

# MEMORANDUM

Agenda Item No. 11(A)(31)

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**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** October 5, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution urging President  
Joseph R. Biden, Jr. and  
Secretary of Homeland Security  
Alejandro Mayorkas to cease all  
deportations of Haitians and  
provide due process to Haitians  
seeking refuge in Del Rio, Texas

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



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Geri Bonzon-Keenan  
County Attorney

GBK/jp



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

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Gen Bonzon-Keenan  
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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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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)(31)  
10-5-21

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING PRESIDENT JOSEPH R. BIDEN, JR.  
AND SECRETARY OF HOMELAND SECURITY ALEJANDRO  
MAYORKAS TO CEASE ALL DEPORTATIONS OF HAITIANS  
AND PROVIDE DUE PROCESS TO HAITIANS SEEKING  
REFUGE IN DEL RIO, TEXAS

**WHEREAS**, thousands of Haitian migrants have recently crossed the Rio Grande and are sleeping outdoors under a border bridge in South Texas; and

**WHEREAS**, hundreds of migrants trekked through both knee-high and waist-deep water carrying their personal belongings, ice, plates of food, and other supplies, bathing in the nearby river in order to cool off from the intense heat; and

**WHEREAS**, this influx of migrants creates a crisis that must be appropriately handled by the Biden administration (the “Administration”); and

**WHEREAS**, instead, the Administration has sought to continue to use alternative emergency authorities under Title 42 of the U.S. Public Health Code to rapidly expel the Haitian migrants; and

**WHEREAS**, the Administration’s decision to immediately expel Haitian migrants is concerning given that it has already granted Temporary Protected Status (“TPS”) for Haitians in the U.S. as of May 21, 2021; and

**WHEREAS**, the Administration rationalized that TPS was an appropriate remedy for Haitians based on the country's instability after the assassination of its president, the August 14, 2021 7.2 magnitude earthquake that struck southwest Haiti leaving more than 2,200 people dead and an estimated 650,000 people in need of assistance, and the disastrous hurricane that immediately followed; and

**WHEREAS**, these events in conjunction with increased gang violence in Haiti support the position that Haiti is not stable; and

**WHEREAS**, in fact, Secretary Mayorkas stated that "Haiti is currently experiencing serious security concerns, social unrest, an increase in human rights abuses, crippling poverty, and lack of basic resources, which are exacerbated by the COVID-19 pandemic;" and

**WHEREAS**, thus, these expedited deportations must cease, and the migrants must be afforded due process to determine their asylum status; and

**WHEREAS**, far more disturbing is the treatment of the Haitian migrants at the Del Rio border; and

**WHEREAS**, videos and images have surfaced of U.S. Customs and Border Patrol agents on horseback with what appeared to be whips in hand; and

**WHEREAS**, these agents can be heard spewing expletives, using their horses as a form of force and intimidation, and most alarmingly, whipping migrants as they stumbled and fell into the river; and

**WHEREAS**, these troubling images reflect America's storied past in its treatment of people of African descent; and

**WHEREAS**, an immediate investigation into the inhumane and deplorable actions of the agents must be conducted and appropriate punitive measures imposed; and

**WHEREAS**, considering the current conditions in Haiti, this Board urges President Joseph R. Biden, Jr. and Secretary of Homeland Security Mayorkas to cease all deportations of Haitians and provide due process to Haitians seeking refuge in Del Rio, Texas,

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

**Section 1.** Urges President Joseph R. Biden, Jr. and Secretary of Homeland Security Mayorkas to cease all deportations of Haitians and provide due process to Haitians seeking refuge in Del Rio, Texas.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, to the Members of the Florida Congressional Delegation and to the Secretary of the United States Department of Homeland Security.

**Section 3.** Directs the County’s federal lobbyists to advocate for the action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- |                      |                                       |
|----------------------|---------------------------------------|
|                      | Jose “Pepe” Diaz, Chairman            |
|                      | Oliver G. Gilbert, III, Vice-Chairman |
| Sen. René García     | Keon Hardemon                         |
| Sally A. Heyman      | Danielle Cohen Higgins                |
| Eileen Higgins       | Joe A. Martinez                       |
| Kionne L. McGhee     | Jean Monestime                        |
| Raquel A. Regalado   | Rebeca Sosa                           |
| Sen. Javier D. Souto |                                       |

The Chairperson thereupon declared this resolution duly passed and adopted this 5<sup>th</sup> day of October, 2021. 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: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Altanese Phenelus