

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Amended
Non-Agenda Item No. 11(A)(13)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 15, 2011

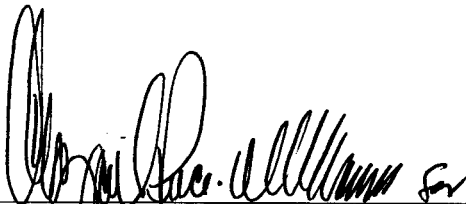
FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT Resolution authorizing and directing the County Mayor to allow County Employees to donate leave time to the Police Officers Assistance Trust (POAT) funds established for the families of Officer Castillo and Officer Haworth and to permit such donations in the future

R#109-11

Resolution Number: R-109-11

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan, Commissioner Bruno A. Barreiro, Commissioner Lynda Bell, Commissioner Jose "Pepe" Diaz, Vice Chairwoman Audrey M. Edmonson, Commissioner Carlos A. Gimenez, Commissioner Sally A. Heyman, Chairman Joe A. Martinez, Commissioner Jean Monestime, Commissioner Dennis C. Moss, Commissioner Natacha Seijas, Commissioner Rebeca Sosa and Sen. Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

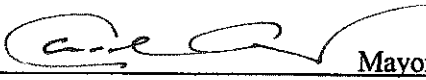
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Please note any items checked.

- "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
Non-Agenda Item No. 11(A)(13)
2-15-11

RESOLUTION NO. R-109-11

RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO ALLOW COUNTY EMPLOYEES TO DONATE LEAVE TIME TO THE POLICE OFFICERS ASSISTANCE TRUST (POAT) FUNDS ESTABLISHED FOR THE FAMILIES OF OFFICER CASTILLO AND OFFICER HAWORTH AND TO PERMIT SUCH DONATIONS IN THE FUTURE

WHEREAS, Miami-Dade County's police officers provide an invaluable service to the Miami-Dade County community and to its visitors; and

WHEREAS, on January 20, 2011, all of Miami-Dade County suffered a tragic loss of life when Miami-Dade County Officers Roger Castillo and Amanda Haworth were killed while performing their duty to the community as law enforcement officers; and

WHEREAS, this loss of life is ever more tragic for the families of Officers Castillo and Haworth who are now at a time of critical need; and

WHEREAS, the Board of County Commissioners wishes to find a way for members of the County family of employees to show their appreciation and respect for the ultimate sacrifice made by Officers Castillo and Haworth by providing support to their families in this time of need; and

WHEREAS, an organization named the Police Officer Assistance Trust [POAT] was established in 1989 in response to the deaths in the line of duty of two Miami-Dade Police officers and the death of a City of Miami police officer; and

WHEREAS, POAT has since served the law enforcement community in times of need and is a 501(c) (3) non-profit organization operating within Miami-Dade County, Florida that provides assistance to law enforcement officers and their families in times of crisis or critical need; and

WHEREAS, the Board of Trustees is comprised of representatives from the different levels of law enforcement in Miami-Dade County (federal, state, county, and municipal) as well as members from the Miami-Dade County business community and law enforcement related fraternal and labor organizations. The Board of Trustees and staff meet on a monthly basis to discuss and vote on various assistance cases, fundraisers, and other matters pertinent to the operation of the organization; and

WHEREAS, POAT has established trust funds to assist the families of Officer Castillo and Officer Haworth in this time of critical need and loss; and

WHEREAS, County employees that wish to donate annual and holiday leave time to the POAT Trust funds for Officer Castillo and Officer Haworth should be able to do so; and

WHEREAS, in the future critical needs may arise in the law enforcement community that would benefit from additional donations of annual and holiday leave time by County employees and such donations to POAT should be authorized; and


WHEREAS, the Board of County Commissioners wishes to authorize these donations to demonstrate its support for the families of Officer Castillo and Officer Haworth in this time of critical need and loss and to demonstrate its respect and admiration for the dedication of Officer Castillo and Officer Haworth; and

WHEREAS, the Board of County Commissioners wishes to authorize County employees to make such donations to POAT in the future to demonstrate its support for the law enforcement community in Miami-Dade County and their families,

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

Section 1. This Board hereby authorizes and directs the County Mayor or Mayor's designee to allow the donation by County employees of up to two (2) hours of annual or holiday leave time to the Police Officers Assistance Trust (POAT) funds established for the families of Officers Castillo and Haworth in this fiscal year. The maximum donation per incident, per eligible child under age 18 years shall not exceed \$25,000 and the maximum donation per family, exclusive of the amounts donated per child, shall not exceed \$25,000. In the event the amount of contributions does not permit the maximum contributions per child and/or families, the monies will be distributed on a pro-rata basis between the children and families.

Section 2. This Board hereby authorizes and directs the County Mayor or Mayor's designee to allow the donation by County employees of up to two (2) hours of annual or holiday leave time to any funds established in the future for the families of any Miami-Dade County employee who has been killed in the line of duty due to a criminal act with such limitation of two (2) hours of time per event. The maximum donation per incident, per eligible child under age 18 years shall not exceed \$25,000 and the maximum donation per family, exclusive of the amounts donated per child, shall not exceed \$25,000. In the event the amount of contributions does not permit the maximum contributions per child and/or families, the monies will be distributed on a pro-rata basis between the children and families.



Section 3. The County Mayor or Mayor's designee shall publicize and make available forms for employees to complete in order to authorize such annual and holiday leave contributions. The authorization forms to be distributed by the County Mayor or Mayor's designee should include: (a) an explanation of the POAT; and (b) a statement that the Board of County Commissioners has approved contributions of annual and holiday leave time and the two (2) hour donation limitation.

Section 4. This Board directs the County Mayor or Mayor's designee to arrange for the allocation of funds from the various departments whose employees contributed leave time to the POAT and to designate that such donations are to be used to exclusively for the families of Officers Castillo and Haworth. The County Mayor or Mayor's designee shall give as much notice as possible but in any event at least twenty-four (24) hours notice to this Board of his intention to present the funds to POAT so that all interested members of this Board may attend any such presentation.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan and the Co-Sponsors are Commissioner Bruno A. Barreiro, Commissioner Lynda Bell, Commissioner Jose "Pepe" Diaz, Vice Chairwoman Audrey M. Edmonson, Commissioner Carlos A. Gimenez, Commissioner Sally A. Heyman, Chairman Joe A. Martinez, Commissioner Jean Monestime, Commissioner Dennis C. Moss, Commissioner Natacha Seijas, Commissioner Rebeca Sosa and Sen. Javier D. Souto. It was offered by Commissioner **Barbara J. Jordan** who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

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	Joe A. Martinez, Chairman	aye	
	Audrey M. Edmonson, Vice Chairwoman	aye	
Bruno A. Barreiro	aye	Lynda Bell	aye
Jose "Pepe" Diaz	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Natacha Seijas	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of February, 2011. 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

DIANE COLLINS

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Eric A. Rodriguez