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

MEMORANDUM

Agenda Item No. 5(C)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	September 16, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution approving significant modification of Building Better Communities General Obligation Bond (BBC GOB) Program Project No. 194 - "Construct a New Detention Center" and addition of Project No. 347 – "Retrofit of Housing Units at Turner Guilford Knight Correctional Center" Resolution No. R-795-14

The accompanying resolution was prepared by the Corrections and Rehabilitation Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman, and Co-Sponsors Commissioner Esteban L. Bovo, Jr. and Commissioner Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: September 16, 2014

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Approving Significant Modification to Building Better Communities General Obligation Bond Project No. 194 and Addition of New Project No. 347 for Miami-Dade Corrections and Rehabilitation Department

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Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution, which does the following:

- Approves a significant modification to the Building Better Communities General Obligation Bond (BBC GOB) Program Project No. 194 – *Construct a New Detention Center*" to reduce BBC GOB funds allocated to the project.
- Waives provisions of Implementing Order 3-47 requiring completion of all existing BBC GOB Program projects or identification of funding for completion of all existing BBC GOB Program projects prior to adding a new project to the BBC GOB Program using Project No. 194 funds.
- Reallocates $2,500,000 of surplus BBC GOB Program funds from Project No. 194 to new BBC GOB Program Project No. 347 – "Retrofit of Housing Units at Turner Guilford Knight Correctional Center".

Scope

BBC GOB Project No. 194 is located in Commission District 11, which is represented by Commissioner Juan C. Zapata. New Project No. 347 is located in Commission District 12 which is represented by Commissioner Jose "Pepe" Diaz. These projects have a countywide scope.

Fiscal Impact/Funding Source

The item reallocates $2,500,000 from Project No. 194 (two (2) percent of its original allocation) to New Project No. 347.

Track Record/Monitor

Miami-Dade Corrections and Rehabilitation Department (MDCR) will implement the project and the Office of Management and Budget will monitor the project.

Delegation of Authority

There is no additional delegation of authority related to this item.

Background

On April 17, 2013, the Board of County Commissioners approved a Consent Agreement with the United States Department of Justice (DOJ), which requires Miami-Dade County (County) and the Public Health Trust to remedy certain operational deficiencies in the County jail system. The Consent Agreement specifically addresses issues related to inmate medical and mental healthcare and the environment in which care is rendered. The Consent Agreement Provision C.5. *Mental Health Care Housing*, stipulates (d). *County shall provide quarterly reports to the Monitor and the United States regarding its status in developing the Mental Health Treatment Center. The Mental Health Treatment Center will commence operations by the end of 2014. Once opened, County shall conduct and report to the United States and the Monitor quarterly reviews of the capacity of the Mental Health Treatment Center as compared to the need for beds. The Parties will work together and with any appropriate non-Parties to expand the capacity to provide mental health care to inmates, if needed.*

The original plan was to collaborate with the Eleventh Judicial Circuit to renovate the existing South Florida Evaluation and Treatment Center and create a new Mental Health Diversion Facility that would serve as both a diversion and detention facility (BBC GOB Program - Project No. 193). It has since been determined that the capacity of the building and the current allocation of $22.1 million for this facility would not accommodate the needs of both the County and the Courts and an alternative solution was required to comply with the provision.

A complete review of all County correctional facilities was conducted and the Turner Guilford Knight Correctional Center was identified as the best alternative due to its location, size, and facility design. Reasonable modifications are needed to convert six housing units to provide a more therapeutic and humane environment required for this special population. The project timeline includes completion of two units by December 2014 which would allow for the transfer of all Level 1 mental health inmates currently housed in the Pre-Trial Detention Center. The remaining four units, to be completed by the end of 2015, would accommodate all Level 2 and Level 3 mental health inmates. The estimated cost per unit is $417,000, for a total project cost of approximately $2,500,000. Approval is sought from the Board to reallocate $2,500,000 of BBC GOB funds from the Krome Detention Center (Krome) project to fund the more urgent need of retrofitting housing units at Turner Guilford Knight Correctional Center to ensure compliance with the Consent Agreement. On April 29, 2014, the GOB BBC Citizens Advisory Committee approved Project 347 – "Retrofit of Housing Units at Turner Guilford Knight Correctional Center".

The original plan for the Krome facility included the construction of a new detention center with 2,000 jail beds and support facilities to be located on county-owned land, with an allocation of $90,000,000. Because a facility of that size is estimated to cost more than three times the amount currently available, recent efforts have been made to identify an appropriate use of the existing funds, which includes, among other considerations, a scaled back version of the original project. The reduction of $2,500,000 is not expected to have an impact on these efforts. By addressing the special needs of incarcerated individuals with mental illness, this project meets the criteria set forth in Implementing Order 3-47, which governs the Boards evaluation of new project funding. In particular, this project will have a positive impact on the healthcare of the population of the County and the safety of a particular facility or area.

