

# MEMORANDUM

Agenda Item No. 8(0)(3)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

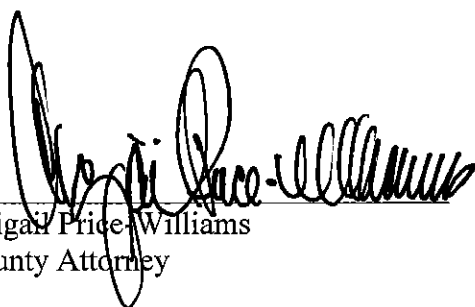
**DATE:** February 4, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution approving  
reimbursement to Rickey  
Hawkins in an amount not to  
exceed \$3,481.49 for the  
theft/loss of personal tools stolen  
from his County vehicle in  
accordance with section 2-11.13  
of the Code of Miami-Dade  
County and Administrative Order  
7-23

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The accompanying resolution was prepared by the Water and Sewer Department and placed on the agenda at the request of Prime Sponsor Infrastructure and Capital Improvements Committee.

  
Abigail Price-Williams  
County Attorney


APW/lmp

# Memorandum



**Date:** February 4, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Resolution Authorizing the Reimbursement of Stolen Tools while Stored on County Property to Rickey Hawkins Pursuant to Section 2-11.13 of the Miami-Dade County Code and Administrative Order 7-23

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the reimbursement of stolen tools to Rickey Hawkins pursuant to Section 2-11.13 of the Miami-Dade County Code and Administrative Order 7-23. The Miami-Dade Water and Sewer Department (WASD) will reimburse Rickey Hawkins in an amount not to exceed \$3,481.49 for specialized tools that were stolen from his assigned County vehicle while the vehicle was in the Water and Sewer Department's Distribution Garage for brake repairs.

## **Scope**

This item complies with Administrative Order 7-23: Reimbursement to County Employees for Loss of Personal Property and Section 2-11.13 of the Code of Miami-Dade County.

## **Fiscal Impact/Funding Source**

The fiscal impact to the County is in the amount of \$3,481.49. It is a one-time payment to Rickey Hawkins. The funding source is WASD's operating revenue.

## **Track Record/Monitor**

WASD's Chief Financial Officer, Frances G. Morris will oversee the reimbursement to Rickey Hawkins.

## **Background**

Pursuant to the provisions of Section 2-11.13 of the Miami-Dade County Code, it is the policy of the County to provide reasonable reimbursement to its employees for loss or damage to their personal property when that loss or damage was incurred in the discharge of the employee's assigned duties, was not the result of employee negligence and could not otherwise be compensated. The reimbursement is to be used towards the replacement of these tools, whether it is towards a future purchase or reimbursement of replaced tools.

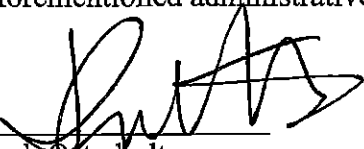
On May 6, 2016, Rickey Hawkins, Plant Maintenance Mechanic, dropped off truck 13-2611 to the Water and Sewer Department Distribution Garage for brake repairs. While repairs were being made, the garage personnel asked Mr. Hawkins for the keys to the bins where the tools were stored to install an inverter. Upon return of the vehicle to Mr. Hawkins a week later, the tools were no

longer in the vehicle. The incident was reported to City of Miami Police and Case Number 160509-139042 was assigned. Mr. Hawkins' supervisor, Aroldo Hernandez, confirmed the value of the tools stolen.

Administrative Order 7-23 clarifies the policy set forth in Section 2-11.13 of the Miami-Dade County Code. Mr. Hawkins' position classification entitles him to reimbursement for the loss of tools upon affirmation of the supervisor that the employee did in fact possess the required tools. Employees in Mr. Hawkins' classification receive a total of approximately \$371 twice a year as a tool allowance to purchase any specialized tools necessary to carry out their work related responsibilities. Mr. Hawkins has been receiving a tool allowance for more than three (3) years. Exhibit A shows the itemized reimbursement tool list.

In presenting this claim for reimbursement, WASD has complied with Section 2-11.13 of the Miami-Dade Code and Administrative Order 7-23, "Reimbursement to County Employees for Loss of Personal Property."

The request for reimbursement for Rickey Hawkins has been approved by the Internal Services Department (ISD) and the Office of Management and Budget (OMB), as required by the aforementioned administrative order. Exhibit B shows ISD and OMB approval.



