

MEMORANDUM

Agenda Item No. 11(A)(33)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution establishing the Safety Neighborhood Emergency Team Pilot Program in County Commission Districts 2 and 9 ("Safety Net Program"); and directing the County Mayor to (I) launch the Safety Net Program, (II) determine the parameters for implementation and operation of the Safety Net Program, (III) negotiate terms and prepare draft memoranda of understanding, agreements, and other necessary documents for the Safety Net Program, (IV) identify available funding to implement and operate the Safety Net Program, (V) use grant funding identified in Resolution No. R-1160-18 for the Safety Net Program operated in County Commission District 9, (VI) make County staff and facilities available to assist with the development, implementation, and operation of the Safety Net Program, to the greatest extent practicable, and (VII) provide reports

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney


GBK/jp



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: 
Gen. Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(33)

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)(33)
5-4-21

RESOLUTION NO. _____

RESOLUTION ESTABLISHING THE SAFETY NEIGHBORHOOD EMERGENCY TEAM PILOT PROGRAM IN COUNTY COMMISSION DISTRICTS 2 AND 9 (“SAFETY NET PROGRAM”); AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO (I) LAUNCH THE SAFETY NET PROGRAM, (II) DETERMINE THE PARAMETERS FOR IMPLEMENTATION AND OPERATION OF THE SAFETY NET PROGRAM, (III) NEGOTIATE TERMS AND PREPARE DRAFT MEMORANDA OF UNDERSTANDING, AGREEMENTS, AND OTHER NECESSARY DOCUMENTS FOR THE SAFETY NET PROGRAM, (IV) IDENTIFY AVAILABLE FUNDING TO IMPLEMENT AND OPERATE THE SAFETY NET PROGRAM, (V) USE GRANT FUNDING IDENTIFIED IN RESOLUTION NO. R-1160-18 FOR THE SAFETY NET PROGRAM OPERATED IN COUNTY COMMISSION DISTRICT 9, (VI) MAKE COUNTY STAFF AND FACILITIES AVAILABLE TO ASSIST WITH THE DEVELOPMENT, IMPLEMENTATION, AND OPERATION OF THE SAFETY NET PROGRAM, TO THE GREATEST EXTENT PRACTICABLE, AND (VII) PROVIDE REPORTS

WHEREAS, in 2020, the Miami-Dade Police Department recorded 272 homicide cases—31 more than in 2019—many of which involved the violent use of guns; and

WHEREAS, 62 of the victims of these crimes were people under the age of 21, including multiple children under the age of ten; and

WHEREAS, homicide cases involving the use of guns have continued to occur in 2021, including the shooting death of a six-year-old girl on January 16th, the shooting death of a 21-year-old woman on February 7th, a triple shooting near Homestead on March 6th, the murder of a three-year old boy and injuries to a 21-year-old woman on April 24th, and a shooting on April 28th that resulted in injuries to five people; and

WHEREAS, these incidents form part of a larger trend over time in Miami-Dade County; and

WHEREAS, for instance, in December 2017 alone, a 2-year-old, three 16-year-olds, and a 17-year-old were fatally shot while several other teenagers were wounded in other gun violence incidents throughout Miami-Dade County; and

WHEREAS, in 2016, there were 187 gun-related homicides reported in Miami-Dade County; and

WHEREAS, between 2006 and 2015, an average of more than 30 teens and children were killed each year as a result of gun violence in Miami-Dade County; and

WHEREAS, although gun violence is a problem of particular concern across Miami-Dade County, it is impacting some areas much more adversely than others; and

WHEREAS, County Commission Districts 2 and 9 have been particularly ravaged by gun violence over the last several years, with many of the deadliest shootings in Miami-Dade County taking place within their borders; and

WHEREAS, in 2018, the County was awarded a \$1,000,000.00 grant from the United States Department of Justice for Project Peace to be used exclusively to target crime hotspots and increase community safety through the reduction of violent crime in the Miami-Dade Police Department's South District; and

WHEREAS, this Board, the County Mayor and staff, and community organizations and leaders as well as many other local, state, and federal entities have endeavored to curb the rise of gun violence in Miami-Dade County; and

WHEREAS, over the last couple of months, Sunshine meetings have been held between this Board's Chairman, District 2 Commissioner, and District 9 Commissioner to discuss proliferating gun violence in the County, especially in County Commission Districts 2 and 9, and measures that can be used to enhance current practices to quell same; and

WHEREAS, notwithstanding the varied and laudable efforts made to curtail gun violence in Miami-Dade County, it remains a plague in the community that is killing too many and forever altering the lives of a multitude of others; and

WHEREAS, this Board believes that acknowledging the factors that contribute to the impact of gun violence in the community is a critical component in solving the issue; and

WHEREAS, the County must act urgently to coordinate a multi-faceted response to the ongoing gun violence epidemic; and

WHEREAS, traditional approaches to address gun violence need to be examined and may need to be augmented, altered, or replaced with less conventional means; and

WHEREAS, for instance, a pilot program that involves local governmental entities, educational institutions, and community organizations could bring parties with different perspectives together to develop a comprehensive approach to mitigate gun violence; and

WHEREAS, this Board is committed to protecting the community and desires to implement policies and programs to address and prevent gun violence in Miami-Dade County and to protect our community,

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

Section 1. Approves and incorporates the foregoing recitals in this resolution.

