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

MEMORANDUM

Agenda Item No. 11(A)(22)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 1, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to establish the Domestic Violence Education Trust Fund ("Trust Fund") for the sole purpose of receiving private sector, tax deductible donations in support of a County program to educate children about domestic violence; authorizing the County Mayor to determine to what extent, if any, the County will directly administer the Program, to opt to select grantees to receive grants of trust fund monies for the public purpose of educating children about domestic violence, and to develop, negotiate and execute grant agreements with Grantees

Resolution No. R-1118-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

Abigail Price-Williams
County Attorney

APW/smm

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MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
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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**

_____ **Statement of social equity 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)(22)
12-1-15

RESOLUTION NO. R-1118-15

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH THE DOMESTIC VIOLENCE EDUCATION TRUST FUND ("TRUST FUND") FOR THE SOLE PURPOSE OF RECEIVING PRIVATE SECTOR, TAX DEDUCTIBLE DONATIONS IN SUPPORT OF A COUNTY PROGRAM TO EDUCATE CHILDREN ABOUT DOMESTIC VIOLENCE; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DETERMINE TO WHAT EXTENT, IF ANY, THE COUNTY WILL DIRECTLY ADMINISTER THE PROGRAM, TO OPT TO SELECT GRANTEES TO RECEIVE GRANTS OF TRUST FUND MONIES FOR THE PUBLIC PURPOSE OF EDUCATING CHILDREN ABOUT DOMESTIC VIOLENCE, AND TO DEVELOP, NEGOTIATE AND EXECUTE GRANT AGREEMENTS WITH GRANTEES; WAIVING THE COMPETITIVE BIDDING REQUIREMENTS OF IMPLEMENTING ORDER 3-38 FOR PURCHASES FROM THE TRUST FUND; FINDING IT IN THE BEST INTEREST OF THE COUNTY TO WAIVE THE REQUIREMENTS OF RESOLUTION NO. R-130-06; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REPORT ANNUALLY BACK TO THIS BOARD AS TO EXPENDITURES FROM THE TRUST FUND

WHEREAS, domestic violence is a pattern of controlling behaviors – violence or threats of violence – that one person uses to establish power over a current or former spouse, intimate partner or family or household member in order to control that person's actions and activities; and

WHEREAS, domestic violence may include threats, physical violence, sexual assault, stalking, kidnapping and many other types of unwanted behavior or any criminal offense resulting in physical injury or death; and

WHEREAS, domestic violence can happen to anyone, regardless of age, religion, or social, economic, ethnic or educational background. It happens to men, women, elderly and children; and

WHEREAS, domestic violence is a vicious and pervasive social problem, destabilizing families and threatening every sector of the community; and

WHEREAS, according to the National Coalition Against Domestic Violence, a woman is assaulted or beaten every nine seconds in the United States; and

WHEREAS, one-third of women and one-fourth of men will encounter some form of physical violence from an intimate partner within their lifetimes; and

WHEREAS, only 34 percent of victims hurt by their intimate partners receive medical care for their wounds; and

WHEREAS, one in 15 children are exposed to domestic violence each year; and

WHEREAS, many children who witness domestic violence at home suffer silently because the abuse remains a family secret; and

WHEREAS, fears of reprisal, escalated violence, financial ruin, deportation, and other factors make it difficult for many victims of domestic violence to report crimes committed against them; and

WHEREAS, *El Nuevo Herald* recently ran a local series on domestic violence, reporting Miami-Dade County leads the state with 9,811 cases of domestic violence reported in 2014; and

WHEREAS, children exposed to domestic violence at home are at risk of post-traumatic stress, depression, and anxiety, as well as low self-esteem, and poor school performance; and

WHEREAS, children who see domestic violence at home may grow up to become domestic violence aggressors themselves; and

WHEREAS, education is crucial to encouraging children to report domestic violence and to breaking deep-rooted patterns and cycles of abuse; and

WHEREAS, this Board desires to launch a program to educate children in the classroom from an early age about domestic violence, including how to identify domestic violence triggers, control violent impulses, and recognize and report signs of abuse; and

WHEREAS, this Board desires to establish a Domestic Violence Education Trust Fund (the "Trust Fund") to fund the program,

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

Section 1. Directs the County Mayor or County Mayor's designee to establish the Trust Fund to be administered by the County Mayor or County Mayor's designee in accordance with this resolution and the County's investment policies for the sole purpose of receiving private sector, tax deductible donations in support of a County program to educate children about domestic violence (the "Program"). Any deposits, including interest earned on such deposits, to the Trust Fund shall be used for the public purpose of educating children about domestic violence, on topics including but not limited to preventing domestic violence, reporting domestic violence and dealing with the repercussions of domestic violence.

Section 2. Authorizes the County Mayor or County Mayor's designee to expend funds from the Trust Fund and waives the competitive bidding requirements of Implementing Order 3-38 for expenditures of funds from the Trust Fund.

Section 3. Authorizes the County Mayor or County Mayor's designee to determine to what extent, if any, the County will directly administer the Program and authorizes the County Mayor or County Mayor's designee (a) to opt to select grantees or public entities ("Grantees") to receive grants of Trust Fund monies for the public purpose of educating children about domestic violence, and (b) to develop, negotiate and execute grant agreements with Grantees.

Section 4. Waives the requirements of Resolution No. R-130-06 in connection with the negotiation and execution of any contracts necessary to make expenditures from the Trust Fund, and finds it in the best interests of the County to do so for the public purpose of educating children about domestic violence.

Section 5. Directs the County Mayor or County Mayor's designee to report annually to this Board as to expenditures from the Trust Fund, and to place the first such completed report on an agenda of this Board pursuant to Ordinance No. 14-65 within 365 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **absent**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of December, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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. CJS for ER

Estephanie S. Resnik