MEMORANDUM

Agenda Item No. 11(A)(16)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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

SUBJECT: Resolution directing the Mayor to identify areas in Miami-Dade County with high juvenile crime and high-crime areas with a significant juvenile presence and to prioritize and dedicate additional resources towards enforcement of the Miami-Dade County Juvenile Curfew Ordinance in those areas, to initiate an outreach campaign to inform the affected communities and coordinate with respective municipal law enforcement agencies, and to submit status reports on the enforcement efforts, outreach campaign, and any relevant funding needs

This item was amended at the 3-11-15 Metropolitan Services Committee to specify that the status reports shall also address any relevant funding needs. It also altered the timelines provided for certain actions in the resolution as follows: (1) the Mayor or Mayor's designee is now directed to identify the areas of high juvenile crime and high-crime areas with a significant juvenile presence agencies within 15 days of the effective date of this resolution instead of immediately; (2) the outreach campaign to inform the affected communities about the planned enforcement efforts and the coordination with respective municipal law enforcement agencies shall now begin within 15 days of the effective date of this resolution instead of 30 days; (3) the prioritization and dedication of additional resources towards enforcement of the Miami-Dade County Juvenile Curfew Ordinance in the identified areas shall now begin 75 days after the effective date of this resolution instead of immediately; and (4) the first status report shall be completed and placed on the agenda of the Board's September 1, 2015 meeting instead of within 90 days of the effective date of this resolution.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson and Co-Sponsors Commissioner Barbara J. Jordan and Commissioner Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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

SUBJECT: Agenda Item No. 11(A)(16)

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 Mayor'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. 11(A)(16)
4-21-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO IDENTIFY AREAS IN MIAMI-DADE COUNTY WITH HIGH JUVENILE CRIME AND HIGH-CRIME AREAS WITH A SIGNIFICANT JUVENILE PRESENCE AND TO PRIORITIZE AND DEDICATE ADDITIONAL RESOURCES TOWARDS ENFORCEMENT OF THE MIAMI-DADE COUNTY JUVENILE CURFEW ORDINANCE IN THOSE AREAS, TO INITIATE AN OUTREACH CAMPAIGN TO INFORM THE AFFECTED COMMUNITIES AND COORDINATE WITH RESPECTIVE MUNICIPAL LAW ENFORCEMENT AGENCIES, AND TO SUBMIT STATUS REPORTS ON THE ENFORCEMENT EFFORTS, OUTREACH CAMPAIGN, AND ANY RELEVANT FUNDING NEEDS

WHEREAS, Miami-Dade County faces a mounting crisis caused by crime, including juvenile crime and delinquency, which threatens peaceful citizens, residents, and visitors; and

WHEREAS, based on crime statistics, high-crime areas in Miami-Dade County include, but are not limited to, portions of the cities of Miami, Miami Gardens, and Opa-locka; and

WHEREAS, this criminal activity, both individually and collectively, presents a clear and present danger to the citizenry and to the public order and safety; and

WHEREAS, juveniles in Miami-Dade County, in particular, have become victims of crime and violence in steadily increasing numbers; and

WHEREAS, there has also been an increase in the number of violent crimes committed by juveniles in Miami-Dade County; and

WHEREAS, in order to properly address crime in Miami-Dade County, a multipronged effort is required that, among other things, focuses on those age groups particularly vulnerable to both being victims of crime and susceptible to being induced into committing crime; and

WHEREAS, Miami-Dade County enacted the Miami-Dade County Juvenile Curfew Ordinance in recognition of the peculiar vulnerability of juveniles, their frequent inability to make critical decisions in an informed, mature manner, and the importance of the parental role in child-rearing; and

WHEREAS, these concerns are only amplified during late night and early morning hours in areas with high juvenile crime or high-crime areas with a significant juvenile presence; and

WHEREAS, for that reason, this Board finds that prioritizing and dedicating additional resources towards the enforcement of the Miami-Dade County Juvenile Curfew Ordinance in high crime areas is likely to improve public safety by providing significant results in protecting juveniles, and other citizens, residents and visitors of Miami-Dade County from the dangers of crimes, decreasing the amount of criminal activity engaged in by juveniles, and promoting and enhancing parental control over juveniles,

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

Section 1. The County Mayor or Mayor's designee is directed to identify areas in Miami-Dade County with high juvenile crime and high-crime areas with a significant juvenile presence [[~~and~~]] [1] >>within 15 days of the effective date of this resolution, and, beginning 75 days after the effective date of this resolution, the County Mayor or Mayor's designee is directed<< to prioritize and dedicate additional resources towards enforcement of the Miami-Dade County Juvenile Curfew Ordinance in those areas using legally available funding sources appropriated in the Fiscal Year 2014-2015 County Budget. The Mayor or Mayor's designee is

[1] Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed are deleted, words underscored and/or >> double arrowed<< are added.

further directed to initiate an outreach campaign to inform the affected communities about [[~~these~~]] >>the planned<< enforcement efforts and to [[~~coordinate~~]] >>begin coordinating<< with respective municipal law enforcement agencies within [[~~30~~]] >>15<< days of the effective date of this resolution using legally available funding sources appropriated in the Fiscal Year 2014-2015 County Budget.

Section 2. The Mayor or Mayor's designee is further directed to submit a status report to this Board [[~~within 90 days of the effective date of this resolution and~~]] to place the completed report on [[~~an~~]] >>the<< agenda of the [[~~Board~~]] >>Board's September 1, 2015 meeting<< pursuant to Ordinance No. 14-65. The status report shall, at a minimum, include details regarding: (1) the high crime areas that were identified; (2) the crime rate in those identified areas both before and after the prioritization and dedication of additional resources towards enforcement of the Miami-Dade County Juvenile Curfew Ordinance; (3) the efforts undertaken as part of the outreach campaign to inform the affected communities; (4) the status of any coordination with municipal law enforcement agencies; (5) any recommendations to improve enforcement efforts; (6) whether additional funds are needed to implement existing efforts; and (7) whether additional funds are needed from the Fiscal Year 2015-2016 County Budget to either continue to implement existing efforts or to implement any of the proposed recommendations to improve enforcement efforts. In addition, the Mayor or Mayor's designee is directed to submit updated status reports, and to place the updated reports on an agenda of the Board pursuant to Ordinance No. 14-65, every 90 days thereafter for one year after the effective date of this resolution so that the Board can evaluate whether there is a continuing need for such enforcement efforts.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson, and the Co-Sponsors are Commissioner Barbara J. Jordan and Commissioner Senator Javier D. Souto. 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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of April, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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. MBV

Michael B. Valdes