

MEMORANDUM

Agenda Item No. 11(A)(11)

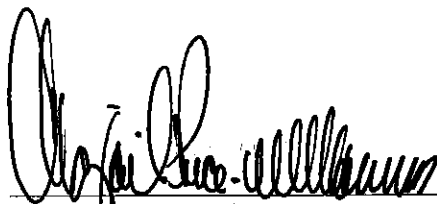
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: February 6, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to transfer \$300,000.00 from the Public Safety Trust Fund to the Independent Review Panel during the 2017-2018 fiscal year; directing the County Mayor to identify a funding source from which the Board may annually allocate \$750,000.00 for the operation of the Independent Review Panel commencing in the 2018-2019 fiscal year and provide a report; and directing the County Mayor to include said allocation in future proposed annual budgets

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

APW/jls



MEMORANDUM

(Revised)

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

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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)(11)
2-6-18

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TRANSFER \$300,000.00 FROM THE PUBLIC SAFETY TRUST FUND TO THE INDEPENDENT REVIEW PANEL DURING THE 2017-2018 FISCAL YEAR; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO IDENTIFY A FUNDING SOURCE FROM WHICH THE BOARD MAY ANNUALLY ALLOCATE \$750,000.00 FOR THE OPERATION OF THE INDEPENDENT REVIEW PANEL COMMENCING IN THE 2018-2019 FISCAL YEAR AND PROVIDE A REPORT; AND DIRECTING THE COUNTY MAYOR TO INCLUDE SAID ALLOCATION IN FUTURE PROPOSED ANNUAL BUDGETS

WHEREAS, the Independent Review Panel ("IRP") was created in 1980 after substantial unrest in the community; and

WHEREAS, the IRP is empowered to hold public hearings, prepare reports and propose recommendations regarding serious complaints or grievances made against employees, agencies or instrumentalities of Miami-Dade County; and

WHEREAS, the IRP was last funded during the 2008-2009 fiscal year; and

WHEREAS, in 2009, the County Commission did not provide funding for the IRP because of the economic downturn, and its funding has not since been recommenced; and

WHEREAS, on November 1, 2016, this Board adopted Resolution No. R-1075-16, which created the Miami-Dade County Independent Review Panel Working Group ("Working Group") and charged it with: 1) reviewing Article IC – Independent Review Panel - of the Code of Miami-Dade County; 2) analyzing the history and effectiveness of the Independent Review Panel; 3) reviewing and analyzing similar entities from other jurisdictions; 4) obtaining input from the

community; 5) reviewing relevant literature relating to citizens review panels, such as the Independent Review Panel; and 6) providing the Board with a list of recommendations for proposed amendments to IRP ordinance; and

WHEREAS, on July 6, 2017, the Working Group presented its initial report to this Board and its findings therein were accepted; and

WHEREAS, thereafter, on October 17, 2017, the Working Group presented its final report, which was, likewise, accepted by the Board; and

WHEREAS, among other recommendations, the Working Group proposed changing (1) the name of the IRP to the Independent Community Panel, (2) the composition and number of its membership, (3) the scope of the IRP to include jurisdiction for review of less serious complaints grievances and (4) the IRP's staffing; and

WHEREAS, in light of the Working Group's final report and such recommendations included therein, partial funding, which would allow the IRP to recommence its valuable work in the community should be allocated during the current fiscal year and a dedicated funding source should be identified for funding the IRP in fiscal year 2018-2019 and each fiscal year thereafter,

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

Section 1. This Board adopts the foregoing recitals incorporated as if fully set forth herein.

Section 2. This Board directs the County Mayor or County Mayor's designee to transfer, during the 2017-2018 fiscal year, \$300,000.00 from the Public Safety Reserve to the panel currently identified as the Independent Review Panel established by Chapter 2, Article IC of the Code of Miami-Dade County, as may be amended.

Section 3. This Board directs the County Mayor or County Mayor's designee to identify a funding source from which it may allocate \$750,000.00 for the operation of the Independent Review Panel established by Chapter 2, Article IC of the Code of Miami-Dade County, as may be amended.

Section 4. This Board directs the County Mayor to include the allocation of \$750,000.00 in future proposed annual budgets, commencing with the 2018-2019 fiscal year.

Section 5. Pursuant to Ordinance No. 14-65, this Board directs the County Mayor or County Mayor's designee to provide a report to this Board, within 45 days of the effective date of this resolution, providing the funding source required to be identified by this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. 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	

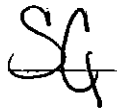
The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of February, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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.



Shanika A. Graves