

MEMORANDUM

Agenda Item No. 7(C)

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

DATE: February 4, 2014

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

SUBJECT: Ordinance codifying
the Dade-Miami Criminal
Justice Council; setting forth
purpose, removal, and tenure
of members specifying
organization, powers, and
duties
Ordinance No. 14-17

In 1978, the City of Miami and the County adopted resolutions creating the DMCJC to advise the City and the County on criminal justice issues. The DMCJC is composed of administrative and executive level officials representing criminal justice agencies of the County and the City of Miami. This item is an ordinance codifying the DMCJC as a County board. Because the ordinance affects duties of municipal officials, the Board's policy requirement contained in Rule 5.06(f) for 4 weeks' advance notice to municipalities before public hearing is applicable. Staff advises only 3 weeks' advance notice was given to municipalities for this item. The requirement for 4 weeks' notice is directory only and does not preclude the Public Safety & Animal Services committee from conducting the public hearing where less than 4 weeks' notice is provided.

The accompanying ordinance was prepared by the Office of Management and Budget Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: February 4, 2014

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

Subject: Recommendation to Codify the Dade-Miami Criminal Justice Council (DMCJC) and Designate a Committee of the Council as the Public Safety Coordinating Council (PSCC)

Recommendation

It is hereby recommended that the Board of County Commissioners (Board) adopt the proposed ordinance formally codifying the Dade-Miami Criminal Justice Council (DMCJC), and designating a committee of the DMCJC as the Public Safety Coordinating Council (PSCC). The DMCJC will serve to advise the Miami-Dade County Mayor, the Board, the City of Miami Mayor, and the City of Miami Commission on matters related to countywide Criminal Justice issues.

The creation of the PSCC as a committee of the DMCJC will bring the County into compliance with Florida Statutes 951.26 (attached) which mandates that "each board of county commissioners shall establish a county public safety coordinating council for the county."

Scope

The recommendation is countywide in nature. The currently active DMCJC is composed of administrative and executive level officials representing the continuum of criminal justice agencies of Miami-Dade County, the City of Miami, elected officials, and interested citizens.

Fiscal Impact/Funding Source

This Resolution has no fiscal impact on Miami-Dade County. The Office of Management and Budget has already budgeted staff and resources to support the DMCJC. The Miami-Dade Police Department and the Miami-Dade Department of Corrections and Rehabilitation may also support the DMCJC from existing resources.

Track Record/Monitor

The Clerk of the Board monitors the appointments to County Boards, and the Office of Management and Budget, Grants Coordination provides staff assistance for the DMCJC.

Background

The DMCJC Advisory Board was created through a joint legislative action: the City of Miami Commission adopted a resolution on January 24, 1978, and the Board adopted Resolution R-103-78 on February 7, 1978, to establish the DMCJC as an official County board. The DMCJC replaced what was formerly known as the Dade County Criminal Justice Planning Council.

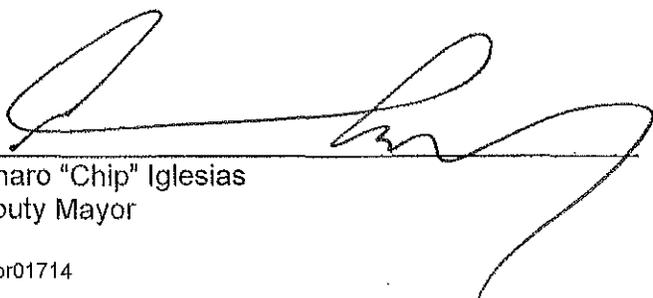
The membership of the DMCJC is comprised of local criminal justice agency administrators, public officials, and interested citizens appointed because of their expertise and interest in improving the local and state criminal justice system (see Attachment 1). The PSCC Committee will be composed of members as indicated in the proposed ordinance, pursuant to Florida Statute 951.26.

Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

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The purpose of the DMCJC is to encourage and facilitate the coordination and cooperation amongst the various agencies and municipalities within Miami-Dade County with crime prevention/intervention strategies, criminal and juvenile justice activities, and other activities related to criminal justice. In addition, as an advisory board to the County Mayor and the Board of County Commissioners, the DMCJC makes recommendations to address the crime and violence programming needs of the County.

