

MEMORANDUM

Special Item No. 5


TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: February 17, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring Miami-Dade County a welcoming and inclusive county which celebrates and honors its diversity, consistent with the County's policy espoused in Resolution No. R-1008-13 and notwithstanding the President's Executive Order "Enhancing Public Safety in the Interior of the United States"

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



Abigail Price-Williams *JEM*
County Attorney

APW/smm



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(Revised)

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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
- Statement of social equity 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 _____

Special Item No. 5

2-17-17

RESOLUTION NO. _____

RESOLUTION DECLARING MIAMI-DADE COUNTY A WELCOMING AND INCLUSIVE COUNTY WHICH CELEBRATES AND HONORS ITS DIVERSITY, CONSISTENT WITH THE COUNTY'S POLICY ESPOUSED IN RESOLUTION NO. R-1008-13 AND NOTWITHSTANDING THE PRESIDENT'S EXECUTIVE ORDER "ENHANCING PUBLIC SAFETY IN THE INTERIOR OF THE UNITED STATES"

WHEREAS, Miami-Dade County (the "County") has a long and proud history as a gateway to freedom and opportunity for people fleeing political persecution, oppression, war, poverty and other human suffering; and

WHEREAS, as a result of this proud history, the County is one of the nation's most diverse communities with more than half of the County's population being foreign-born; and

WHEREAS, the County's vibrant, diverse, and international culture is a draw to millions of tourists and newcomers every year; and

WHEREAS, this Board embraces the many cultural, familial, and economic contributions that immigrants and foreign nationals have made in the County; and

WHEREAS, on December 3, 2013, this Board adopted Resolution No. R-1008-13, which directed the Mayor or Mayor's designee to implement a policy whereby a United States Department of Homeland Security Immigration and Customs Enforcement ("ICE") detainer request would be honored only if the federal government agreed to reimburse the County for the costs of detention and the inmate that is the subject of the request has a previous conviction for a forcible felony or has a pending charge of a non-bondable offense; and

WHEREAS, the intent of Resolution No. R-1008-13 was to save the County taxpayers the cost of detaining non-violent inmates beyond the point at which they would be released absent an ICE detainer request and to strengthen the trust between local police officers and the immigrant community of the County; and

WHEREAS, the policy espoused in Resolution No. R-1008-13 has been the subject of much debate since January 25, 2017, when President Donald J. Trump signed an Executive Order entitled “Enhancing Public Safety in the Interior of the United States” (the “Executive Order”), which provided that jurisdictions designated as “sanctuary jurisdictions” would not be eligible to receive federal funds; and

WHEREAS, the policy discussion surrounding Resolution No. R-1008-13 has caused much concern in the community for the immigrants and foreign nationals who live or visit the County; and

WHEREAS, other jurisdictions, including Broward County, have adopted legislation celebrating their communities’ diversity, tolerance and inclusivity; and

WHEREAS, in light of the policy discussion surrounding Resolution No. R-1008-13 and the Executive Order, this Board desires to adopt similar legislation declaring the County to be an inclusive County which celebrates all residents and visitors; and

WHEREAS, this Board desires to recognize the importance of maintaining the County’s vibrant, diverse, and international culture in order to ensure civic and economic participation and to enhance public safety; and

WHEREAS, this Board desires to reassure the County's residents and visitors that the County is committed to fostering diversity, tolerance and inclusivity,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that, consistent with this Board's current policy set forth in Resolution No. R-1008-13, this Board declares Miami-Dade County a welcoming and inclusive county which celebrates and honors its diversity, notwithstanding the January 25, 2017, Executive Order signed by President Donald J. Trump entitled "Enhancing Public Safety in the Interior of the United States". This Board further declares that the County shall continue to be a gateway to freedom and opportunity for people all over the world seeking a better life for themselves and their families.

The Prime Sponsor of the foregoing resolution is Commissioner 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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of February, 2017. 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.



Altanese Phenelus
Brenda Kuhns Neuman