

MEMORANDUM

Amended
Agenda Item No. 11(A)(1)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: December 18, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County
Mayor to review the need for
a new detention facility and
bring a recommendation to the
Board regarding whether the
construction of a new detention
facility should be a P3
Qualifying Project

Resolution No. R-1295-18

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor
Chairman Esteban L. Bovo, Jr.


Abigail Price-Williams
County Attorney

APW/smm

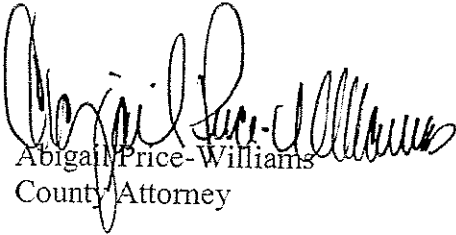


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: December 18, 2018

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Amended
Agenda Item No. 11(A)(11)

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 _____

Amended
Agenda Item No. 11(A)(11)
12-18-18

RESOLUTION NO. R-1295-18

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REVIEW THE NEED FOR A NEW DETENTION FACILITY AND BRING A RECOMMENDATION TO THE BOARD REGARDING WHETHER THE CONSTRUCTION OF A NEW DETENTION FACILITY SHOULD BE A P3 QUALIFYING PROJECT

WHEREAS, the Miami-Dade Corrections and Rehabilitation Department ("MDCR") operates the eighth largest jail system in the United States housing between 4,300 to 4,500 persons daily in four detention facilities; and

WHEREAS, the Miami-Dade County Pre-Trial Detention Center, located at 1321 NW 13th Street Miami, Florida 33125 ("Pre-Trial Detention Center") is a 1,712-bed booking and detention facility, which processes and houses all classifications of inmates ranging from traffic offenders to capital offenders; and

WHEREAS, the Pre-Trial Detention Center opened on March 25, 1961, as part of a criminal justice facility and has since served as an integral facility of the MDCR; and

WHEREAS, due to the Pre-Trial Detention Center's age, conditions, and growing demand for detention facilities, the Pre-Trial Detention Center should be replaced with a new more efficient jail facility to meet the County's need; and

WHEREAS, the Miami-Dade Corrections and Rehabilitation Department also manages other aging facilities such as the Turner, Guilford, Knight Correctional Center, a medium security facility built in 1989 to house adult male inmates, and the Metro West Detention Center constructed in the early 1990s to house Miami-Dade County inmates; and

WHEREAS, a review of the Turner, Guilford, Knight Correctional Center and the Metro West Detention Center may provide additional savings that may be used for construction of a new facility; and

WHEREAS, a larger more efficient detention facility would allow for savings in operations and maintenance costs that can be used to fund future availability payments for new construction; and

WHEREAS, pursuant to Resolution No. R-915-04, the voters of Miami-Dade County approved the issuance of general obligation bonds for construction of new public safety facilities, which included Project No. 194 - "Construct a New Detention Center"; and

WHEREAS, on December 5, 2017 this Board adopted Ordinance No. 17-94 establishing procedures for the solicitation of public private partnerships to design, build, finance, operate, and/or maintain needed County facilities; and

WHEREAS, construction of a new detention facility as specified in Project No. 194 provides the County with an opportunity to institute heightened standards of living and security for both, inmates and County employees who will continue to work in the facilities; and

WHEREAS, the County and MDCR may refer to a recent Request for Qualifications ("RFQ") issued by the State of Kansas for the construction of a new detention center, where it specified baseline standards and requirements associated with the development of a new correctional facility, including a maintenance option, and lease purchase option where, in this case, MDCR, would purchase the facility at the end of the lease; and

WHEREAS, as regularly required by the County and MDCR, the facility is to be leased, occupied, and operated by MDCR, for use as a facility housing maximum, medium, and minimum-security inmates at all times during the lease; and

WHEREAS, this Board believes specifications and stipulations such as those expressed in the Kansas RFQ are consistent with the County's needs in implementing its required standards, such as revenue neutral solutions; modern, efficient designs: private sector design, financing, construction, and maintenance of a new facility; and a leaseback with the option to purchase the facility, with MDCR management operations; and

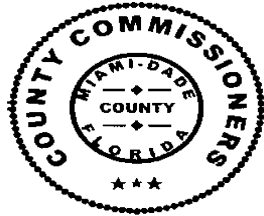
WHEREAS, this Board desires that the County Mayor or County Mayor's designee initiate the public private partnership process set forth in Ordinance No. 17-94 to design, build, finance, and/or maintain, but not operate, a new more efficient detention facility,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or County Mayor's designee shall, within 60 days of the effective date of this Resolution, review the Corrections and Rehabilitation facilities system, the current and future needs of the MDCR, and the financial capacity of the County to determine how to best execute construction of a new more efficient detention facility that meets the County's current and future needs, and the County Mayor or County Mayor's designee shall bring an authorizing resolution to this Board, if appropriate, recommending that the construction of a new detention facility be treated as a P3 Qualifying Project in accordance with the provisions of Ordinance No. 17-94 and take any other such actions as may further be directed by the Board.

The Prime Sponsor of the foregoing resolution is Chairman Esteban L. Bovo, Jr. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	aye		
Audrey M. Edmonson, Vice Chairwoman	aye		
Daniella Levine Cava	nay	Jose "Pepe" Diaz	aye
Sally A. Heyman	aye	Eileen Higgins	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of December, 2018. 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

Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Oren Rosenthal