Approval of this proposed ordinance will formally create and establish the DMCJC with enhanced powers and duties that will further encourage coordination amongst agencies to improve and strengthen local law enforcement efforts, and criminal justice and research activities, such as the development and discovery of new methods for the prevention and reduction of crime, offender reentry, and methods to more effectively address the mental health offender population.

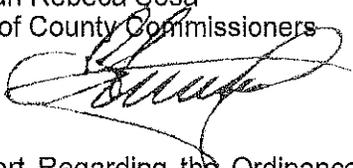
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Genaro "Chip" Iglesias
Deputy Mayor

Mayor01714

Memorandum



Date: February 4, 2014
To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners
From: Carlos A. Gimenez
Mayor 
Subject: County Mayor's Report Regarding the Ordinance Codifying the Dade-Miami Criminal
Justice Council (DMCJC)

In accordance with Section 2-11.37 of the Miami-Dade County Code, the following information is provided regarding the proposed codification of the Miami-Dade Criminal Justice Council Advisory Board.

1. Whether the establishment of the board will create sufficient betterment to the community to justify the Board of County Commissioners' delegation of a portion of its authority;

This legislation serves to codify a board that has been in existence since 1978, established by resolution. The proposed board is advisory in nature and therefore does not require a delegation of authority from the BCC.

2. Whether another board or agency, either public or private, which is already in existence, could serve the same purpose;

There are no other County boards or agencies that serve the purposes of this board.

3. The costs, both direct and indirect, of establishing and maintaining the board;

Resources to support this board are currently funded and total approximately \$50,000.

4. Whether the board is necessary to enable the County to obtain State or federal grants or other financing;

The codification of the DMCJC and the establishment of the PSCC as a committee of this board will make the County eligible to apply for State funding for community programming in accordance to Florida Statue 948.51(2), which states: "Each County, or County Consortium, that contracts to receive community corrections funds for its community programs under s. 948.51 shall require the public safety coordinating council to develop a comprehensive public safety plan as described there in which includes the future public safety construction needs."

5. Whether the board should have a bonding authority;

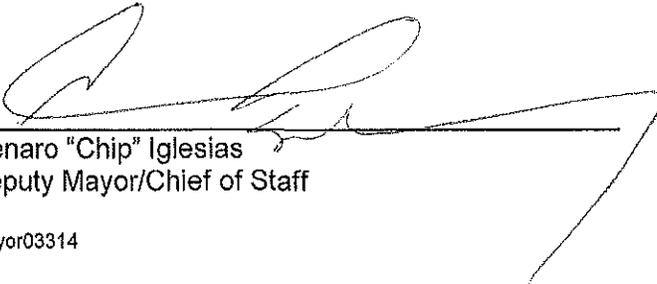
Based upon the duties of the board, bonding authority is not required.

6. Whether the board should have final authority to enter into contracts and spend County funds, or whether its contracts and expenditures must be ratified by the Board of County Commissioners; and

As proposed, the board would not have authority to enter into contracts, expend County funds, or incur any financial obligations.

7. Whether the creation of a new board is the best method of achieving the desired benefit.

Yes. The formal establishment of the DMCJC, with its enhanced powers and duties, and further designation of a committee as the PSCC, will further encourage coordination amongst agencies to improve and strengthen local public safety efforts within the County in compliance with State law.



Genaro "Chip" Iglesias
Deputy Mayor/Chief of Staff

Mayor03314

Dade-Miami Criminal Justice Council

The Dade-Miami Criminal Justice Council (DMCJC) is comprised of local criminal justice agency administrators, public officials, and interested citizens appointed because of their expertise and interest in improving the local and state criminal justice system.