Section 2. Establishes the Safety Neighborhood Emergency Team Pilot Program (“Safety Net Program”) in Miami-Dade County Commission Districts 2 and 9. The District 2 and District 9 County Commissioners may design the Safety Net Program for their respective districts. If the District 2 or District 9 County Commissioner, or both, fail to advise the County Mayor of the Safety Net Program’s design for their respective districts by May 15, 2021, the County Mayor or the County Mayor’s designee shall design a plan for said district(s). At a minimum, the Safety Net Program designs shall provide a plan for implementing and operating the Safety Net Program in each respective district and identify: (1) local governmental agencies, educational institutions, 501(c)(3) organizations, and community-based organizations, including, but not limited to, citizens and neighborhood crime watch groups, Miami-Dade County Public Schools, the South Florida Workforce Investment Board d/b/a CareerSource South Florida, Greater Miami Service Corps, the Office of the Miami-Dade State Attorney, Florida International University, and Florida Memorial University, that have agreed to participate or expressed interest in participating in the Safety Net Program (“Partners”); (2) the goals of the Safety Net Program; (3) the needs to be addressed; and (4) the preferred approaches to address gun violence.

Section 3. Directs the County Mayor or County Mayor’s designee to:

- (1) launch the Safety Net Program between June 1, 2021 and July 1, 2021. The Safety Net Program shall operate until December 31, 2021 unless continued operation is further authorized by the Board;
- (2) determine the parameters for implementation and operation of the Safety Net Program in County Commission Districts 2 and 9, respectively, and describe how each such Partner is expected to participate or be involved in the program;

- (3) fully negotiate terms for and prepare memoranda of understanding and other agreements or documents necessary to effectuate the implementation and operation of the Safety Net Program, which shall be provided to the District 2 and District 9 County Commissioners no later than June 15, 2021, after approval for form and legal sufficiency by the County Attorney's Office. Such memoranda of understanding, agreements, or documents shall:
 - (a) be authorized for execution with the Partners identified in section 2 above;
 - (b) include a scope of services that delineates each Partner's respective responsibilities and duties;
 - (c) not commit more than \$300,000.00 to any one Partner;
 - (d) not commit more than \$2,000,000.00 to implement or operate the Safety Net Program in either County Commission District 2 or County Commission District 9; and
 - (e) not extend beyond December 31, 2021, unless further authorized by the Board;
- (4) identify legally available funding sources from the Fiscal Year 2020-2021 County Budget for implementation and operation of the Safety Net Program in County Commission Districts 2 and 9, respectively, and to use said funding to implement and operate the Safety Net Program as provided herein;
- (5) use funding identified in Resolution No. R-1160-18, which relates to the Miami-Dade Police Department's South District, and awarded by the United States Department of Justice for Project Peace for the County Commission District 9's Safety Net Program, as permitted by the grant award and program guidelines;
- (6) include any additional funding necessary for the implementation and operation of the Safety Net Program as part of the Mayor's proposed fiscal year 2021-2022 County budget;
and

(7) the greatest extent practicable and as needed, make: (a) Miami-Dade County Parks, Recreation, and Open Spaces Department buildings and facilities as well as other County buildings and facilities in County Commission Districts 2 and 9 available for the Safety Net Program and all program participants for the duration of Safety Net Program without cost; and (b) County staff available to consult and assist with the Safety Net Program's development, implementation, and operation. At a minimum, the County Mayor or County Mayor's designee shall consider using staff from the Miami-Dade Police Department, Miami-Dade County Juvenile Services Department, Miami-Dade County Department of Cultural Affairs, Miami-Dade County Community Action and Human Services Department, Miami-Dade County Public Housing and Community Development Department, and Miami-Dade Public Library System.

Section 4. In the event the County Mayor or County Mayor's designee is unable to launch the Safety Net Program by July 1, 2021, directs the County Mayor or County Mayor's designee to provide a report no later than June 15, 2021 to the Board explaining why the Safety Net Program will not be launched by July 1, 2021. At a minimum, the report shall provide: (1) why the design was untenable; (2) the solutions offered to resolve the problem with the design, if any; and (3) the measures implemented to address crime in the district instead of the Safety Net Program, if any. The report shall be placed on an agenda of this Board pursuant to Ordinance No. 14-65.

Section 5. At the conclusion of the Safety Net Program, directs the County Mayor or County Mayor's designee to provide a written report, for each respective County Commission district, which shall include, but not be limited to: (1) the program Partners and a description of each Partner's involvement in the program; (2) the County departments that participated in the

program; (3) the County buildings and facilities used for the program; (4) all documents executed to effectuate the program, including, but not limited to, any memoranda of understanding; and (5) the funding amount and funding source used for implementation and operation of the program. The reports shall be completed no later than January 30, 2022 and placed on an agenda of this Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee. 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:

Jose “Pepe” Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of May, 2021. 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
Angela F. Benjamin