

MEMORANDUM

Amended
Agenda Item No. 11(A)(7)

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

DATE: January 19, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County
Mayor to work expeditiously to
identify and secure temporary
space for the Office of the
Miami-Dade Public Defender
11th Judicial Circuit Court of
Florida ("Public Defender") and
present any necessary
agreements to this Board

Resolution No. R-63-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: January 19, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Amended
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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	Amended Agenda Item No. 11(A)(7)
Veto	_____		1-19-22
Override	_____		

RESOLUTION NO. **R-63-22**

RESOLUTION DIRECTING THE COUNTY MAYOR OR
MAYOR’S DESIGNEE TO WORK EXPEDITIOUSLY TO
IDENTIFY AND SECURE TEMPORARY SPACE FOR THE
OFFICE OF THE MIAMI-DADE PUBLIC DEFENDER 11TH
JUDICIAL CIRCUIT COURT OF FLORIDA (“PUBLIC
DEFENDER”) AND PRESENT ANY NECESSARY
AGREEMENTS TO THIS BOARD

WHEREAS, the County commissioned a master plan, completed in 2008, to assess the condition and needs of courthouses in Miami-Dade County; and

WHEREAS, the 2008 master plan identified and focused on the Richard E. Gerstein criminal courthouse, located at 1351 NW 12th Street, Miami, Florida 33125 as the highest priority for attention and action as the facility was full and there was a need for an additional, approximately 126,000 square foot expansion for the courts, criminal division judges, court administration and the clerk; and

WHEREAS, in 2017, the County retained a consultant to update the courts and corrections master plan; and

WHEREAS, the updated master plan was to address not just the needs of the Richard E. Gerstein courthouse, but also that of various stakeholders- namely, the Department of Corrections, the Administrative Office of the Courts, the Office of the State Attorney, 11th Judicial Circuit Court (“State Attorney’s Office”), the Office of the Miami-Dade Public Defender 11th Judicial Circuit Court of Florida (“Public Defender’s Office”), and the Office of the Clerk (collectively referred to as “stakeholders”); and

WHEREAS, on July 5, 2018, at the Chairman's Policy Council, a presentation of the overview and draft of the Criminal Justice System Master Plan was made by the director of the Internal Service Department ("ISD") and the consultant retained by the County; and

WHEREAS, at the July 5, 2018 meeting, the director of ISD advised that ISD and the Mayor's Office would continue to work closely together with all stakeholders to finalize the County's best option to move forward in order to have the County's consultants work on the details of the programmatic needs of each of the stakeholders; and

WHEREAS, on June 4, 2019, this Board approved, pursuant to Resolution No. R-576-19, a lease agreement between the County and the Public Health Trust ("PHT") for space on the ninth floor of the PHT-owned building located at 1500 NW 12 Avenue ("premises") for the Public Defender's Office; and

WHEREAS, at that time, the Board was advised that the County was still working with a consultant to develop the criminal courts and corrections master plan and that the Public Defender's Office was to be included in that master plan; and

WHEREAS, the Board was further advised that PHT had been hesitant to enter into a new lease agreement for space for the Public Defender's Office as the PHT anticipated that it was going to sell the entire property to a different entity; and

WHEREAS, on September 13, 2021, ISD advised the Public Defender's Office that PHT planned on vacating the entire property it owned and that, as a result, the Public Defender's Office would need to vacate the premises by September of 2022; and

WHEREAS, while ISD advised the Public Defender's Office that it was assessing possible relocation sites for the Public Defender's Office, any such move would be temporary as the criminal courts, corrections and justice system master plan is still being developed; and

WHEREAS, this Board desires to direct the County Mayor or Mayor’s designee to work expeditiously to identify and secure the temporary, replacement space for the Public Defender’s Office, including the consideration of space at the property located at 1500 NW North River Drive (commonly known as “River Landing”) as well as expansion of the Public Defender’s Office other existing space; and

WHEREAS, indeed, this Board recently approved a lease agreement for the State Attorney’s Office at the River Landing property pursuant to Resolution No. R-613-21,

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

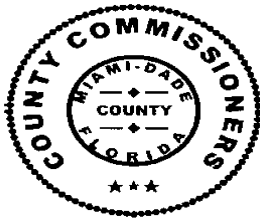
Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board directs the County Mayor or Mayor’s designee to work expeditiously to identify and secure temporary space for the Public Defender’s Officer and to present any necessary agreements for such space to this Board for its approval.

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

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

The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of January, 2022. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MRP

Monica Rizo Perez