Board Members

- Chairperson - Paul Sweeney, Retired
- Vice-Chairperson Priscilla Rivera, University of Miami
- Second Vice-Chairperson Mimi Sutherland, JMH/University of Miami School of Medicine
- Hon. Joni Blacher, Miami-Dade League of Cities
- Hon. Richard Block, Miami-Dade League of Cities
- Carmen Caldwell, Executive Director, Citizen's Crime Watch
- Dr. Ana Teresa Carazo-Johannin, Florida International University
- Dr. Alberto M. Carvalho, Superintendent, Miami-Dade County Public Schools
- Hon. Marcia G. Cooke, District Judge for the Southern District of Florida
- Maria Dibernardo, State of Florida Probation and Parole, Circuit XI
- Greg Feldman, Administrator, Department of Children and Families, District XI
- Hon. Katherine Fernandez-Rundle, Miami-Dade State Attorney
- Terria Flakes, Chief Probation Officer, Department of Juvenile Justice, Circuit XI
- Carlos A. Gimenez, Mayor, Miami-Dade County
- Dr. Bruce Hyma, Miami-Dade Medical Examiner
- Rulx Jean-Bart, Miami-Dade College
- Chief Kevin Lystad, Miami-Dade County Association of Chiefs of Police
- Richard Masten, Miami Crime Stoppers
- Hon. Carlos Martinez, Miami-Dade Public Defender
- Jennifer Ocana, Vitas Healthcare Corporation
- Manuel Orosa, Chief, City of Miami Police Department
- J.D. Patterson, Director, Miami-Dade Police Department
- Hon. Roxanna Ross, Miami-Dade League of Cities
- Harvey Ruvim, Miami-Dade Clerk of the Court
- Timothy Ryan, Director, Corrections and Rehabilitation Department
- Hon. Bertilla Soto, Chief Judge of the 11th Judicial Circuit
- Naomi Wright, The Lady Speaks



MEMORANDUM

(Revised)

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

DATE: February 4, 2014

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

SUBJECT: Agenda Item No. 7(C)

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

Agenda Item No. 7(C)

Veto _____

2-4-14

Override _____

ORDINANCE NO. 14-17

ORDINANCE CODIFYING THE DADE-MIAMI CRIMINAL JUSTICE COUNCIL; SETTING FORTH PURPOSE, MEMBERSHIP REQUIREMENTS, APPOINTMENT, REMOVAL, AND TENURE OF MEMBERS, SPECIFYING ORGANIZATION, POWERS, AND DUTIES; FURTHER DESIGNATING A COMMITTEE OF THE COUNCIL AS THE PUBLIC SAFETY COORDINATING COUNCIL, PER FLORIDA STATUE 951.26; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, it is recognized that serious crime in Miami-Dade County (the “County”) and the City of Miami (the “City”) is detrimental to the peace, progress, and welfare of all people of this metropolitan area; and

WHEREAS, there is a need for a coordinated effort on the part of all County and City agencies involved in the criminal justice system; and

WHEREAS, the County and the City recognize the need for criminal justice system planning and coordination on a countywide basis; and

WHEREAS, it is agreed that the effectiveness of such planning and coordination on a countywide basis would best be served by the codification of a Criminal Justice Council for the purpose of coordinating activities which will improve and strengthen law enforcement and criminal justice, encouraging research and development activities directed toward the improvement of law enforcement and criminal justice, and assisting in the development of new methods for the prevention and reduction of crime and juvenile delinquency; and

WHEREAS, the Criminal Justice Council will have the goal of coordinating the plans and programs of the various criminal justice agencies in Miami-Dade County and the City of

Miami; and

WHEREAS, the Criminal Justice Council shall be composed of administrative and executive level officials representing the criminal justice agencies of Miami-Dade County and the City of Miami, elected officials and interested citizens, as well as a staff component; and

WHEREAS, Section 948.51(2), Florida Statutes, requires a county that contracts with the State Department of Corrections for community corrections funds to have a Public Safety Coordinating Council established under Section 951.26, Florida Statutes; and

WHEREAS, by Resolution adopted January 24, 1978, by the City of Miami Commission, and by Resolution R-103-78 adopted February 7, 1978, by the Miami-Dade County Board of County Commissioners, the Dade-Miami Criminal Justice Council was established and officially recognized for the county-wide coordination of criminal justice activities. This Council will assume all responsibilities as applicable and further defined herein formerly carried out by the Dade County Criminal Justice Advisory Council which had been established by action of the Governor's Council on Criminal Justice (GCCJ), hereafter referred to as the Florida Council on Criminal Justice (FCCJ), on May 12, 1972; and

WHEREAS, this ordinance codifies the Dade-Miami Criminal Justice Council, which is currently operating under Board of Miami-Dade County Commissioners Resolution R-103-78,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Creation and Purpose. There is hereby created and established the Dade-Miami Criminal Justice Council (the "Council"). The purpose of this Council is:

- (a) To advise and make recommendations to the Miami-Dade County Mayor, the Miami-Dade County Board of County Commissioners, the City of Miami Mayor,

and the City of Miami Board of City Commissioners on matters related to countywide criminal justice issues; and

- (b) To encourage and facilitate coordination and cooperation between and among the various agencies of the criminal justice system of Miami-Dade County.

