

MEMORANDUM

Amended
Special Item No. 7

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

DATE: May 5, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution establishing County
policy to continue to provide
funding for trial court bailiffs as
part of the County's court
funding obligations; directing the
County Mayor to exclude bailiffs
from any draft transfer
agreements prepared by Miami-
Dade County for the
reestablished Miami-Dade
County Sheriff's Office

Resolution No. R-467-22

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



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

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

DATE: May 5, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Amended
Special Item No. 7

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
Veto	_____		Special Item No. 7
Override	_____		5-5-22

RESOLUTION NO. R-467-22

RESOLUTION ESTABLISHING COUNTY POLICY TO CONTINUE TO PROVIDE FUNDING FOR TRIAL COURT BAILIFFS AS PART OF THE COUNTY'S COURT FUNDING OBLIGATIONS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXCLUDE BAILIFFS FROM ANY DRAFT TRANSFER AGREEMENTS PREPARED BY MIAMI-DADE COUNTY FOR THE REESTABLISHED MIAMI-DADE COUNTY SHERIFF'S OFFICE

WHEREAS, the Florida Constitution provides that counties shall be responsible for funding the cost of communications services, existing radio systems, existing multi-agency criminal justice information systems, and the cost of construction or lease, maintenance, utilities, and security of facilities for the trial courts; and

WHEREAS, as part of the obligation to fund security for the trial courts in Miami-Dade County, the Board of County Commissioners funds bailiffs for judges in the Eleventh Judicial Circuit of Florida and the Miami-Dade County Court; and

WHEREAS, Miami-Dade County bailiffs are not currently part of the Miami-Dade County Police Department; and

WHEREAS, the County's Fiscal Year 2021-22 Adopted Budget includes funding for the Miami-Dade County bailiffs as part of the funding for the judicial administration functions of the Eleventh Judicial Circuit of Florida; and

WHEREAS, pursuant to a 2018 amendment to the Florida Constitution relating to county constitutional officers, the Miami-Dade County Sheriff's Office will be reestablished as a constitutional office on January 7, 2025; and

WHEREAS, this Board believes that the continued funding of bailiffs as part of the constitutional obligation to fund security for the trial courts in Miami-Dade County through the judicial administration functions of the Eleventh Judicial Circuit of Florida will provide the trial courts in Miami-Dade County with a flexible and responsive bailiff program; and

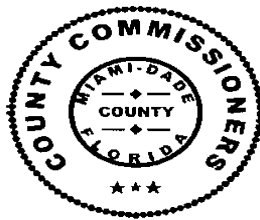
WHEREAS, this Board desires to establish County policy that Miami-Dade County shall continue to provide bailiffs as part of the County's constitutional obligation to fund security for the trial courts in the Eleventh Judicial Circuit of Florida and the Miami-Dade County Courts and to ensure that those employees are unaffected by the reestablishment of the constitutional Miami-Dade County Sheriff's Office on January 7, 2025,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that it is the policy of Miami-Dade County to continue to provide funding for bailiffs as part of the County's constitutional obligation to fund security for the trial courts in the Eleventh Judicial Circuit of Florida and the Miami-Dade County Courts and to ensure that those employees are unaffected by the reestablishment of the constitutional Miami-Dade County Sheriff's Office on January 7, 2025 until such time as the elected Miami-Dade County Sheriff makes a determination regarding the provision of bailiffs to the Eleventh Judicial Circuit of Florida and the Miami-Dade County Courts. The County Mayor or County Mayor's designee is hereby directed to exclude all bailiffs or bailiff functions from any draft transfer agreements prepared by Miami-Dade County for the reestablished Miami-Dade County Sheriff's Office.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** 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	aye	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 5th day of May, 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "OR" followed by a stylized flourish.

Oren Rosenthal