




MEMORANDUM

Agenda Item No. 11(A)(5)

TO:	Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners	DATE:	November 8, 2012
FROM:	R. A. Cuevas, Jr. County Attorney	SUBJECT:	Resolution directing the Mayor to prepare a plan for the use of eligible inmates in the custody of the Miami-Dade County Department of Corrections and Rehabilitation for work on roads, bridges, public works, or other projects Resolution No. R-933-12

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Jose "Pepe" Diaz and Commissioner Sally A. Heyman and Co-Sponsors Commissioner Lynda Bell, Commissioner Esteban L. Bovo, Jr., and Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

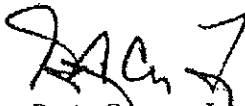


MEMORANDUM

(Revised)

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

DATE: November 8, 2012

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

SUBJECT: Agenda Item No. 11(A)(5)

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 _____

Agenda Item No. 11(A)(5)
11-8-12

RESOLUTION NO. R-933-12

RESOLUTION DIRECTING MAYOR OR MAYOR'S
DESIGNEE TO PREPARE A PLAN FOR THE USE OF
ELIGIBLE INMATES IN THE CUSTODY OF THE MIAMI-
DADE COUNTY DEPARTMENT OF CORRECTIONS AND
REHABILITATION FOR WORK ON ROADS, BRIDGES,
PUBLIC WORKS, OR OTHER PROJECTS

WHEREAS, Sections 951.01 and 951.05 of the Florida Statutes authorize each county to "employ all persons in the jail of their respective counties under sentence upon conviction for a crime at labor upon ... projects for which the governing body of the county could otherwise lawfully expend public funds and which it determines to be necessary for the health, safety, and welfare of the county"; and

WHEREAS, Section 925.08 of the Florida Statutes authorizes county commissioners to so employ pretrial detainees who are "charged with misdemeanor and confined in the county jail for failure to give bail" subject to certain requirements regarding hours (not more than 10 hours a day), compensation (\$5 per day if acquitted), record keeping, etc.; and

WHEREAS, Miami-Dade County has previously expended public funds or utilized County employees to accomplish tasks such as working on roads, bridges, public works and other projects; and

WHEREAS, the use of inmate labor pursuant to Florida Statutes would alleviate the need for similar expenditures in the future,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or Mayor's designee is directed to prepare a plan for the use of those eligible inmates in the

custody of the Miami-Dade Department of Corrections and Rehabilitation who pose only a minimum security risk for work on roads, bridges, public works, and other projects.

The Co-Prime Sponsors of the foregoing resolution are Commissioner Jose "Pepe" Diaz and Commissionner Sally A. Heyman and the Co-Sponsors are Commissionner Lynda Bell, Commissionner Esteban L. Bovo, Jr., and Commissionner Barbara J. Jordan. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Lynda Bell** and upon being put to a vote, the vote was as follows:

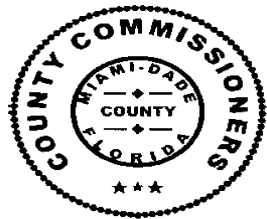
	Joe A. Martinez, Chairman	aye
	Audrey M. Edmonson, Vice Chairwoman	absent
Bruno A. Barreiro	aye	Lynda Bell
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz
Sally A. Heyman	aye	Barbara J. Jordan
Jean Monestime	aye	Dennis C. Moss
Rebeca Sosa	aye	Sen. Javier D. Souto
Xavier L. Suarez	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of November, 2012. 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: **Christopher Agrippa**
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.