Section 2. **Powers and Duties.** The Council shall have the following powers, duties, functions, and responsibilities:

- (a) To advise and make recommendations to the Miami-Dade County Mayor, Miami-Dade County Board of County Commissioners, the City of Miami Mayor, and the City of Miami Board of City Commissioners on Criminal Justice and Juvenile Justice issues;
- (b) To encourage and facilitate coordination and cooperation between and amongst the various agencies of the criminal justice systems of Miami-Dade County;
- (c) To provide for coordination through the efficient and effective use of funds from various sources to improve the criminal justice system;
- (d) To provide advice to local officials on City and County criminal justice-related programming and funding needs as requested;
- (e) To provide legislative analysis and recommendations at the local, state, and federal levels;
- (f) To review local criminal justice issues as they arise and are brought to the attention of the Council, or its staff, thus encouraging appropriate, cooperative criminal justice agency response;
- (g) To serve in advisory role in comprehensive planning for all segments of the criminal justice system in Miami-Dade County;

- (h) To serve in an advisory capacity, as needed, to any private or public agency whose activities are related to criminal justice;
- (i) Through its Public Safety Coordinating Council Committee, pursuant to section 951.26, Florida Statutes, the Public Safety Coordinating Council Committee:
 - (1) may develop a local public safety plan for future jail construction needs, in accordance with the steps described in section 951.26, Florida Statutes. The plan, if developed, must cover at least a 5-year period;
 - (2) shall develop a comprehensive public safety plan as described in section 948.51, Florida Statutes, which includes the future public safety construction needs as described in Miami-Dade County's local public safety plan, if Miami-Dade County contracts to receive community corrections funds for its community corrections programs under section 948.51, Florida Statutes; and
 - (3) may develop a comprehensive local reentry plan that is designed to assist offenders released from incarceration to successfully reenter the community. The plan should cover at least a 5-year period. In developing the plan, the council shall coordinate with public safety officials and local community organizations that can provide offenders with reentry services, such as assistance with housing, health care, education, substance abuse treatment, and employment.

Section 3. **Membership.** There shall be thirty-one (31) voting members of the Council, composed of Institutional Members, as defined below, from local criminal justice agencies and other public entities; and Community Representative Members, as defined below, including interested citizens who will be appointed to the Council based upon their generally recognized expertise, involvement and interest in improving the total criminal justice system; as well as up to three (3) Ex-Officio, non-voting Members.

(a) Institutional Members

Institutional Members of the Council shall be appointed in accordance, where applicable, with Section 2-11.38 and 2-11.38.1 of the Code of Miami-Dade County, as may be amended. The appointments shall consist of the following categories:

(1) Representatives of Miami-Dade County

- (a) The Mayor of Miami-Dade County or the Mayor's designee
- (b) Director of the Miami-Dade Police Department, or the Director's designee, per Florida Statute 951.26 (1)(a)(1)(f)
- (c) Director of the Miami-Dade Corrections and Rehabilitation Department, per Florida Statute 951.26 (1)(a)(1)(e)
- (d) Director of the Medical Examiner's Office
- (e) Director of the Miami-Dade Juvenile Services Department
- (f) The Chairperson of the Miami-Dade County Board of County Commissioners or another County Commissioner as the Chairperson's designee, per Florida Statute 951.26 (1)(a)(1)(h)

