

MEMORANDUM

Agenda Item No. 11(A)(10)

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

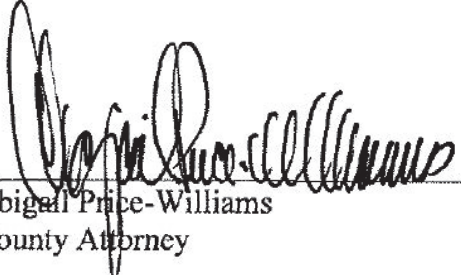
DATE: May 19, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution relating to the disposition of County surplus property; establishing County policy to remove all police-related equipment and police-related markings from a County-owned vehicle before the vehicle is offered for sale, donation, or other disposition as surplus property

This item was amended at the 5-7-20 Chairwoman's Policy Council to provide an exception from this policy whenever a vehicle is being transferred to a municipality for use in law enforcement.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez, and Co-Sponsors Chairwoman Audrey M. Edmonson and Commissioner Sally A. Heyman.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

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

DATE: May 19, 2020

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County Attorney

SUBJECT: Agenda Item No. 11(A)(10)

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. 11(A)(10)
5-19-20

RESOLUTION NO. _____

RESOLUTION RELATING TO THE DISPOSITION OF COUNTY SURPLUS PROPERTY; ESTABLISHING COUNTY POLICY TO REMOVE ALL POLICE-RELATED EQUIPMENT AND POLICE-RELATED MARKINGS FROM A COUNTY-OWNED VEHICLE BEFORE THE VEHICLE IS OFFERED FOR SALE, DONATION, OR OTHER DISPOSITION AS SURPLUS PROPERTY

WHEREAS, Miami-Dade County can sell, donate, or otherwise dispose of surplus property in accordance with the provisions of section 2-11.2.1 of the Code of Miami-Dade County, Florida; and

WHEREAS, surplus property offered for sale, donation, or other disposition can include County vehicles, such as decommissioned vehicles formerly used by the Miami-Dade Police Department; and

WHEREAS, police vehicles are equipped, on the inside and outside, with police-related equipment and also bear police-related markings; and

WHEREAS, it is dangerous for decommissioned police vehicles sold or donated by the County to continue to be equipped with police-related equipment, because the equipment could be dangerous to the driver, other passengers in the car, or the public at large; and

WHEREAS, it is dangerous for decommissioned police vehicles sold or donated by the County to continue to bear police-related markings, because the markings could mislead the public into thinking that the decommissioned police vehicle is actually being driven by a police officer, when in reality it is not, in which circumstance the vehicle could be used for illegitimate, deceptive purposes; and

WHEREAS, for the safety of the people of Miami-Dade County, this Board wishes to establish a County policy to remove all police-related equipment and police-related markings from County-owned vehicles before the vehicles are offered for sale, donation, or other disposition as surplus property,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that it is County policy to remove all police-related equipment and police-related markings, such as, for example, emergency lights, communications equipment, prisoner transport equipment, and decals, from a County-owned vehicle before the vehicle is offered for sale, donation, or other disposition as surplus property>>, except when the vehicle is being transferred to a municipality for use in law enforcement<<¹.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez, and the Co-Sponsors are Chairwoman Audrey M. Edmonson and Commissioner Sally A. Heyman. 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:

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	

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

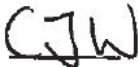
The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of May, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by 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.



Christopher J. Wahl