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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(5)

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

DATE: February 4, 2014

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

SUBJECT: Resolution directing the Mayor to expeditiously fund all capital costs up to $22,100,000.00 from the Building Better Communities General Obligation Bond Program to open the Mental Health Diversion Facility assigned to Judicial Administration

Resolution No. R-134-14

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman and Co-Sponsor Commissioner Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM
(Revised)

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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 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. 11(A)(5)
2-4-14

RESOLUTION NO. R-134-14

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO EXPEDITIOUSLY FUND ALL CAPITAL COSTS UP TO $22,100,000.00 FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM TO OPEN THE MENTAL HEALTH DIVERSION FACILITY ASSIGNED TO JUDICIAL ADMINISTRATION AND DESCRIBED UNDER PROJECT 193 AT THE FACILITY LEASED BY THE COUNTY LOCATED AT 2200 NW 7 AVENUE, MIAMI AND REPORT TO THIS BOARD ON THE STATUS OF THE PROJECT WITHIN THIRTY DAYS

WHEREAS, Miami-Dade County ("County") is home to the largest percentage of people with serious mental illnesses of any urban community in the United States; and

WHEREAS, rates of serious mental illnesses among county residents are nearly three times the national average; and

WHEREAS, the County jail currently serves as the largest psychiatric institution in Florida; and

WHEREAS, there are nearly 20,000 annual bookings into the County jail involving people with mental illnesses who require treatment while incarcerated; and

WHEREAS, on any given day, the jail houses approximately 1,200 individuals receiving psychiatric medications at a cost to County taxpayers of nearly $65 million annually, or $178,000 per day; and

WHEREAS, the Eleventh Judicial Circuit Criminal Mental Health Project was established in 2000 to divert individuals with serious mental illnesses (e.g., schizophrenia, bipolar disorder, major depression) or co-occurring serious mental illnesses and substance use disorders, who do not pose significant public safety risks, away from the criminal justice system and into comprehensive community-based treatment and support services; and

WHEREAS, the Eleventh Judicial Circuit Criminal Mental Health Project's pre-booking and post-booking jail diversion programs have contributed to substantial reductions in the County jail census as the result of decreased arrests and decreased recidivism among individuals with mental illnesses; and

WHEREAS, this has resulted in improvements to public health and public safety, as well as fiscal savings, for all residents of the County; and

WHEREAS, pursuant to Resolution No. R-915-04 (the "Public Safety Facilities Authorizing Resolution"), adopted on July 20, 2004, this Board authorized, and the citizens by special election approved, the Building Better Communities General Obligation Bond Program which authorized the issuance of general obligation bonds of the County in an amount not to exceed $341,087,000 to construct and improve public safety facilities described in Appendix A to such authorizing resolution ("Public Safety Facilities Projects"); and

WHEREAS, one of the projects authorized under Public Safety is Project No. 193 entitled "Mental Health Facility" with a description of: "To free up jail space and provide an effective and cost efficient alternative facility to house the mentally ill as they await a trial"; and

WHEREAS, Project No. 193 was assigned to Judicial Administration to build upon and expand the jail diversion programs of the Eleventh Judicial Circuit Criminal Mental Health Project; and

WHEREAS, on January 11, 2005 the Miami-Dade County Grand Jury released a report detailing the crisis of people with serious mental illnesses who become entangled in the criminal justice system, as well as recommendations for responding in a more effective and fiscally responsible manner to these individuals; and

WHEREAS, the Grand Jury cited as solutions the work of the Eleventh Judicial Circuit Criminal Mental Health Project, as well as the general obligation bond project creating a mental health facility that would include a short-term residential treatment and receiving facility to serve individuals diverted from the criminal justice system; and

WHEREAS, The Miami-Dade County Mayor's Mental Health Task Force was formed in response to the Grand Jury's findings, and consisted of leaders and experts from the criminal justice, mental health, social services, government, and business communities; and

WHEREAS, The Mayor's Mental Health Task Force formed the Mental Health Diversion Facility Subcommittee, which was co-chaired by a member of this Board, specifically to address the development of the general obligation bond program mental health facility project; and

WHEREAS, On February 14, 2007, the Mayor's Mental Health Task Force released its final report, including detailed recommendations for implementing the general obligation bond program mental health facility project, which cited progress toward the acquisition of a facility, formally known as the South Florida Evaluation and Treatment Center, located at 2200 NW 7th Avenue, Miami, Florida 33127 (the "Facility") to be renovated for use as the Mental Health Diversion Facility; and

WHEREAS, in 2007 the Florida Legislature adopted Senate Bill 2802, which added subsection (17) to section 253.03, F.S. stating, in part, "...upon approval of the Board of Trustees of the Internal Improvement Trust Fund if necessary, the Division of State Lands of the Department of Environmental Protection shall lease the existing South Florida Evaluation and Treatment Center Complex in Miami-Dade County, currently under lease to the Department of Children and Family Services, to Miami-Dade County for the amount of $1 per year for 99 years to be used by the county for its expanded jail diversion program."; and

WHEREAS, pursuant to Resolution No. R-637-08 (the "FLA. TIITF LEASE"), adopted on June 8, 2008, this Board retroactively authorized the execution of a lease with the State of Florida for the Facility; and

WHEREAS, the County Manager's Memorandum which accompanied Resolution No. R-637-08 cited the work of the Mayor's Mental Health Task Force as justification for execution of the lease and proposed use of the Facility, as well as use of general obligation bond funds for renovations to be completed; and

WHEREAS, this Board wishes to utilize the Facility to help decrease the burden of providing mental health acute care services in county funded correctional facilities; and

WHEREAS, this Board wishes to direct the Mayor or Mayor's designee to allocate funds from Project 193 to make the capital improvements necessary to open the mental health diversion facility as expeditiously as possible, and to report back to this Board within thirty (30) days on the timeline and status of the plans to implement this project as authorized by county voters,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor or Mayor's designee is directed to expeditiously utilize funds from Project 193 of the Building Better Communities General Obligation Bond Program in an amount not to exceed $22,100,000.00 to make the capital improvements necessary to open the mental health diversion facility located at 2200 NW 7th Avenue, Miami, Florida 33127, and to report back to the Board of County Commissioners within thirty (30) days on the timeline and status of the plans to implement this project as authorized by county voters.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman and Co-Sponsor Commissioner Audrey M. Edmonson. It was offered by Commissioner **Sally A. Heyman** 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of February, 2014. 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.

Benjamin D. Simon