(2) Representatives of the City of Miami

- (a) The Mayor of the City of Miami or the Mayor's designee
 - (b) City of Miami Police Chief
 - (c) The Chairperson of the City of Miami Board of Commissioners or the Chairperson's designee.
- (3) The following ten members shall serve on the Council by virtue of their official positions:
- (a) Chief Judge of the Eleventh Judicial Circuit (Miami-Dade County) or another Eleventh Judicial Circuit Judge as designated by the Chief Judge, per Florida Statute 951.26 (1)(a)(1)(c)
 - (b) A Chief County Court Judge, or another judge designated by the Chief County Court Judge for County Court in Miami-Dade County, per Florida Statute 951.26 (1) (a) (1) (d)
 - (c) The State Attorney, or an Assistant State Attorney designated by the State Attorney, per Florida Statute 951.26 (1)(a)(1)(a)
 - (d) The Public Defender, or an Assistant Public Defender designated by the Public Defender, per Florida Statute 951.26 (1)(a)(1)(b)
 - (e) The Clerk of the Court
 - (f) Miami-Dade County Public Schools Superintendent
 - (g) A Southern Region Administrator, Florida Department of Children and Families
 - (h) The Circuit XI Chief Probation Officer, Florida Department of Juvenile Justice
 - (i) A District Judge for the United States Southern District, currently

sitting in Miami-Dade County, as designated by the Chief Judge of the United States Southern District Court of Florida

- (j) The Circuit XI Probation Administrator, Florida Department of Corrections, or a member designated by the State Probation Circuit Administrator, to be appointed to a 4-year term, per Florida Statute 951.26 (1)(a)(1)(g)

(b) Community Representative Members

A Nominating Committee comprised of Institutional Council Members will be appointed by the Chairperson of the Council to make recommendations to the full Council to fill any Community Representative vacancies in the following categories. The full Council will appoint Community Representative Members. Community Representative Members shall include:

- (1) Three (3) representatives of the Miami-Dade County League of Cities, Inc.
- (2) An active member representing the Dade County Association of Chiefs of Police
- (3) The director of a local substance abuse treatment program, or member designated by the director, to be appointed to a 4-year term, per Florida Statute 951.26 (1)(a)(1)(j))
- (4) Three (3) representatives from county and state jobs programs and other community groups who work with offenders and victims, appointed by the Chairperson of the Board of County Commissioners, to 4-year terms, per Florida Statute 951.26 (1)(a)(1)(k)
- (5) Four (4) community representative members, which should represent the County's diversity

(c) Ex-Officio Members.

The Council may designate three (3) former chairpersons who have served in a distinguished fashion and who will continue to be Ex-Officio, non-voting, Council members. This action will require a majority vote of a quorum of members in attendance at a meeting of the Council.

- (1) **Resignation and Vacancy.** In cases of resignation, death, prolonged illness, or excessive absenteeism of Non-Institutional Members, the position shall be deemed vacant and the Chairperson shall appoint a new member meeting the criteria of the same category to serve for the remaining portion of the original member's term. Excessive absenteeism is defined as unexcused absences from three (3) or more meetings during the fiscal year.
- (2) **Term of Office.** Each member serving as a Community Representative or Ex-Officio Member shall be appointed for a four (4) year term and may be re-appointed at the end of their four-year term. Institutional Members shall serve as long as they are in their position under which they qualified for membership. Upon leaving their position, they shall relinquish their Council membership. This paragraph will apply prospectively, as well as to persons currently in office as of the effective date of this ordinance, upon the expiration of the term they are currently serving.
- (3) **Participation in Meetings.** A Council member, or his or her designee where permitted as authorized herein, must be present to be counted as part of the quorum to record his or her vote or to present a motion(s); provided, however, that Council members, when unable to attend, may present signed and dated,

written communications which shall be distributed or read to Council members by Council staff at a duly called and properly noticed meeting. Council members shall not discuss or respond orally or in writing to such one-way written communications with each other outside of a meeting, complying with Sunshine Law requirements. A motion or motions may be made by other members concerning the contents of such communications at a Sunshine Meeting of the Council where a quorum is present.

- (4) **Designees.** An Institutional Council member may designate a designee with the right to vote at full Council meetings or Committee meetings but not at Executive Committee or Public Safety Coordinating Council Committee meetings, except as designees may be expressly referenced and permitted under section 951.26, Florida Statutes.

