

Date: September 20, 2023

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Report Regarding Transition to Constitutional Offices – A Combined Response to Directives 221383, 221086, 221017, 221018, and 221381

Executive Summary

This report is an update to the August 4, 2023, combined response to Board of County Commissioners (Board) legislation which aims to ensure that new and reestablished constitutional offices in Miami-Dade County, made necessary by the passage of Amendment 10 to the Florida Constitution during the 2018 General Election, are ready to operate fully by the effective date of January 7, 2025. The resolutions passed by the Board during its Special Meeting held on May 5th and carried forward on June 6th, 2022 are Resolutions R-558-22, R-463-22, R-464-22, R-465-22, all sponsored by former Commissioner Jose “Pepe” Diaz and Commissioner Raquel A. Regalado, and Resolution R-559-22 sponsored by Commissioner Regalado. Specifically, this report provides an update on the inventory required by the legislation as well as actions regarding the reestablishment of the Office of the Sheriff.

Background

Beginning on May 5, 2022 and carried forward until June 6, 2022, the Board held a Special Meeting to set county policy and to consider implementation planning to address the impact of Amendment 10 to the Florida Constitution approved during the 2018 General Election in Florida on the operations of the Miami-Dade County Tax Collector, the Supervisor of Elections, the Property Appraiser, Miami-Dade County Police, and the Clerk of Courts. Amendment 10 requires the creation of the constitutional offices of the Tax Collector, the Supervisor of Elections and the Property Appraiser, and the reestablishment of the Office of the Sheriff in Miami-Dade County. With respect to the Clerk of the Court, Amendment 10 removes the County’s ability to transfer by Charter any statutory duties of the Clerk of Court to the County.

Report

Status of Requested Inventory

The Board has requested an inventory of all real property, assets, equipment, contracts, grants, and licenses, as well as personnel, that are used in the Elections Department, the Finance Department, the Office of the Tax Collector (previously the Tax Collector Division of the Finance Department) and the Office of the Property Appraiser to perform the functions that would be assigned to a respective constitutional office. The Board has further requested that this inventory include items’ date of acquisition, remaining useful life, current fair market value, the remaining term of active contracts, and limitations, if any, on transferring any of the items to successor departments. Information regarding employees’ position titles, dates of hire, current salaries, and the value of all benefits is also required.

The following attachments include the required information:

- Attachment A includes a summary and the detailed inventory for the Elections Department.

- Attachment B includes a summary and the detailed inventory for the Finance Department (with respect to the statutory duties of the Clerk of Courts).
- Attachment C includes a summary and the detailed inventory for the Office of the Tax Collector.
- Attachment D includes a summary and the detailed inventory for the Office of the Property Appraiser.

This information has been retrieved from a variety of sources, including the following:

- The Integrated Financial Resources Management System (INFORMS) contains information regarding capital and non-capital assets, employees, personnel vacancies, and active contracts.
- The Internal Services Department provided relevant real estate and office space information.
- The Finance Department provided initial information regarding capital and non-capital assets of the Finance Department and Office of the Tax Collector. Subsequent updates were provided by the respective department.
- The Elections Department provided supplemental information regarding non-capital asset inventory in the Elections warehouse.
- The Office of Management and Budget (OMB) and respective departments provided information on county grants.

The table below provides a list of the type of information that is included in the inventory. This list may change for future reports as departments and staff fine tune the inventory information that is necessary to effectuate a seamless transfer of functions, materials, and personnel.

Inventory Category	Information	
Personnel and Vacancies	<ul style="list-style-type: none"> • Employee Name and ID • Department • Division • Date of Hire • Protected Status • Position Title • Position Number 	<ul style="list-style-type: none"> • Full Time/Part Time Status • Adjusted Annual Salary (or minimum / maximum of salary range for vacant positions) • Dollar Value of Employer Provided Benefits • Position Budgeted • Estimated Percentage of Time Employee is Involved in Constitutional Functions
Real Property	<ul style="list-style-type: none"> • Department Occupant • Facility Name • Address • Estimated Square Feet 	<ul style="list-style-type: none"> • Asset Owner (ISD or Dept.) • Estimated Percentage of Square Feet Used for Constitutional Functions • Restrictions on Transfer to Successor
Equipment/Assets	<ul style="list-style-type: none"> • Department • Asset ID Number • Asset Description • Tag Number • Serial ID Number • Date of Acquisition • Asset Status 	<ul style="list-style-type: none"> • Asset Type • Total Purchase Cost • Net Book Value • Estimated Remaining Life • Estimated Percentage of Time Asset is Used for Constitutional Functions • Restrictions on Transfer to Successor

