

**MIAMI-DADE COUNTY INDEPENDENT CIVILIAN PANEL
MEETING MINUTES**

TUESDAY, MARCH 29, 6 PM TO 8 PM

STEPHEN P. CLARK CENTER

111 NW 1ST STREET, COUNTY COMMISSION CHAMBERS, SECOND FLOOR

MIAMI, FL 33128 - (305) 375-1799

I. Welcome and introductions

Members in Attendance:

Loreal Arscott

Ruben Paillere

Eddie Dominguez

Jeanette Slesnick

Sen. Oscar Braynon, II

Joshua Jones

Raymond Melcon

Luis Fernandez

Clemente Vera

Members excused:

Josaphat Celestin

Pam Perry

Pedro Mora

Staff Members in Attendance:

Laura Morilla, Director, Office of Community Advocacy

Monica Skoko Rodriguez

Griselle Marino

De Aundre Slater

Shannon Summerset-Williams, Assistant County Attorney

Via Zoom:

Pam Perry (ICP member watching via Zoom)

Nicolle Barton

Called to order at 6:15 PM by Chair Arscott.

II. Reasonable opportunity for the public to be heard – two minutes per person

Vice Chair Perry spoke as a member of the public and explained that she attended a meeting the prior week with the MDPD Director regarding an apparent physically rough arrest. She also said that the MDPD Interim Director was supportive of the ICP. In her capacity as Outreach Chair, she stated that she shared a spreadsheet with Laura of outside organizations to do community outreach. She also spoke regarding how to get the ICP into the County Charter.

III. Presentation by Oren Rosenthal, Assistant County Attorney, regarding the ICP and the Miami-Dade County Charter

Mr. Rosenthal provided history regarding the Home Rule Amendment (1956) and Home Rule Charter. This gave Miami-Dade County direct powers to control certain home-rule affairs, separate from the State legislature. The Office of the Sheriff was abolished in 1958. In 1963, voters moved back to an elected Sheriff and in 1966 abolished the Office of Sheriff once more and the duties and functions were performed, through delegation by the Mayor, to a municipal police force. Then, in 2018, Florida voters approved a constitutional amendment to re-impose an elected Sheriff in Miami-Dade County starting with the 2024 election. This amendment no longer allows for the Office of the Sheriff to be abolished/delegated to another office (along with several other offices). The ICP has purview over the functions related to police services provided by the County. After 2025, the ICP will only have purview over the functions still controlled by the County, but not included in that purview is those under the Sheriff's Office. The Sheriff has concurrent jurisdiction to enact police duties in both incorporated and unincorporated areas of Miami-Dade.

Mr. Rosenthal spoke regarding the process of charter amendments. In Miami-Dade County, charter amendments can be proposed via resolution by the County Commissioners and placed on the ballot or can be placed on the ballot by the Supervisor of Elections after a sufficient number of petitions collected by independent parties or groups. Ballot amendments can only be held on general election ballots (November of even-numbered years). A charter amendment requires 50% plus one votes. Charter amendments can technically include information regarding funding, but not regarding taxing, as that is the purview of the County Commissioners.

Mr. Rosenthal's opinion is that the ICP could have increased authority over the Sheriff if the Sheriff's Office agrees but otherwise it may be difficult.

A ballot amendment language would likely need to be provided to the County Supervisor of Elections in June or July by the latest for the election in November 2022.

Regarding the issue of outside counsel, there is a provision that says the County Commissioners can employ outside counsel for certain circumstances, particularly regarding conflicts with the County Attorney or if there is a discrete need for such outside counsel, and could only be done via resolution by the County Commissioners. Mr. Rosenthal stated that there may be conflicts for the County Attorney as a representative of the ICP and of the police department but that the County Attorney's office deals with this often by separating counsel within the Office of the County Attorney.

IV. Approval of agenda

Eddie Dominguez moved to approve the agenda and Senator Braynon seconded the motion. The motion passed and the agenda was approved.

V. Approval of minutes of meetings of 02/16/22

Joshua Jones moved to approve the minutes of the meeting of 02/16/22 and Senator Braynon seconded the motion. The motion passed and the minutes were approved.

VI. Chair's report

Chair Arscott reported on the status of hiring the Executive Director of the ICP. She reported that the County Commissioners approved the hiring of Nicolle Barton at the County Commission meeting of 03/15/22. Now Ms. Barton and the County's HR Department are in the process of negotiating her compensation, and the compensation package needs to be approved at an upcoming County Commission meeting. Chair Arscott also stated that she looked at potential office space for the ICP in the Miami-Dade County Courthouse.

VII. Committee reports

A. Executive Director Screening Committee – Joshua Jones, Chair. No report was made.

B. Training Committee – Raymond Melcon, Chair

Ray Melcon and the committee are working to create a robust but condensed training schedule for the board. A separate document with the training schedule is available. There is a current soft start date of April 12th in Doral for the training, with the additional dates of April 19 and April 26. The fourth part would be an individual ride-along with police at a date and location convenient for the ICP member and, finally, the fifth session is a debriefing with Command Staff. After discussion by ICP members about calendar conflicts, Mr. Melcon will try to identify potential make-up sessions or potential for Saturday-based training.

Assistant County Attorney Shannon Summerset-Williams explained that these trainings do not necessarily fall under the purview of the Sunshine Law that requires a meeting to be noticed if it will include dialogue, decision, and action, but she recommended that the training sessions be noticed regardless.

Ray Melcon moved to adopt the training curriculum content as outlined. Eddie Dominguez seconded the motion, and the motion passed. Mr. Melcon will come back with new proposed dates at the April 25th ICP meeting. Assistant County Attorney Summerset-Williams clarified that the ICP members can circulate the new dates via email and decide, just like when selecting meeting dates.

C. Bylaws Committee – Ruben Paillere, Chair

Ruben Paillere presented the second version of the draft Bylaws. Chair Arscott had several revisions that Mr. Paillere will adopt and bring back in a third draft. Hopefully a final vote can be taken in 60 days.

D. Outreach Committee – Pam Perry, Chair. No report was made.

E. Charter/Ordinance Review Committee – Pam Perry, Chair. No report was made.

VIII. Old business

A. Next meeting dates

The next meeting dates are April 25 and May 18. The April 25 date is tentative depending on the new proposed training dates.

B. Creation of ICP website

Laura reported that she provided the Communications Department with the basic information to create a draft of the website.

IX. New business

A. Retroactive approval of reimbursement of Nicolle Barton for travel to Miami

Chair Arscott explained that Nicolle Barton traveled to Miami for the County Commission meeting of March 15, in between ICP meetings, so she approved reimbursing Ms. Barton for the travel expenses. The amount was approximately \$1200 for hotel and airfare. Jeannett Slesnick moved to retroactively approve the reimbursement of Ms. Barton's travel expenses. Joshua Jones seconded the motion, and the motion passed.

Remarks by Commissioner Keon Hardemon:

At this point County Commissioner Keon Hardemon arrived at the meeting and made brief remarks to the ICP members.

B. Expiration of ICP members' terms

A document with information about term expirations was shared with the ICP members and the members were asked to review it.

C. Financial disclosure due July 1, 2022

Chair Arscott reminded the members that financial disclosure forms are due by July 1, 2022.

X. Reasonable opportunity to be heard – two minutes per person

Susan Khoury offered congratulations to Nicolle Barton. She requested the Bylaws be proffered to the public for review and public comment consideration.

XI. Adjournment

Ruben Paillere moved to adjourn, and Jeannett Slesnick seconded the motion. The motion passed and the meeting adjourned at 7:31 PM.