A Community Representative Member may designate a designee to vote at committee meetings, but not at full Council meetings, Executive Committee, or Public Safety Coordinating Council Committee meetings, except as designees may be expressly referenced and permitted under section 951.26, Florida Statutes. All designations shall be made in writing to Council staff prior to the Council or committee meeting.

- (5) **Guests.** Non-Council members serving as representatives of, or accompanying Council members at any regular, special, or committee meetings(s), may participate in the general discussion under announced agenda items if recognized by the Chairperson, but may not vote on Council business unless he or she is a designated designee participating in a meeting as described above. Presentations

by public or private individuals or entities may be heard at Council meetings if approved by the Chairperson for placement on the agenda by Council staff. No presentations shall be approved without the written request of the presenter no less than ten (10) days in advance of any meeting, unless approved by the Chairperson.

- (6) **Disruption.** As may be permitted by applicable law, anyone disrupting the conduct of a meeting to the point where it may reasonably be determined that such person is impeding the orderly conduct of the meeting shall, at the discretion of the Chairperson, be removed from the place of the meeting.
- (7) **Expenses.** Council members shall not be entitled to reimbursement and shall serve without any compensation.
- (8) **Attendance Requirement.** Each Council member should attend all scheduled meetings. Upon three (3) consecutive absences of a Community Representative member from regularly scheduled Council meetings without good cause, the Chairperson shall remove the person from membership:

In the case of Institutional Members who serve statutorily required positions on the Public Safety Coordinating Council Committee, where section 951.26, Florida Statutes, expressly permits, another designee may be substituted to serve on the Public Safety Coordinating Council Committee and the Council. All members, or designees, as authorized, must attend at least two (2) Council meetings per year.

Section 4. Organization.

- (a) The Council shall establish, adopt, and amend bylaws for its own governance.
- (b) **Officers.** Members of the Council shall elect one (1) of its members as

chairperson, one (1) of its members as vice-chairperson, and any such other officers as the Council determines to be necessary and appropriate. Notwithstanding any provision herein, the Chairperson and Vice-Chairperson in office at the time this ordinance becomes effective shall complete their term as Chairperson and Vice-Chairperson and may be elected for successive terms, subject to compliance with the provisions of this ordinance and any applicable provisions of the bylaws.

- (c) **Meetings.** The Council shall convene at least four regular meetings per year.
- (d) **Quorum.** In order to transact business, a quorum shall consist of a majority of those persons duly appointed to the board, provided that at least one-half (1/2) of the full Council membership has been appointed. If the persons appointed to the board do not constitute at least one-half (1/2) of the full Council membership, the Chairperson shall take all necessary steps to fill, or cause vacancies to the Council to be filled, in accordance with the provisions of this ordinance.
- (e) **Special or Emergency Meeting.** Special Meetings of the Council may be called by the Chairperson, or upon the written request of three (3) or more Council members made to Council staff, or upon the request of Council staff.
- (f) **Committees.** The Chairperson, independently or upon recommendation of the Council, shall establish committees to assist in accomplishing its tasks and shall appoint members thereto and a Chairperson and Vice-Chairperson of committees established, except for the Public Safety Coordinating Council Committee. Only Council members may be appointed to serve as Chairperson or Vice-Chairperson of committees. The Chairperson shall be a voting member of all Committees.

Results of all committee action(s) will be made known to all Council members at the next scheduled full Council meeting. The following committees shall be established:

(1) Executive Committee. The Dade-Miami Criminal Justice Council shall have an Executive Committee that will be comprised of the Council Chairperson, the Council Vice-Chairperson, and the Chairpersons of the Council's Standing Committees. The Executive Committee shall act on behalf of the Council between meetings on any urgent matters which would normally come before the Council for a decision.

No designees may be authorized to vote at an Executive Committee meeting, except as otherwise permitted under this ordinance. The Executive Committee shall be entitled to propose changes to the bylaws as needed.

(2) Public Safety Coordinating Council Committee. The Council shall have a Public Safety Coordinating Council Committee, which shall carry out duties required by Florida Statute Section 951.26. The members of the committee shall be members of the Council that meet the requirements of Florida Statute Section 951.26, as may be amended. This committee's actions shall be independent from, and shall not be subject to modifications by the Council. The Public Safety Coordinating Council Committee shall act in accordance with Florida Statute Section 951.26 and shall be comprised of members as stated therein.

