

MEMORANDUM

Agenda Item No. 8(I)(1)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 7, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving and establishing the Miami-Dade Police Department Departmental Trust Fund (Trust Fund) for the purpose of receiving approved funding allocated from the Miami-Dade Board discretionary funds; and authorizing the County Mayor to administer the Trust Fund; authorizing the County Mayor to execute all necessary documents to establish and administer the Trust Fund and exercise the provisions set forth therein; and authorizing the County Mayor to expend funds deposited into the Trust Fund on Board-approved activities and purchases

Resolution No. R-159-23

The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez, and Co-Sponsors Commissioner Kevin Marino Cabrera and Commissioner Roberto J. Gonzalez.



Geri Bonzon-Keenan
County Attorney

GBK/uw

Memorandum



Date: March 7, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Resolution Approving the Terms and Authorizing the Creation of the Miami-Dade Police Department Departmental Trust Fund

Recommendation

It is recommended that the Miami-Dade County (County) Board of County Commissioners (Board) approve the resolution approving the terms and authorizing the County Mayor or County Mayor's designee to establish the Miami-Dade Police Department (MDPD) Departmental Trust Fund for the purpose of receiving approved funding allocated from County Commissioners' discretionary funds. The MDPD has received several allocations from County Commissioners and, depending on the timing of the allocation, often requires additional time beyond the conclusion of the applicable fiscal year in which to expend the funds.

Scope

The MDPD Departmental Trust Fund will provide for countywide services.

Delegation of Authority

The County Mayor or County Mayor's designee is authorized to establish the MDPD Departmental Trust Fund (Trust Fund) for the purpose of receiving approved funding allocated from Commission Districts, to administer the Trust Fund, to execute all documents necessary to establish and administer the Trust Fund and any provisions contained therein, and to expend any funds received into the Trust Fund.

Fiscal Impact/Funding Source

The Trust Fund shall receive approved funding allocated from County Commissioners. As such, the Trust Fund will not create a negative fiscal impact.

Track Record/Monitor

To ensure compliance, Commander Jorge Bello, of MDPD's Fiscal Administration Bureau, and Assistant Director Gustavo Knoepffler, of MDPD's Fiscal & Departmental Services will track and monitor the Trust Fund.

Background

The Board is the legislative and governing body of the County, consisting of 13 members elected from single-member districts. The Board reviews and adopts comprehensive plans for the County, sets the property tax millage rates and approves the County's budget, which determines the revenues and expenditures necessary to operate all County services. To carry out its duties, every year the Board's Office of Policy and Budgetary Affairs develops the operating budget for each of the thirteen Commission Districts.

Each Commission District's operating budget includes funding for both a central office located within the Stephen P. Clark Government Center and a satellite office located within each Commission District, as well as funding to support the operating costs of these district offices (e.g., staff salaries, staff benefits, commissioner expense allowance, roving crews, etc.). The FY 2021-22 Adopted Budget included \$16.484 million to fund each Commission District office (\$1.268 million for each district). Additionally, to address each Commission District's unique needs, the budget includes funding for distribution by districts to community-based organizations (CBO) and for community specific events.

CBO Discretionary Reserve funds can only be distributed to not-for-profit organizations and for district-specific community events. The FY 2021-22 Adopted Budget included \$3.9 million (\$300,000 per Commission District) for allocations to CBOs for specific needs. Additionally, an In-kind Reserve Fund was established to help alleviate the costs not-for-profit organizations incur when using County facilities and services. Each District Office is awarded an amount that can be used to fund the rental of park amenities such as bleachers, show mobiles and shelters, as well as to fund police services and other County services.

Occasionally, the MDPD receives Commission Discretionary funding to support projects that improve community safety. Oftentimes said funding is approved and allocated toward the end of a fiscal year, leaving the MDPD little time to expend funding within that same fiscal year. Additionally, Commission Discretionary funding is at times approved and allocated for the purchase of specific law enforcement equipment, which often takes longer than a fiscal year to procure. The MDPD desires the creation of the Trust Fund to safeguard approved funding allocated from Commission Districts from being returned to the County's General Fund if not spent by the end of a fiscal year.



Alfredo "Freddy" Ramirez III
Chief of Safety and Emergency Response



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(I)(1)

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. 8(I)(1)
3-7-23

RESOLUTION NO. R-159-23

RESOLUTION APPROVING AND ESTABLISHING THE MIAMI-DADE POLICE DEPARTMENT DEPARTMENTAL TRUST FUND (TRUST FUND) FOR THE PURPOSE OF RECEIVING APPROVED FUNDING ALLOCATED FROM THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS' DISCRETIONARY FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADMINISTER THE TRUST FUND; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO ESTABLISH AND ADMINISTER THE TRUST FUND AND EXERCISE THE PROVISIONS SET FORTH THEREIN; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXPEND FUNDS DEPOSITED INTO THE TRUST FUND ON BOARD-APPROVED ACTIVITIES AND PURCHASES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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

Section 1. Approves and incorporates the foregoing recital herein by reference.

Section 2. Approves and establishes the Miami-Dade Police Department Departmental Trust Fund ("Trust Fund") for the purpose of receiving approved funding allocated from the Miami-Dade Board of County Commissioners ("Board").

Section 3. Authorizes the County Mayor or County Mayor's designee to administer the Trust Fund.

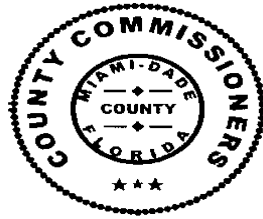
Section 4. Authorizes the County Mayor or County Mayor’s designee to execute all documents necessary to effectuate the purposes described in sections 2 and 3 above and to exercise provisions set forth therein, provided that the execution of any documents or the exercise of any such provisions are consistent with the purpose outlined in section 2 above and following approvals for legal form and sufficiency by the County Attorney’s Office.

Section 5. Authorizes the County Mayor or the County Mayor’s designee to expend such approved and allocated funding deposited into the Trust Fund on Board-approved activities and purchases.

The foregoing resolution was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of March, 2023. 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

LUIS G. MONTALDO, CLERK AD INTERIM

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "Anita", written over a horizontal line.

Anita Viciano Zapata