

# MEMORANDUM

Agenda Item No. 11(A)(11)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** February 3, 2015

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution waiving by a two-thirds vote of members present term limit restrictions for Board of Rules and Appeals member William R. Derrer and reappointing William R. Derrer to the Board of Rules and Appeals

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



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R. A. Cuevas, Jr.  
County Attorney

RAC/smm



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** February 3, 2015

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

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

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
- 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 , 3/5's , unanimous  ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A)(11)

Veto \_\_\_\_\_

2-3-15

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION WAIVING BY A TWO-THIRDS VOTE OF MEMBERS PRESENT TERM LIMIT RESTRICTIONS FOR BOARD OF RULES AND APPEALS MEMBER WILLIAM R. DERRER AND REAPPOINTING WILLIAM R. DERRER TO THE BOARD OF RULES AND APPEALS

**WHEREAS**, on January 21, 2010, the Board of County Commissioners enacted Ordinance No. 10-06, amending Chapter 2, Section 2-11.38.2 of the Code, to permit the Board of County Commissioners to waive any applicable term limits for members of County boards by adopting a resolution by two-thirds vote of members present; and

**WHEREAS**, in accordance with Section 2-11.38.2 of the Code of Miami-Dade County, Florida, no board member shall serve more than eight consecutive years on any one board; and

**WHEREAS**, in accordance with Section 8-4(c)(2) of the Code of Miami-Dade County, Florida, members of the Board of Rules of Appeals serve for three year terms and no more than three full consecutive three-year terms; and

**WHEREAS**, William R. Derrer has served on the Board of Rules and Appeals for more than eight consecutive years and more than three full consecutive three-year terms; and

**WHEREAS**, this Board wishes to waive the applicable term limits and reappoint William R. Derrer to the Board of Rules and Appeals for another three year term; and

**WHEREAS**, a copy of William R. Derrer's professional biography is attached,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this Board, by a two-thirds vote of the members present: (1) waives the restriction that William R. Derrer may not serve more than eight consecutive years on the Board of Rules and Appeals, (2) waives the restriction that William R. Derrer may not serve more than three full consecutive three-year terms on the Board of Rules and Appeal, and (3) reappoints William R. Derrer to an additional three year term as a member of the Board of Rules and Appeals.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- |                                     |                      |
|-------------------------------------|----------------------|
| Jean Monestime, Chairman            |                      |
| Esteban L. Bovo, Jr., Vice Chairman |                      |
| Bruno A. Barreiro                   | Daniella Levine Cava |
| Jose "Pepe" Diaz                    | Audrey M. Edmonson   |
| Sally A. Heyman                     | Barbara J. Jordan    |
| Dennis C. Moss                      | Rebeca Sosa          |
| Sen. Javier D. Souto                | Xavier L. Suarez     |
| Juan C. Zapata                      |                      |

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of February, 2015. 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: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Eduardo W. Gonzalez

## **William R. Derrer**

### **Chief Executive Officer / President James A. Cummings, Inc.**



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William R. Derrer co-founder of James A. Cummings, Inc. a major construction company in Florida was founded in 1981. Mr. Derrer served in the capacity of Vice President of Operations and President until becoming the Chief Executive Officer and President in January 2008. As such, Mr. Derrer has overall responsibility for all company operations and has overseen the construction of billions of dollars worth of commercial, governmental, institutional and educational buildings ranging in cost from one million dollars to hundreds of millions.

Mr. Derrer serves as the Immediate Past Chairman of the Board of Rules and Appeals for Miami-Dade County, and is the Chair of the Miami-Dade County Community Small Business Enterprise Advisory Board. He is a past President of the Construction Association of South Florida and serves on the board of a number of charitable organizations.

Mr. Derrer is a strong advocate of assisting small businesses in their quest to become viable in the construction industry. Mr. Derrer designed the small business contracting plan for the Rental Car Facility at Ft. Lauderdale-Hollywood International Airport in Broward County. The plan addresses the three most critical issues facing small construction companies: bonding assistance, financial assistance, and management and technical assistance.

Other professional affiliations include Associated General Contractors; Broward Workshop, Board of Directors; Construction Association of South Florida Political Action Committee, Chairperson; University of Florida M. E. Rinker Sr. School of Building Construction Advisory Council Executive Committee; University of Florida M. E. Rinker Sr. School of Building Construction Hall of Fame.

A Miami native and long-time South Florida resident, Mr. Derrer and his wife Patricia continue to reside in South Florida.