

MEMORANDUM

Non-Agenda Item No. 15(F)(5)

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

DATE: June 18, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to establish a three member civilian oversight board in accordance with section 30.61, Florida Statutes, as amended by House Bill 601; providing duties, functions, and sunset period of such oversight board

Resolution No. R-560-24

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Anthony Rodríguez.


Geri Bonzon-Keenan
County Attorney

GBK/gh



MEMORANDUM

(Revised)

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

DATE: June 18, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Non-Agenda Item No.15(F)(5)

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 _____

Non-Agenda Item No. 15(F)(5)
6-18-24

RESOLUTION NO. R-560-24

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH A THREE MEMBER CIVILIAN OVERSIGHT BOARD IN ACCORDANCE WITH SECTION 30.61, FLORIDA STATUTES, AS AMENDED BY HOUSE BILL 601; PROVIDING DUTIES, FUNCTIONS, AND SUNSET PERIOD OF SUCH OVERSIGHT BOARD

WHEREAS, at the June 18, 2024 Board of County Commissioners meeting, a motion was made directing the County Mayor or County Mayor's designee, who has assumed the duties and functions of the Office of Sheriff, to establish a three member civilian oversight board on or after July 1, 2024, in accordance with section 30.61, Florida Statutes, as amended by House Bill 601, to review the policies and procedures of his or her office subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or County Mayor's designee, who has assumed the duties and functions of the Office of Sheriff, to establish a three member civilian oversight board on or after July 1, 2024, in accordance with section 30.61, Florida Statutes, as amended by House Bill 601, to review the policies and procedures of his or her office provided that such board (a) shall not have oversight over any matters relating to those listed in section 112.533(3), Florida Statutes, as amended by House Bill 601, (b) shall sunset on September 30, 2024; (c) shall be advisory only and shall not have the power or authority to commit Miami-Dade County or any of its agencies or instrumentalities to any policies, incur any financial obligations, or create any liability, contractual or otherwise, on behalf of the County or any of its agencies or instrumentalities; (d) shall conduct

its meetings in accordance with section 286.011, Florida Statutes, and the Citizens' Bill of Rights of the Miami-Dade County Home Rule Charter; and (e) shall be governed by all applicable state and County conflict of interest laws and ordinances, including section 2-11.1 of the Code. The members of such board shall serve without compensation and may adopt any rules the board deems necessary for the conduct of its meetings, as long as such rules do not contravene this motion, the Florida Statutes, or the County Code. The County Mayor or County Mayor's designee is further directed to provide adequate staff and support services, and the County Attorney's Office is directed to provide legal counsel, as needed, to such board.

The Prime Sponsor of the foregoing resolution is Vice Chairman Anthony Rodriguez. It was offered by Commissioner **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** 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	absent	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	absent	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 18th day of June, 2024. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MBV

Michael B. Valdes