Inventory Category	Information	
Active Contracts	<ul style="list-style-type: none"> • Department • Contract ID Number • Contract Status • Contract Description • Start Date • Expiration Date • Total Contract Value 	<ul style="list-style-type: none"> • Total Amount of Contract for Department Allocation • Remaining Allocation for Department • Released Amount • Estimated Percentage of Contract Used for Constitutional Functions • Restrictions on Transfer to Successor
Grants	<ul style="list-style-type: none"> • Department • Funding Type • Granting Organization • Grant Title • Amount Awarded • Grant Status 	<ul style="list-style-type: none"> • Grant Start Date • Grant End Date • Description for use of Funds • Estimated Percentage of Grant Used for Constitutional Functions • Restrictions on Transfer to Successor
Licenses	<ul style="list-style-type: none"> • Department • Department Work Unit • License Identifier(s) • Issuer of License 	<ul style="list-style-type: none"> • Date Issued • Date of Expiration • Restrictions on Transfer to Successor • License Description

With respect to county assets, it is important to note that useful remaining life and fair market value information requested by the Board is not kept in INFORMS. As an alternative, INFORMS provides the number of years it takes for an asset to be fully depreciated as well as the current Net Book Value. Net Book Value is the value of an asset reported in the County’s accounting system that is reduced annually by scheduled depreciation until it reaches \$0. Additionally, under state law and county procedures, only capital assets with a purchase price of \$5,000 or more are required to be recorded in the countywide asset inventory. County departments may report non-capital asset inventory voluntarily; where available, that information is included in the inventory. Information regarding current market value and useful life of county real property is not currently tracked by the Internal Services Department.

Reestablishment of the Office of the Sheriff and Related Inventory

The enactment of Florida bill HB 1595 on May 25, 2023, requires Miami-Dade County to take several actions prior to the reestablishment of the Office of the Sheriff in 2025. For example, Miami-Dade County will need to adopt a budget for the incoming Sheriff as part of the FY 2024-25 budget process. Furthermore, the County will need to complete an inventory and audit of assets and liabilities that will be transferred to the incoming Office of the Sheriff and post the results on a county website 60 days before that budget’s adoption. The Miami-Dade Police Department (MDPD) is currently in the process of gathering the requisite information for the mandated inventory and audit. This data will be furnished to the Board ahead of the established deadlines.

In addition to the inventory and budget requirements of HB 1595, the legislation contains an array of provisions pertinent to the incoming Office of the Sheriff. The legislation explicitly prohibits the delegation of sheriff duties to alternate offices, establishes the Sheriff’s exclusive policing jurisdiction within unincorporated regions, and affirms the extension of the Sheriff’s jurisdiction and powers throughout the entire county, irrespective of incorporated cities or other independent districts or governmental entities.

Additionally, the legislation mandates that the incoming Sheriff assume the existing contracts governing comprehensive police services offered to Cutler Bay, Palmetto Bay, and Miami Lakes. Although these agreements are slated to expire on September 30, 2024, it is anticipated that their renewal will precede the assumption of office by the incoming Sheriff. The legislation also delineates a transition phase, during

which support services will be provided by the County to the Sheriff, up until September 30th, 2028. Such support services include property management, communications, risk management, information technology, procurement, health insurance, human resources, legal services, workers' compensation, and fleet management.

Pursuant to Ordinance No. 14-65, this report will be placed on the next available Board agenda. Should you require additional information, please contact David Clodfelter, Director, Office of Management and Budget at 305-375-5143.

[Attachments referenced in this memorandum are available through this link..](#)

C: Honorable Juan Fernandez-Barquin, Clerk of Court and Comptroller
 Honorable Pedro J. Garcia, Property Appraiser
 Geri Bonzon-Keenan, County Attorney
 Gerald K. Sanchez, First Assistant County Attorney
 Jess M. McCarty, Executive Assistant County Attorney
 Office of the Mayor Senior Staff
 David Clodfelter, Director, Office of Management Budget
 Stephanie V. Daniels, Interim Director, Miami-Dade Police Department
 Barbara Gomez, Director, Finance Department
 Christina White, Director, Elections Department
 Peter Cam, Director, Tax Collector Department
 Jennifer Moon, Chief, Office of Policy and Budgetary Affairs
 Yinka Majekodunmi, Commission Auditor
 Basia Pruna, Director, Clerk of the Board
 Eugene Love, Agenda Coordinator