

MEMORANDUM

Agenda Item No. 11(A)(27)

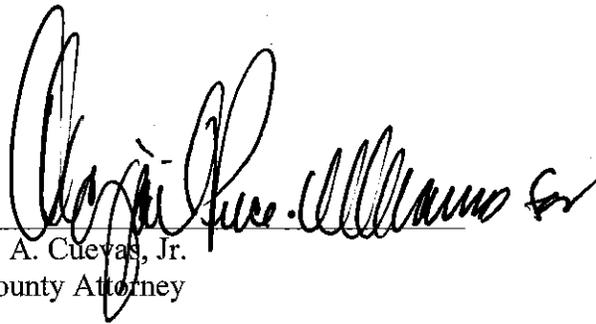
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 2, 2015

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

SUBJECT: Resolution supporting President Barack Obama's executive action on immigration to expand Deferred Action for Childhood Arrivals and implement Deferred Action for Parents of Americans and Lawful Permanent Residents; and urging Florida Attorney General Pam Bondi to withdraw the State of Florida from *Texas v. United States*

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

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

DATE: June 2, 2015

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

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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)(27)

6-2-15

RESOLUTION NO. _____

RESOLUTION SUPPORTING PRESIDENT BARACK OBAMA'S EXECUTIVE ACTION ON IMMIGRATION TO EXPAND DEFERRED ACTION FOR CHILDHOOD ARRIVALS AND IMPLEMENT DEFERRED ACTION FOR PARENTS OF AMERICANS AND LAWFUL PERMANENT RESIDENTS; AND URGING FLORIDA ATTORNEY GENERAL PAM BONDI TO WITHDRAW THE STATE OF FLORIDA FROM TEXAS V. UNITED STATES

WHEREAS, many of Florida's prosperous industries, including its agricultural, tourism, and construction industries, greatly benefit from and heavily depend on entrepreneurial work and labor of immigrants; and

WHEREAS, Miami-Dade County exemplifies the value of diversity, as demonstrated by the social, cultural, and economic contributions of our immigrant community; and

WHEREAS, on November 20, 2014, President Barack Obama announced a series of executive actions on immigration, which included an expansion of Deferred Action for Childhood Arrivals (DACA) and an implementation of Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA); and

WHEREAS, expanded DACA would allow undocumented people of any age who entered the United States before the age of 16 and have lived in the United States continuously since January 1, 2010 to obtain a work permit and remain in the United States for three years; and

WHEREAS, DAPA would allow parents of United States citizens and lawful permanent residents who have lived in the United States continuously since January 1, 2010 and who pass required background checks to obtain a work permit and remain in the United States for three years; and

WHEREAS, an estimated five million people in the United States will directly benefit from DAPA and expanded DACA, according to the United States Department of Homeland Security; and

WHEREAS, approximately 250,000 undocumented Floridians are eligible for DAPA and expanded DACA, according to the Immigration Policy Center; and

WHEREAS, if these eligible immigrants receive work permits and driver's licenses, it would expand their earning potential and lead to over \$102 million in increased tax revenues in Florida over a five-year period, according to the Center for American Progress; and

WHEREAS, this increase in tax revenue, as well as the savings from avoiding costly detention and deportations, will significantly strengthen our state and local economies; and

WHEREAS, DAPA and expanded DACA would also decrease the rising number of displaced families due to deportation; and

WHEREAS, in the case *Texas v. United States*, 26 states, including the State of Florida, are seeking to enjoin the implementation of DAPA; and

WHEREAS, on February 16, 2015, a federal judge temporarily enjoined the implementation of DAPA and expansion of DACA; and

WHEREAS, on March 12, 2015, the United States filed an emergency stay of the temporary injunction, pending its appeal of the case; and

WHEREAS, the United States' emergency stay was denied, allowing the temporary injunction to remain; and

WHEREAS, this Board urges Florida Attorney General Pam Bondi to withdraw the State of Florida from *Texas v. United States*, and expresses its support for President Obama's executive action on immigration through DAPA and expanded DACA, as it would be extremely beneficial to Florida's families and economy,

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

Section 1. Supports President Barack Obama's executive action on immigration to expand Deferred Action for Childhood Arrivals and implement Deferred Action for Parents of Americans and Lawful Permanent Residents.

Section 2. Urges Florida Attorney General Pam Bondi to withdraw the State of Florida from *Texas v. United States*.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to President Barack Obama, the Miami-Dade County Congressional Delegation, United States Attorney General Loretta Lynch, Secretary of Homeland Security Jeh Johnson, Director of United States Citizenship and Immigration Services Leon Rodriguez, Florida Attorney General Pam Bondi, and the Miami-Dade County State Legislative Delegation.

Section 4. Directs the County's federal lobbyists to advocate for the action set forth in Section 1, directs the County's state lobbyists to advocate for the action set forth in Section 2, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2015 Federal and State Legislative Packages to include this item, and to include this item in the 2016 Federal and State Legislative Packages when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime. 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

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of June, 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.

APP

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