami-Dade County Police Department (MDPD), stated that staff could include in the report findings on the use of tasers when the subjects had weapons. He noted the statistics for this issue currently existed and would be included in the report.

Chairwoman Heyman noted she accepted the amendment.

Commissioner Edmonson stated that she, too, wanted to know the policy on use of tasers against lethal weapons such as guns and sticks.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing

proposed resolution as amended.

Following Commissioner Bovo's clarification that the intent of his amendment was to provide a correlation showing whether a change occurred between the use of tasers and the use of lethal force, Mr. Perez advised that tasers were not used in lieu of firearms; however, some officers chose to use tasers during confrontations with armed subjects. He noted information on the number of times officers opted to use tasers rather than deadly force would be included in the forthcoming report.

The Committee forwarded the foregoing proposed resolution to the Board of County Commissioners with a favorable recommendation with Committee amendments to include in the report an analysis reflecting the level of change in the use of firearms in correlation with the use of tasers, indicating the percentage of decrease or increase, or if no change occurred.

2C

140780 Resolution

Rebeca Sosa,

Sally A. Heyman

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO DEVELOP A PLAN TO RELEASE INMATES FROM COUNTY CORRECTIONAL FACILITIES IN A MORE EFFICIENT MANNER TO AVOID OR MINIMIZE RELEASES IN THE LATE EVENING OR EARLY MORNING HOURS, AND THEN TO PROVIDE THE BOARD WITH A REPORT WITHIN NINETY DAYS

*Deferred to no date certain**Mover: Bovo, Jr.**Second: Edmonson**Vote: 3-0**Absent: Barreiro*

Report: *During consideration of today's (5/14) agenda, the foregoing proposed resolution was deferred to no date certain, pending the completion of the associated report.*

3 DEPARTMENT

3A

141003 Resolution

Sally A. Heyman

RESOLUTION AUTHORIZING AN AFFILIATING AGREEMENT WITH THE MIAMI-DADE COUNTY PUBLIC SCHOOLS FOR THE PROVISION OF SPECIAL EDUCATIONAL CLASSES FOR YOUNG ADULTS IN THE CUSTODY OF THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN (Corrections & Rehabilitation Department)

Forwarded to BCC with a favorable recommendation

Mover: Bovo, Jr.

Seconder: Edmonson

Vote: 3-0

Absent: Barreiro

Report: *Assistant County Attorney Alexander Bokor read the foregoing proposed resolution into the record.*

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

3B

140974 Resolution

Sally A. Heyman

RESOLUTION AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENTS BETWEEN MIAMI-DADE COUNTY, THROUGH THE MIAMI-DADE POLICE DEPARTMENT, AND VARIOUS MUNICIPALITIES, SPECIFICALLY HEREIN, WITH THE VILLAGE OF PALMETTO BAY, FOR THE PURPOSE OF LOCAL POLICE PATROL SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE ACTION TO EXECUTE AMENDMENTS, MODIFICATIONS, RENEWALS, AND EXTENSIONS, TO EXERCISE THE CANCELLATION PROVISIONS AND TERMINATION CLAUSES CONTAINED THEREIN (Miami-Dade Police Department)

Forwarded to BCC with a favorable recommendation

Mover: Bovo, Jr.

Seconder: Edmonson

Vote: 3-0

Absent: Barreiro

Report: *Assistant County Attorney Alexander Bokor read the foregoing proposed resolution into the record.*

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

3C

140982 Resolution Sally A. Heyman

RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF THE NAVY AND MIAMI-DADE COUNTY, THROUGH THE MIAMI-DADE POLICE DEPARTMENT RELATING TO ESTABLISHING PROTOCOLS AND PROVIDING ASSISTANCE TO THE DEPARTMENT OF THE NAVY AT NAVY FACILITIES LOCATED IN MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE ACTION TO EXECUTE AMENDMENTS, MODIFICATIONS, RENEWALS, AND EXTENSIONS, TO EXERCISE THE CANCELLATION PROVISIONS AND TERMINATION CLAUSES CONTAINED THEREIN (Miami-Dade Police Department)

Forwarded to BCC with a favorable recommendation
Mover: Bovo, Jr.
Seconder: Edmonson
Vote: 3-0
Absent: Barreiro

Report: Assistant County Attorney Alexander Bokor read the foregoing 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

140998 Report APPROVAL OF CLERK'S MEETING MINUTES FOR THE APRIL 9, 2014 PUBLIC SAFETY AND ANIMAL SERVICES COMMITTEE (Clerk of the Board)

Approved
Mover: Bovo, Jr.
Seconder: Edmonson
Vote: 3-0
Absent: Barreiro

Report: Assistant County Attorney Alexander Bokor read the foregoing proposed report into the record.

Hearing no questions or comments, the Committee proceeded to vote on the April 9, 2014 meeting minutes, as presented.

7 REPORT(S)

8 ADJOURNMENT

Report: *There being no further business to come before the Public Safety and Animal Services Committee, the meeting adjourned at 10:46 a.m.*