The Committee shall meet at the call of the Chairperson for the purpose of

assessing the population status of all detention or correctional facilities owned or contracted by the county, and will formulate recommendations to ensure that the capacities of such facilities are not exceeded. Such recommendations shall include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by the county. Results of Public Safety Coordinating Council Committee action will be made known to all Council members at the next scheduled full Council meeting.

Pursuant to section 951.26, Florida Statutes, the Chairperson of the Board of County Commissioners, or another County Commissioner as designee, shall serve as the chairperson of the Public Safety Coordinating Council Committee until the Public Safety Coordinating Council Committee elects a committee chairperson from the committee's membership.

(3) Legislative and Policy Committee. The Legislative and Policy Committee shall develop a comprehensive approach for the prevention of serious and violent crime through legislative strategies that fill the gaps in the continuum of practices that impact the community. This committee shall review and analyze proposed and current federal, state, and local legislation, and provide recommendations to the Council on legislative development.

(4) Juvenile Justice and Prevention Committee. The Juvenile Justice and Prevention Committee shall strengthen the continuum of care for youth at risk of criminal behavior and for young offenders at all stages of involvement in the

juvenile and criminal justice systems through the replication and adaptation of proven initiatives that incorporate research, practical experience, and broad-based community partnerships.

(5) **Nominating Committee.** The Nominating Committee shall be comprised of Institutional Members. The Nominating committee shall identify, review, and make recommendations to the Council for candidates to fill Community Representative vacancies on the Council.

(6) **Mental Health Diversion Committee.** The Mental Health Diversion Committee shall review the current mental health and jail system/processes and shall make recommendations for system improvements to more effectively divert, treat and monitor persons with mental illness who become involved in the criminal justice system.

(7) **Ad Hoc Committees.** The Council Chairperson may appoint an "ad hoc" Committee for special purposes.

(h) **Public Meetings.** All meetings of the Council and its committees shall take place in accordance with applicable Sunshine law requirements. The Council shall supply copies of the notice of its regular meetings, special, rescheduled and reconvened meetings to any media that have filed a request for such notice.

(i) **Staff Support.** The Council shall have assistance as designated by Miami-Dade County.

Section 5. Appointment of Council Staff.

The County Mayor or the Mayor's designee will assign staff to support the work of the Council and its committees as follows:

- (a) Providing minutes of all meetings;
- (b) Preparing the meeting agendas, in coordination with the Chairperson and/or Committee Chairperson(s);
- (c) Providing for the notification of all meetings and for the public notices of such meetings;
- (d) Arranging meeting locations and materials for distribution;
- (e) Preparing and distributing materials of an informative nature to each member;
- (f) Giving a staff report on relevant activities; and
- (g) Act as the research and clerical arm of the Council and committees, subject to limitation of available resources from Miami-Dade County.

Section 6. Conflict of Interest.

Council members and designees shall abide by the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, codified at Section 2-11.1 of the Miami-Dade County Code, as may be amended from time to time.

Section 7. Applicability of State and County Laws

The Council shall be regulated by the Standards for Creation and Review of Boards Generally Ordinance (Sections 2-11.36 et. seq. of the Code of Miami-Dade County), Chapter 286 of the Florida Statutes (the "Sunshine Law") and Chapter 119 of the Florida Statutes (the "Public Records Law"). Notwithstanding any provision of Section 2-11.36 et. seq., or any other ordinance, no Institutional member or Institutional member's designee shall be required to be a Miami-Dade County resident. Members of the Council, or their designees, may sit on no more than two County advisory boards, unless otherwise required or permitted by law.

Section 8. Parliamentary Authority

Methods of organization and conduct of business shall be governed by Robert's Rules of Order (Newly Revised).

Section 9. Severability

If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 10.

It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 11.

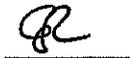
This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: February 4, 2014

Approved by County Attorney as
to form and legal sufficiency:



Reviewed by:



Cynthia Johnson-Stacks
Estephanie Resnik

The 2011 Florida Statutes

Title XLVII
CRIMINAL PROCEDURE AND
CORRECTIONS

Chapter 951
COUNTY AND MUNICIPAL
PRISONERS

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951.26 Public safety coordinating councils.—

(1) Each board of county commissioners shall establish a county public safety coordinating council for the county or shall join with a consortium of one or more other counties to establish a public safety coordinating council for the geographic area represented by the member counties.

