

MEMORANDUM

Agenda Item No. 11(A)(24)

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


DATE: December 1, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing, pursuant to section 2-11.43(d) of the Code related to the payment of training for members of the Independent Civilian Panel ("ICP"), implementing Order 6-1, and applicable state laws, the use of up to \$20,000.00 of funds from the approved budget of the ICP, for payment of costs associated with members of the ICP traveling to and attending the National Association for Civilian Oversight of Law Enforcement conference between December 12-16, 2021, and such other training as the ICP deems necessary; and authorizing the County Mayor to make any direct payments or reimbursements necessary to effectuate the purposes contained herein

Resolution No. R-1194-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM
(Revised)

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

DATE: December 1, 2021

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Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(24)

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 Danielle Levine Carr Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(24)
12-1-21

RESOLUTION NO. R-1194-21

RESOLUTION AUTHORIZING, PURSUANT TO SECTION 2-11.43(D) OF THE CODE OF MIAMI-DADE COUNTY RELATED TO THE PAYMENT OF TRAINING FOR MEMBERS OF THE INDEPENDENT CIVILIAN PANEL (“ICP”), IMPLEMENTING ORDER 6-1, AND APPLICABLE STATE LAWS, THE USE OF UP TO \$20,000.00 OF FUNDS FROM THE APPROVED BUDGET OF THE ICP, FOR PAYMENT OF COSTS ASSOCIATED WITH MEMBERS OF THE ICP TRAVELING TO AND ATTENDING THE NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT CONFERENCE BETWEEN DECEMBER 12-16, 2021, AND SUCH OTHER TRAINING AS THE ICP DEEMS NECESSARY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO MAKE ANY DIRECT PAYMENTS OR REIMBURSEMENTS NECESSARY TO EFFECTUATE THE PURPOSES CONTAINED HEREIN

WHEREAS, on August 31, 2020, this Board adopted Ordinance No. 20-80, which established the Independent Civilian Panel (“ICP”) after the Independent Review Panel, which was created in 1980, was reconstituted and renamed; and

WHEREAS, the ICP is responsible for conducting independent investigations and reviews, and holding public hearings concerning complaints or grievances made against certain sworn officers of (i) the Miami-Dade Police Department or any successor agency, (ii) any other law enforcement agency established by this Board, or (iii) any municipality that opts to utilize the panel; and

WHEREAS, additionally, the ICP provides a mechanism for external community fact-finding and dispute resolution of matters involving said sworn law enforcement officers; and

WHEREAS, Ordinance No. 20-80 requires ICP members to receive (i) ethics training from the Miami-Dade County Commission on Ethics and Public Trust; (ii) police-based perception training or other civilian police training that simulates police encounters; and (iii) training on police policies, procedures, and practices from the Miami-Dade Police Department or another entity that trains civilian panels that provide oversight to law enforcement agencies; and

WHEREAS, the National Association for Civilian Oversight of Law Enforcement (“NACOLE”) is a non-profit organization that brings together individuals and agencies working to establish or improve oversight of police officers in the United States and organizes an annual training conference to increase the knowledge and skills of staff and panel members who work in oversight; and

WHEREAS, NACOLE’s next annual training conference (“2021 NACOLE conference”) is being held between December 12-16, 2021, in Tucson, Arizona; and

WHEREAS, staff and members of civilian oversight boards from around the country, including the City of Miami’s oversight board, will be attending the training conference to obtain invaluable training; and

WHEREAS, at its November 15, 2021 meeting, the ICP determined that the training that is being offered at the 2021 NACOLE conference would be valuable training for its members, and voted to have members of the ICP attend the conference; and

WHEREAS, Ordinance No. 20-80 provides for the County to pay for training and training related expenses of members of the ICP upon approval of this Board; and

WHEREAS, this Board has approved the ICP’s Fiscal Year 2021-2022 budget; and

WHEREAS, funds to pay for the attendance and training of the ICP members are available from the ICP’s approved Fiscal Year 2021-2022 budget; and

WHEREAS, the ICP members and this Board desire to use up to \$20,000.00 of these funds to pay for attendance and training of ICP members at the 2021 NACOLE conference and such other training as the ICP deems necessary and appropriate,

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

Section 1. This Board incorporates and approves the foregoing recitals as if fully set forth herein.

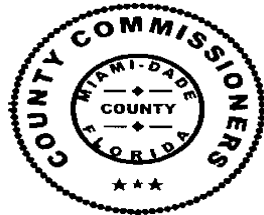
Section 2. This Board authorizes, pursuant to section 2-11.43(d) of the Code of Miami-Dade County related to the payment of training for members of the Independent Civilian Panel (“ICP”), Implementing Order 6-1, and applicable state law, the use of up to \$20,000.00 of funds from the approved budget of the ICP, for payment of costs associated with members of the ICP traveling to and attending the National Association for Civilian Oversight of Law Enforcement conference between December 12-16, 2021, and such other training as the ICP deems necessary.

Section 3. This Board further authorizes the County Mayor or the County Mayor’s designee to make any direct payments or reimbursements necessary to effectuate the purposes set forth in Section 2 of this resolution.

The Prime Sponsor of the foregoing resolution is Vice-Chairman Oliver G. Gilbert, III. It was offered by Commissioner **Oliver G. Gilbert, III**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** 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 1st day of December, 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shannon D. Summerset