

MEMORANDUM

Agenda Item No. 11(A) (15)

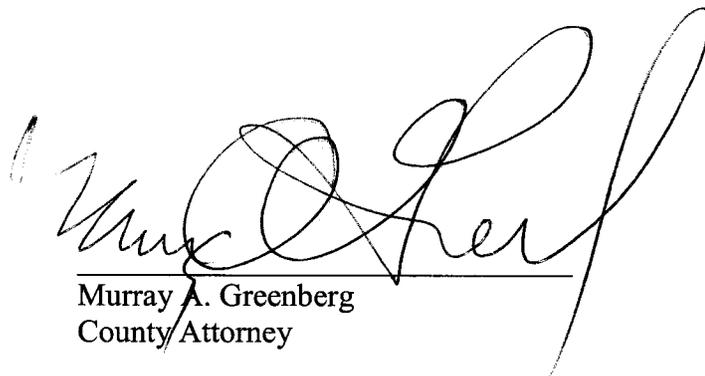
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 28, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution creating
Crane and Heavy
Equipment Advisory
Committee

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Audrey M. Edmonson.



Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 28, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(15)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(15)
11-28-06

RESOLUTION NO. _____

**RESOLUTION CREATING CRANE AND
HEAVY EQUIPMENT ADVISORY
COMMITTEE**

WHEREAS, Miami-Dade County is in the midst of an unprecedented construction boom; and

WHEREAS, there are more than 100 major projects under construction in the Miami-Dade County metropolitan area utilizing heavy equipment such as tower cranes rising as high as five hundred (500) feet; and

WHEREAS, the construction boom and use of cranes and other heavy construction equipment have resulted in an increased number of tragic accidents and fatalities; and

WHEREAS, OSHA statistics show 14 construction fatalities in the South Florida area during the period from January to May, 2006 which nearly match fatalities for the entire year of 2005; and

WHEREAS, on April 18, 2006, Mr. Jesse Morris was sadly killed while attempting to secure a crane to a downtown development project when a piece of the crane came crashing down, also injuring Mr. Morris' son; and

WHEREAS, Mr. Morris' tragic death and other recent crane accidents in the area evidence the need for enhanced safety regulations; and

WHEREAS, large metropolitan areas such as Los Angeles and New York City have local laws that govern crane operations and safety; and

WHEREAS, following the tragic accident a number of responsible crane manufacturers, and operators and other members of the construction industry have expressed a willingness to

serve in an advisory capacity to Miami-Dade County's efforts to enhance these safety regulations; and

WHEREAS, enhanced safety regulation of cranes and heavy construction equipment is necessary and desirable for the protection of public health and safety,

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

Section 1. The Crane and Heavy Equipment Advisory Committee (the "Committee") is hereby created. The Committee is entrusted with the responsibility of providing advice to this Board with respect to the enactment of county ordinances, regulations and procedures and to make recommendations with respect to proposed state laws to enhance the safety of cranes and heavy construction equipment, and industry practices related thereto, including certification, training, inspections and approvals.

Section 2. The Committee shall be comprised of the following persons:

Gary Hellman	Attorney at Law, Goldman & Hellman
Richard M. Horton	President, Green Construction Company
Eric Kennedy	Vice President, Associated Builders & Contractors
Richard Kipp, Jr.	Vice President, Kipp Crane Service, Inc.
John Murphy	Safety Director, Suffolk Construction Company
Jim Robertson	Managing Partner, General Crane USA
Rodney Sanders	Operating Engineer, Maxim Crane Works
John C. Siegle	Executive Vice President, Construction Association of South Florida
Jesus "Al" Soto	Safety/Risk Director, SIMS Crane & Equipment
Gregory Teslia	President, Crane Safety & Inspection, Inc.
Gary Waters	Business Manager, International Union of Operating Engineers
David Wessin	Director of Safety, Cummings General Contractors
Brian Silbernagel and Michael J. Quinn	Morrow Crane Company

Section 3. The Committee shall receive staff support from Miami-Dade County and shall be represented by the Office of the County Attorney.

Section 4. The Committee shall make its recommendations to this Board in a written report not later than one hundred and eighty (180) days following the effective date of this resolution.

The foregoing resolution was sponsored by Commissioner Audrey M. Edmonson and was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 28th day of November, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney
As to form and legal sufficiency HBS

Hugo Benitez

By: _____
Deputy Clerk