(a)1. The public safety coordinating council for a county shall consist of:

- a. The state attorney, or an assistant state attorney designated by the state attorney.
- b. The public defender, or an assistant public defender designated by the public defender.
- c. The chief circuit judge, or another circuit judge designated by the chief circuit judge.
- d. The chief county judge, or another county judge designated by the chief county judge.
- e. The chief correctional officer.
- f. The sheriff, or a member designated by the sheriff, if the sheriff is not the chief correctional officer.
- g. The state probation circuit administrator, or a member designated by the state probation circuit administrator, to be appointed to a 4-year term.
- h. The chairperson of the board of county commissioners, or another county commissioner as designee.
- i. If the county has such program available, the director of any county probation or pretrial intervention program, to be appointed to a 4-year term.
- j. The director of a local substance abuse treatment program, or a member designated by the director, to be appointed to a 4-year term.
- k. Representatives from county and state jobs programs and other community groups who work with offenders and victims, appointed by the chairperson of the board of county commissioners to 4-year terms.

2. The chairperson of the board of county commissioners, or another county commissioner as designee, shall serve as the chairperson of the council until the council elects a chairperson from the membership of the council.

(b)1. The public safety coordinating council for a consortium of two or more counties shall consist of the following members, appointed with the approval of each board of county commissioners within the consortium:

- a. A chief circuit judge, or a circuit judge designated by a chief circuit judge.
- b. A chief county judge, or a county judge designated by a chief county judge.

- c. A state attorney, or an assistant state attorney designated by a state attorney.
 - d. A public defender, or an assistant public defender designated by a public defender.
 - e. A state probation circuit administrator, or a member designated by a state probation circuit administrator, to be appointed to a 4-year term.
 - f. A physician who practices in the area of alcohol and substance abuse, to be appointed to a 4-year term.
 - g. A mental health professional who practices in the area of alcohol and substance abuse, to be appointed to a 4-year term.
 - h. A sheriff or a jail administrator for a county within the consortium.
 - i. A chief of police for a municipality within the geographic area of the consortium.
 - j. A county commissioner from each member county of the consortium.
 - k. An elected member of the governing body of the most populous municipality within the geographic area of the consortium.
 - l. An elected member of a school board within the geographic area of the consortium.
2. The members of the public safety coordinating council shall elect a chairperson from among its members.

(2) The council shall meet at the call of the chairperson for the purpose of assessing the population status of all detention or correctional facilities owned or contracted by the county, or the county consortium, and formulating recommendations to ensure that the capacities of such facilities are not exceeded. Such recommendations shall include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by the county, or the county consortium.

(3)(a) The council may also develop a local public safety plan for future construction needs. The plan must cover at least a 5-year period. The plan may be submitted for consideration to the local planning agency for the county, or the planning agency for each county within the consortium, at least 120 days before the adoption of or amendment to the comprehensive plan for the county by the local planning agency pursuant to part II of chapter 163.

(b) Each county, or county consortium, that contracts to receive community corrections funds for its community corrections programs under s. 948.51 shall require the public safety coordinating council to develop a comprehensive public safety plan as described therein which includes the future public safety construction needs as described in paragraph (a).

(4) The council may also develop a comprehensive local reentry plan that is designed to assist offenders released from incarceration to successfully reenter the community. The plan should cover at least a 5-year period. In developing the plan, the council shall coordinate with public safety officials and local community organizations who can provide offenders with reentry services,

such as assistance with housing, health care, education, substance abuse treatment, and employment.

(5) All meetings of a public safety coordinating council, as well as its records, books, documents, and papers, are open and available to the public in accordance with ss. 119.07 and 286.011.

History.—s. 2, ch. 87-340; s. 90, ch. 88-122; s. 16, ch. 91-225; s. 35, ch. 92-310; s. 7, ch. 93-204; s. 44, ch. 95-283; s. 32, ch. 96-312; s. 1881, ch. 97-102; s. 22, ch. 2010-64.