

MEMORANDUM

Amended
Agenda Item No. 11(A)(27)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

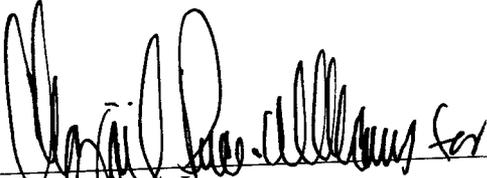
DATE: January 21, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the President and the U.S. Secretary of Homeland Security to suspend the deportations of immigrant families in the U.S. and take other steps to improve conditions for immigrant families until Congress passes comprehensive immigration reform

Resolution No. R-74-10

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson and Co-Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
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
- Ordinance creating a new board requires detailed County Manager'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 _____

Amended
Agenda Item No. 11(A)(27)
1-21-10

RESOLUTION NO. R-74-10

RESOLUTION URGING THE PRESIDENT AND THE U.S. SECRETARY OF HOMELAND SECURITY TO SUSPEND THE DEPORTATIONS OF IMMIGRANT FAMILIES IN THE U.S. AND TAKE OTHER STEPS TO IMPROVE CONDITIONS FOR IMMIGRANT FAMILIES UNTIL CONGRESS PASSES COMPREHENSIVE IMMIGRATION REFORM

WHEREAS, comprehensive immigration reform, including a generous path to legalization for millions of undocumented, non-criminal immigrants in the United States, has been supported by leading members of Congress including all members of the Florida Congressional Delegation; and

WHEREAS, many undocumented, non-criminal immigrants have families and U.S.-born children and spouses, work hard, pay taxes, own businesses, and contribute to the social, cultural, and economic life of Miami-Dade County; and

WHEREAS, detentions and deportations destroy families, traumatize U.S.-born children, and disrupt the economic and social cohesion of our community; and

WHEREAS, Miami-Dade County is the most diverse county in the U.S. with sixty percent (60%) of our population hailing from abroad; and

WHEREAS, Florida's prosperous agricultural, tourism, construction, and other industries depend on the work and contributions of immigrants; and

WHEREAS, many who have fled political repression and turmoil in their homelands, instead of receiving justice and fairness, have too often been relegated to second-class citizenship and lives of fear, insecurity, intimidation, and exploitation; and

WHEREAS, approximately 5,000 children each year grow up in Florida and graduate from Florida high schools, but through no fault of their own lack proper immigration documents making them unable to secure drivers' licenses or afford college and causing them to live in fear of their parents' or their own deportation to lands they've never known and whose languages they don't speak; and

WHEREAS, current U.S. Department of Homeland Security (DHS) detention and deportation policies effectively cause panic, fear, and family separations, impeding our need to build strong families and social networks; and

WHEREAS, Miami-Dade's Congressional Delegation strongly champions fair and generous comprehensive immigration reform legislation which provides a mechanism for adjustment of status to legal permanent residence in the United States to keep families together; and

WHEREAS, current DHS enforcement actions threaten Miami-Dade children, families, and communities by unnecessarily detaining and deporting thousands of individuals who would soon benefit from such legislation,

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

Section 1. Urges the President and the U.S. Secretary of Homeland Security to impose a one year deferral of action for immigrants with American families that have final orders of deportation.

Section 2. Urges the President and the U.S. Secretary of Homeland Security to allow the reopening of removal cases of all immigrants with American families that are subject to final orders, but would otherwise be able to adjust their status.

Section 3. Urges the President and the U.S. Secretary of Homeland Security to allow for the exercising of prosecutorial discretion at all stages of the removal process for immigrants with American family members, whether it be choosing not to institute removal proceedings, declining to proceed in a removal proceeding, or declining to execute a removal order.

Section 4. Urges the President and the U.S. Secretary of Homeland Security to administratively create a fairer process for immigrants already separated by deportation so that they may be reunited with their immigrant families until such time as Congress passes comprehensive immigration reform.

Section 5. Urges the President and the U.S. Secretary of Homeland Security to allow the granting of work permits to people who have been granted deferred actions or whose removal has been suspended so that they may contribute to society.

Section 6. Urges the immediate release of individuals from detention who are not a flight risk or a threat to our communities through parole, release on their own recognizance, or low bond.

Section 7. Notwithstanding any other provision of this resolution, the terms of this resolution shall not apply to any immigrant with a proven criminal record.

Section 8. Directs the Clerk of the Board to transmit a certified copy of this resolution to the U.S. President, the members of the Miami-Dade County Congressional Delegation and the Secretary of the U.S. Department of Homeland Security.

Section 9. Directs the County's federal lobbyists to advocate for the action set forth in Sections 1 through 7 above, and directs the Office of Intergovernmental Affairs to include this item in the 2010 Federal Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson and the Co-Sponsor is Commissioner Rebeca Sosa. It was offered by Commissioner **Katy Sorenson** who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jess M. McCarty