

MEMORANDUM

Agenda Item No. 11(A)(6)


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


DATE: May 2, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution supporting House Resolution 259, a federal resolution before the United States Congress, or similar legislation that expresses concern and condemnation over the political, economic, social and humanitarian crisis in Venezuela

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



Abigail Price-Williams
County Attorney 

APW/cp



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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 _____

Agenda Item No. 11(A)(6)
5-2-17

RESOLUTION NO. _____

RESOLUTION SUPPORTING HOUSE RESOLUTION 259, A FEDERAL RESOLUTION BEFORE THE UNITED STATES CONGRESS, OR SIMILAR LEGISLATION THAT EXPRESSES CONCERN AND CONDEMNATION OVER THE POLITICAL, ECONOMIC, SOCIAL AND HUMANITARIAN CRISIS IN VENEZUELA

WHEREAS, there is no separation of powers or independent institutions in Venezuela, and President Maduro controls the Presidency, a majority of the municipalities, the Supreme Court, the military leadership, and the leadership of Petróleos de Venezuela (PDVSA); and

WHEREAS, Venezuela's National Electoral Council postponed elections for governors and mayors scheduled for December 2016 and has not set a date to reschedule elections; and

WHEREAS, there have been several attempts at dialogue between President Maduro and the opposition over the past year, which have all failed to achieve results; and

WHEREAS, a political solution is the way to provide sustainable change for the Venezuelan people, but the dialogues up until now have helped provide Maduro a lifeline while his government is collapsing; and

WHEREAS, the Venezuelan government continues to silence its citizens through political arrests, with more than 100 political prisoners currently in jail, including opposition leader Leopoldo López; and

WHEREAS, Joshua Holt, a United States citizen, remains imprisoned in Venezuela awaiting a trial, with five postponed hearings to date; and

WHEREAS, police and military raids have led to widespread allegations of abuse, including extrajudicial killings, mass arbitrary detentions, torture in prisons, forced evictions, and arbitrary deportations; and

WHEREAS, Venezuela is immersed in a deep economic crisis, with the highest inflation in the world and current inflation estimated to top roughly 1,600 percent in 2017, according to the International Monetary Fund; and

WHEREAS, in July 2016, President Maduro handed over control of the food supply system to the military, which has enabled corruption, fraud, and food trafficking by the military contributing to food shortages, a scarcity of basic goods, and political discrimination in the distribution of food and basic goods; and

WHEREAS, deteriorating conditions in health care persist, with the World Health Organization estimating that there are shortages for 75 percent of necessary medications and medical supplies, up from 55 percent in 2014 and 67 percent in 2015; and

WHEREAS, the country is facing increasing outbreaks of malaria and diphtheria, previously eradicated diseases in Venezuela; and

WHEREAS, the country has experienced an increase in emigration, according to multiple press reports, including the *Wall Street Journal*, *New York Times*, and *Washington Post*; and

WHEREAS, Venezuela is the leading country for asylum requests to the United States in the world, according to data reported by the U.S. Citizenship and Immigration Services; and

WHEREAS, the government of Venezuela has expanded its powers to regulate media and reduce the number of dissenting media outlets, including CNN en Español after CNN broadcasted a report alleging that Vice President Tareck El Aissami was directly linked to passport fraud involving members of Hezbollah; and

WHEREAS, on February 13, 2017, the United States Department of the Treasury's Office of Foreign Assets Control designated Tareck Zaidan El Aissami Maddah as a Specially Designated Narcotics Trafficker pursuant to the Foreign Narcotics Kingpin Designation Act for playing a significant role in international narcotics trafficking and imposed sanctions on Mr. El Aissami and froze his assets in the United States; and

WHEREAS, on March 14, 2017, the Secretary General of the Organization of American States (OAS), Luis Almagro, issued a second report on the crisis in Venezuela following his May 2016 report, documenting an alteration of the Inter-American Democratic Charter by the Government of Venezuela and calling for free, fair, and open elections and the release of political prisoners without delay; and

WHEREAS, on March 23, 2017, 14 OAS Member States published a joint statement calling for the government of Venezuela to hold elections, restore the constitutional powers of the National Assembly, and release political prisoners; and

WHEREAS, on March 28, 2017, the OAS Permanent Council agreed by a vote of 20 in favor, 11 against, two abstentions, and one absent/nonvoting Member States to move forward in discussing the situation in Venezuela; and

WHEREAS, on March 28, 2017, the Supreme Court of Venezuela stripped opposition leaders of the National Assembly of their parliamentary immunity and began to take steps to consider prosecuting them for treason; and

WHEREAS, on March 29, 2017, the Venezuelan Supreme Court seized power from the democratically elected National Assembly and nullified the legislative branch's ability to function; and

WHEREAS, on March 31, 2017, in the first major break of a sitting Venezuelan public official, Venezuelan Attorney General Luisa Ortega Diaz affirmed the Supreme Court's actions "had broken constitutional order"; and

WHEREAS, on March 31, 2017, Venezuelan citizens took to the streets protesting the Supreme Court's breach of power; and

WHEREAS, on April 1, 2017, during an emergency meeting of the Mercosur countries, the foreign ministers of Argentina, Brazil, Paraguay, and Uruguay released a statement urging the Government of Venezuela to follow its constitution and guarantee "the effective separation of powers"; and

WHEREAS, on April 1, 2017, the Supreme Court reversed its earlier decisions taking over the National Assembly's legislative powers and stripping the legislators of their parliamentary immunity; and

WHEREAS, House Resolution 259 was filed on April 6, 2017 by United States Representative Ron DeSantis (R-Florida) for consideration during the 115th Congress; and

WHEREAS, House Resolution 259 condemns the decisions by the Venezuelan Supreme Court on March 28 and 29, 2017, stripping the opposition legislators of their parliamentary immunity and seizing power from the National Assembly, nullifying all legislative actions; and

WHEREAS, House Resolution 259 recognizes the decision by the Venezuelan Supreme Court on April 1, 2017 to restore the opposition legislators' parliamentary immunity and the National Assembly's legislative powers; and

WHEREAS, House Resolution 259 urges the government of Venezuela to heed the calls of the international community to hold free, fair, and open elections, release all political prisoners, including U.S. citizens, and immediately accept international humanitarian assistance only through nongovernmental organizations; and

WHEREAS, House Resolution 259 urges OAS Member States to continue all efforts, including the consideration of a potential suspension of Venezuela from the OAS, if the government of Venezuela fails to hold free, fair, and open elections and release all political prisoners in a timely manner; and

WHEREAS, House Resolution 259 encourages the President of the United States to prioritize a resolution of the political, economic, social, and humanitarian crisis in Venezuela, including through bilateral, targeted sanctions against individuals in the government of Venezuela responsible for the deterioration of democratic institutions and the rule of law in the country,

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

Section 1. Supports House Resolution 259, or similar legislation before the United States Congress that expresses concern and condemnation over the political, economic, social and humanitarian crisis in Venezuela.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to United States Representatives Ron DeSantis, Ileana Ros-Lehtinen, Michael Thomas McCaul Sr., Carlos Luis Curbelo, Theodore Scott Yoho, Randall Keith Weber, Gus Michael Bilirakis, Albio B. Sires, Christopher Henry Smith, and the remaining Members of the Florida Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate in support of the legislation as set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2017 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. 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 2nd day of May, 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.



Sabrina Levin