

## MEMORANDUM

Agenda Item No. 8(I)(3)

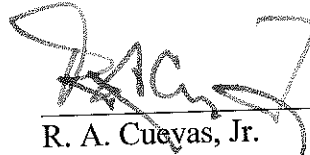
**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** January 23, 2013

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

**SUBJECT:** Resolution approving  
reimbursement for replacement  
of personal equipment to  
Detective Raul Cabrera, in an  
amount not to exceed \$3,213.25,  
for the loss of personal tools  
stored in a County vehicle  
Resolution No. R-27-13

The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.  
County Attorney

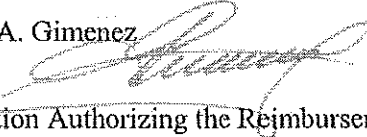
RAC/smm

# Memorandum



**DATE:** January 23, 2013

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**FROM:** Carlos A. Gimenez  
Mayor 

**SUBJECT:** Resolution Authorizing the Reimbursement to County Employee for the Loss of Personal Property

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## Recommendation

It is recommended that the Board of County Commissioners approve the attached resolution which authorizes the reimbursement to Detective Raul Cabrera, employee of the Miami-Dade Police Department, in an amount not to exceed \$3,213.25.

## Scope

This reimbursement is specific to Detective Cabrera.

## Fiscal Impact/Funding Source

This reimbursement, in an amount not to exceed \$3,213.25, will be paid from PD561119, a General Fund index code assigned to the Miami-Dade Police Department.

## Track Record/Monitor


The Miami-Dade Police Department Chief Financial Officer, Gustavo Knoepffler, will monitor the reimbursement.

## Background

Pursuant to the provisions of Section 2-11.13 of the Miami-Dade County Code, it is the policy of Miami-Dade County to provide reasonable reimbursement to County employees for the loss or damage to their personal property when that loss or damage was incurred in the discharge of the employee's assigned duties, was not the result of the employee's negligence, and could not otherwise be compensated.

On May 6, 2012, Detective Raul Cabrera's unmarked county vehicle and all of its contents were destroyed in a fire. The incident was reported to the Miami-Dade Police Department and his supervisor confirmed the loss as documented in an Offense Incident Report dated May 6, 2012. The amount of the loss was confirmed in the amount of \$3,213.25. All of the personal equipment lost in the fire was necessary for Detective Cabrera to perform his duties.

In presenting this claim for reimbursement, the Miami-Dade Police Department has complied with Section 2-11.13 of the Miami-Dade County Code and the requirements of Administrative Order 7-23, "Reimbursement to County Employees for Loss of Personal Property." Also, in accordance with the Administrative Order, Detective Cabrera's request for reimbursement has been approved by the Internal Services Department and the Office of Management and Budget.

  
Genaro "Chip" Iglesias  
Office of the Mayor




# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** January 23, 2013

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

**SUBJECT:** Agenda Item No. 8(I)(3)

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 Mayor'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. 8(I)(3)  
1-23-13

RESOLUTION NO. R-27-13

RESOLUTION APPROVING REIMBURSEMENT FOR REPLACEMENT OF PERSONAL EQUIPMENT TO DETECTIVE RAUL CABRERA, IN AN AMOUNT NOT TO EXCEED \$3,213.25, FOR THE LOSS OF PERSONAL TOOLS STORED IN A COUNTY VEHICLE IN ACCORDANCE WITH SECTION 2-11.13 OF THE CODE OF MIAMI-DADE COUNTY AND ADMINISTRATIVE ORDER 7-23; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying Memorandum, a copy of which is incorporated herein by reference; and

**WHEREAS**, the Directors of the Miami-Dade Police Department, Internal Services Department, and the Office of Management and Budget have approved this reimbursement in accordance with Section 2-11.13 of the Miami-Dade County Code; and

**WHEREAS**, Detective Cabrera has filed a notice with Miami-Dade County in accordance with the requirements of Section 2-2 of the Miami-Dade County Code; and

**WHEREAS**, the loss occurred during the discharge of Detective Cabrera's duties while on official County business; and

**WHEREAS**, Detective Cabrera has signed a subrogation agreement as required by Section 2-11.13 of the Miami-Dade County Code; and

**WHEREAS**, the investigation of the fire that led to the destruction of the assigned unmarked county vehicle was in accordance with acceptable circumstances, as it was not due to

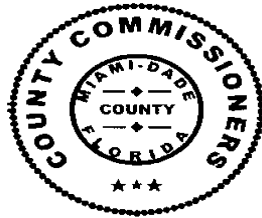
negligence by Detective Cabrera, it was not caused by a third party, and it was not caused by fellow employees,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this Board approves the reimbursement for replacement of personal equipment to Miami-Dade Police Department employee, Detective Raul Cabrera, in an amount not to exceed \$3,213.25, for the loss of personal tools while stored in a County vehicle in accordance with Section 2-11.13 of the Code of Miami-Dade County and Administrative Order 7-23; and authorized the County Mayor or County Mayor's designee to exercise any and all other rights conferred therein.

The foregoing resolution was offered by Commissioner **Audrey Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Lynda Bell** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 23<sup>rd</sup> day of January, 2013. 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

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "BS", written over a horizontal line.

Ben Simon

By: **Christopher Agrippa**  
Deputy Clerk