Genaro 'Chip' Iglesias
Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: September 16, 2014

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

SUBJECT: Agenda Item No. 5(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
Veto _____
Override _____

Agenda Item No. 5(C)
9-16-14

RESOLUTION NO. R-795-14

RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (BBC GOB) PROGRAM PROJECT NO. 194 – "CONSTRUCT A NEW DETENTION CENTER" TO REDUCE ALLOCATION BY $2,500,000, AND ADDITION OF PROJECT NO. 347 – "RETROFIT OF HOUSING UNITS AT TURNER GUILFORD KNIGHT CORRECTIONAL CENTER," TO BE FUNDED WITH $2,500,000 OF SURPLUS FUNDS FROM PROJECT NO. 194, TO, APPENDIX A TO RESOLUTION NO. R-915-04, ALL AFTER A PUBLIC HEARING; WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS TO BBC GOB PROGRAM USING SURPLUS FUNDS

WHEREAS, pursuant to Resolution No. R-915-04 (the "Public Safety Resolution"), the voters of Miami-Dade County approved the issuance of general obligation bonds in a principal amount not to exceed $341,087,000 as part of the Building Better Communities General Obligation Bond Program (the "Bond Program") to promote public safety by constructing and improving detention centers, courthouses, police, fire and lifeguard stations, and new animal care and control facilities; and

WHEREAS, Appendix A to the Public Safety Facilities Resolution lists projects eligible for funding by project number, municipal project location, Board of County Commissioners (Board) district, project name, project description, street address, and project funding allocation; and

WHEREAS, one of the projects listed in Appendix A to the Public Safety Resolution is BBC GOB Program Project No. 194 - "Construct a New Detention Center" with an original allocation of $90,000,000; and

WHEREAS, On April 17, 2013, the Board of County Commissioners approved a Consent Agreement with the United States Department of Justice (DOJ), which requires the County and the Public Health Trust to remedy certain operational deficiencies in the County jail system; and

WHEREAS, Provision C.5 of the agreement, titled Mental Health Care Housing, requires the Miami-Dade Corrections and Rehabilitation Department (MDCR) to commence operations at a Mental Health Treatment Center by December 2014; and

WHEREAS, the original plan was to collaborate with the Eleventh Judicial Circuit to renovate the existing South Florida Evaluation and Treatment Center and create a new Mental Health Diversion Facility that would serve as both a diversion and detention facility (BBC GOB Program Project No. 193) with a current allocation of $22,100,000; and

WHEREAS, it has since been determined that the current allocation for this facility would not accommodate the needs of both the County and the Courts and an alternative solution is required to comply with the provision; and

WHEREAS, a complete review of all County correctional facilities was conducted and the Turner Guilford Knight Correctional Center (TGK) has been identified as the best alternative due to its location, size, and facility design; and

WHEREAS, reasonable modifications are needed to convert six housing units to provide a more therapeutic and humane environment required for this special population. The project timeline includes completion of two units by the December 2014 deadline; and

WHEREAS, it would be in the best interests of the County to allocate the $2,500,000 of funds from Project No. 194 to retrofit existing housing units at the TGK; and

WHEREAS, this Board wishes to approve a significant modification of BBC GOB Project No. 194- "Construct a New Detention Center" in Appendix A to the Public Safety Facilities Resolution to reduce the allocation from $90,000,000 to $87,500,000; and

WHEREAS, this Board further desires to allocate the $2,500,000 of funds from Project No. 194 to a new project to be added to Appendix A to the Public Safety Facilities Resolution as Project No. 347 with a project name of "Retrofit of Housing Units at Turner Guilford Knight Correctional Center" with a municipal project location in UMSA, in Commission District 12, a street address of "7000 NW 41 Street", and a project description as follows: "Retrofit housing units at the Turner Guilford Knight Correctional Center to provide suitable housing that will include clinical, psychological, and security modifications to safely and humanely meet the needs of our mental health population."; and

WHEREAS, in accordance with Implementing Order (IO) 3-47, the $2,500,000 from Project No. 194 are deemed "surplus funds"; and

WHEREAS, IO 3-47 sets forth a process for the allocation of surplus funds to existing and new Bond Program projects; and

WHEREAS, in order to add the "Retrofit of Housing Units at Turner Guilford Knight Correctional Center" as a new project to Appendix A of the Public Safety Facilities Resolution, this Board wishes to waive the requirements of IO 3-47 regarding the addition of new projects to the Bond Program; and

WHEREAS, this item was presented to the BBC-GOB Citizens' Advisory Committee ("CAC") on April 29, 2014 and received a favorable recommendation,

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

Section 1. All of the foregoing recital clauses are incorporated herein by referenced and adopted by this Board.

Section 2. This Board, after a public hearing, hereby approves a significant modification of BBC GOB Program Project No. 194 – "Construct a New Detention Center" from Appendix A to the Public Safety Facilities Resolution in order to reduce its allocation from $90,000,000 to $87,500,000.

Section 3. This Board hereby waives the requirements of IO 3-47 regarding the addition of new projects to the BBC GOB Program using surplus funds, including the requirement that surplus funds may fund new projects only after all projects have been completed or necessary funding for completion of all projects has been identified to the satisfaction of the Board, and approves the addition of BBC GOB Program Project No. 347 to Appendix A to the Public Safety Facilities Resolution. Project No. 347 shall have a project name of "Retrofit of Housing Units at Turner Guilford Knight Correctional Center", a municipal project location of UMSA, in Commission District 12, a street address of "7000 NW 41 Street", and a project description as follows: "Retrofit housing units at the Turner Guilford Knight Correctional Center to provide suitable housing that will include clinical, psychological, and security modifications to safely and humanely meet the needs of our mental health population."

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

Rebeca Sosa, Chairwoman			**aye**
Lynda Bell, Vice Chair			**absent**
Bruno A. Barreiro	**nay**	Esteban L. Bovo, Jr.	**aye**
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	**absent**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of September, 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.

Monica Rizo