Jack Osterholt  
Deputy Mayor

Exhibit A

RICKEY HAWKINS

REIMBURSEMENT TOOL LIST

CITY OF MIAMI CASE # 160509-139042

9-May-16

TOOLS	BRAND	MODEL	SIZE/PCS	PRICE
AIR RATCHET	INGERSOLL RAND	405645	55 FT-LBS	99.99
AIR DIE GRINDER	INGERSOLL RAND	48457	27,000 RPM	129.99
1/2 AIR IMPACT WRENCH	INGERSOLL RAND	48419	1100 FT-LBS	249.99
SAE DEEP IMPACT SOCKET	INGERSOLL RAND	SK6H8L	3/4 DRIVE 8PC	99.99
DRILL BIT SET	KLUTCH	42485	21 PC	89.99
DRILL BIT SET	KLUTCH	42049	12 PC	119.99
IMPACT WRENCH KIT	DEWALT	47493	20 VOLT 1/2 INCH	269.99
RECIPROCATING SAW	DEWALT	48485	20 VOLT 3000 SPM	259.99
ANGLE GRINDER	DEWALT	399582	13 AMP 11,000 RPM	169.99
PLIER SET	IRONTON	41560	20 PC	89.99
PUNCH AND CHISEL SET	KLUTCH	27960	14 PC	39.99
TAP AND DIE SET	GEAR WRENCH	3887	75 PC	199.99
HEX HEAD KEY SET	CRAFTMAN	46274	26 PC	34.99
METRIC HEX T-HANDLE	CRAFTMAN	46384	7 PC	39.99
STANDARD HEX T-HANDLE	CRAFTMAN	46383	7 PC	39.99
PRY BAR SET	CRAFTMAN	43278	3 PC	41.99
SOCKET WRENCH SET	CRAFTMAN	46304	16 PC 3/4 DRIVE	249.99
COMBINATION WRENCH SET	CRAFTMAN	49829	24 PC	99.99
EXTENSION BAR	CRAFTMAN	44134	20 INCH	15.99
BALL PEIN HAMMER	CRAFTMAN	38466	24 OZ	19.99
HEX HEAD SOCKET SET	CRAFTMAN	34845	42 PC	99.99
BALL PEIN HAMMER	CRAFTMAN	38465	16 OZ	15.99
SCREW DRIVER SET	CRAFTMAN	25814	14 PC	79.99
LOCKING PLIERS	IRWIN	2076709ISN	6 PC	113.99
SNIP CUTTERS	CRAFTMAN	50403	3 PC	21.99
BLADE KIT	CRAFTMAN	42799		9.99
COMBINATION RATCHET SET	GEAR WRENCH	9902W	16 PC	239.99
PIPE WRENCH	RIDGID	74779794	10 OZ	50.99
PIPE WRENCH	RIDGID	98719818	12 OZ	60.99
PIPE WRENCH	RIDGID	74779802	14 OZ	68.35
PIPE WRENCH	RIDGID	74779810	18 OZ	86.45
COMBINATION WRENCH	CRAFTMAN	45954	1 1/2	39.99
CORDLESS DRILL/ IMPACT	DEWALT	24275	20 VOLT/ 1/4 INCH	229.99
				3481.49



Water and Sewer Department

**Date:** March 2, 2017  
**To:** Baunie J. McConnell, Director - ISD/Risk Management Division  
**From:** Lester Sola, Director, Miami-Dade WASD *Lester Sola*  
**Subject:** Request for Reimbursement for Loss or Damage to Personal Property Pursuant to Section 2-11.13(f) Code of Miami-Dade County

Attached hereto are the following:

- Request of Rickey Hawkins, employee of Miami Dade County, Water and Sewer Department, for reimbursement for loss or damage to personal property.
- Notice of Loss, as required by Section 2-2, of the Code of Miami Dade County.

We express and affirm that:

- (1) The loss or damage was incurred in the discharge of the employee's duties on official County business;
- (2) The loss or damage was not the result of the employee's negligence;
- (3) The loss or damage was not caused by the negligence or willful act of a third party who is liable for said loss or damage, or that if said loss or damage was caused by the negligence or willful act of a third party, that it would be unreasonable to expect the employee to attempt recovery from the third party; and
- (4) The amount of reimbursement for the loss or damage is reasonable.

It is requested that the Director of GSA/Risk Management Division and the Office of Strategic Business Management concur in these findings and forward the attached documents with their approval to the County Manager, if required, for his express and affirmative concurrence.

APPROVED

Date

*Baunie J. McConnell*  
 Baunie J. McConnell, Director  
 ISD-Risk Management Division

*May 4, 2017*

*Jennifer Moon*  
 Jennifer Moon, Director  
 Management and Budget

*5/15/17*



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** February 4, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(0)(3)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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. 8(0)(3)  
2-4-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING REIMBURSEMENT TO RICKEY HAWKINS IN AN AMOUNT NOT TO EXCEED \$3,481.49 FOR THE THEFT/LOSS OF PERSONAL TOOLS STOLEN FROM HIS COUNTY VEHICLE IN ACCORDANCE WITH SECTION 2-11.13 OF THE CODE OF MIAMI-DADE COUNTY AND ADMINISTRATIVE ORDER 7-23

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves the reimbursement to Rickey Hawkins, in an amount not to exceed \$3,481.49, for the theft of personal tools while stored on County property in accordance with Section 2-11.13 of the Code of Miami-Dade County and Administrative Order 7-23.

The foregoing resolution 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:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 4<sup>th</sup> day of February, 2020. 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.

SED

Sarah E. Davis