

MEMORANDUM

Substitute
Agenda Item No. 11(A)(11)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

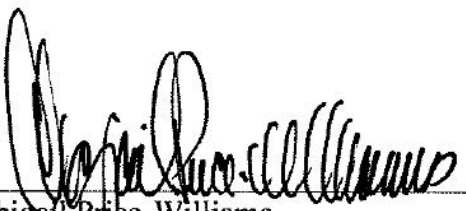
DATE: October 20, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving the
employment contract between
Miami-Dade County and Felix
Jimenez, Miami-Dade Inspector
General

This substitute differs from the original version in that it revises the employment contract for the Inspector General attached to the resolution to: (a) change the effective date from October 19 to November 2, 2020, and (b) delete the annual five percent merit increase in paragraph 5 and replace it with a provision that provides for the same cost of living adjustment as other County employees.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson and Co-Sponsors Commissioner Sally A. Heyman and Vice Chairwoman Rebeca Sosa.



Abigail Price-Williams
County Attorney

APW/uw



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 20, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Substitute
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
- 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 _____

Substitute
Agenda Item No. 11(A)(11)
10-20-20

RESOLUTION NO. _____

RESOLUTION APPROVING THE EMPLOYMENT
CONTRACT BETWEEN MIAMI-DADE COUNTY AND
FELIX JIMENEZ, MIAMI-DADE INSPECTOR GENERAL

WHEREAS, after a careful selection process, Felix Jimenez was appointed by the Ad Hoc Inspector General Selection Committee for the position of Miami-Dade County Inspector General; and

WHEREAS, Section 2-1076 of the Code of Miami-Dade County provides that the Board of County Commissioners may approve the appointment of an Inspector General to a four-year term by a majority vote of members present; and

WHEREAS, on August 31, 2020, at a duly noticed public meeting, the Miami-Dade County Board of County Commissioners approved the appointment of Felix Jimenez as the Inspector General; and

WHEREAS, the Board and Felix Jimenez wish to enter into an employment contract governing his employment as the Miami-Dade County Inspector General,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board hereby approves the employment contract between Miami-Dade County and Felix Jimenez in substantially the form attached hereto.

The Prime Sponsor of the foregoing resolution is Chairwoman Audrey M. Edmonson and the Co-Sponsors are Commissioner Sally A. Heyman and Vice Chairwoman Rebeca Sosa. 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:

Audrey M. Edmonson, Chairwoman
Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of October, 2020. 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.



Eric A. Rodriguez

CONTRACT OF EMPLOYMENT

THIS CONTRACT entered into this ____ day of _____ by and between MIAMI-DADE COUNTY ("COUNTY"), a political subdivision of the State of Florida, and FELIX JIMENEZ ("JIMENEZ").

WITNESSETH

WHEREAS, after a careful selection process Felix Jimenez was appointed by the Ad Hoc Inspector General Selection Committee for the position of Miami-Dade County Inspector General; and

WHEREAS, Section 2-1076 of the Code of Miami-Dade County provides that the Board of County Commissioners may approve the appointment of an Inspector General to a four-year term by a majority vote of members present;

WHEREAS, on August 31, 2020, at a duly-noticed public meeting, the Miami-Dade County Board of County Commissioners approved the appointment of JIMENEZ as the Inspector General;

WHEREAS, the Miami-Dade County Board of County Commissioners is desirous of employing JIMENEZ as the Inspector General, and

WHEREAS, JIMENEZ is desirous of entering into a Contract with the COUNTY;

NOW, THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the COUNTY and JIMENEZ have agreed that the Board of County Commissioners shall appoint JIMENEZ as the Inspector General of Miami-Dade County under the following terms and conditions:

1. This Contract is for a period of four (4) years commencing upon its approval by resolution by the Miami-Dade County Board of County Commissioners. Neither Party shall be bound by any of the Contract's terms until such time as such resolution is approved by the Board of County Commissioners.

2. It is understood and agreed by the parties that JIMENEZ will be employed by Miami-Dade County as Inspector General, and that his employment is and shall remain at-will, that he will remain exempt from the COUNTY's Classified Service, and that either party, without cause, may terminate JIMENEZ'S employment at any time during the term of this Contract pursuant to Section 2-1076 (h).

3. The COUNTY shall provide JIMENEZ with the Group 1 Executive Benefit package.

4. JIMENEZ will receive an annual salary of \$240,000 commencing effective November 2, 2020.

5. JIMENEZ will receive the same standard cost of living adjustment as other County employees.

6. JIMENEZ will accrue/be eligible for leave benefits (e.g., Sick leave, Annual leave, and holidays) as provided in the Miami-Dade County Leave Manual.

7. JIMENEZ is a member of the Association of Inspector General and shall maintain such membership in good standing during his employment term.

8. Nothing in the agreement shall alter the COUNTY's or JIMENEZ's rights or authority under section 2-1076 of the Miami-Dade County Code, or any other provision of County or State law, including those provisions of County law and administrative order pertaining to exempt employees. Except as specifically provided herein, JIMENEZ's employment shall be governed by any and all rules and procedures applicable to the COUNTY's exempt employees

except that where any provision of the County's rules and procedures for exempt employees is contrary to this Contract, this Contract shall govern.

9. This Contract shall be governed by the Laws of the State of Florida. Any action based on this Contract or to enforce its provisions shall only be initiated and litigated in a state or federal court of competent jurisdiction located within the geographic boundaries of Miami-County, Florida.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed as of the date first above written.

MIAMI-DADE COUNTY, FLORIDA

a political subdivision of the State of Florida

By: _____
County Mayor, CARLOS A. GIMENEZ

Date: _____

By: [Signature]
FELIX JIMENEZ

Date: 10/13/2020

WITNESS: [Signature]

(Printed) Julie Iglesias 10/13/2020

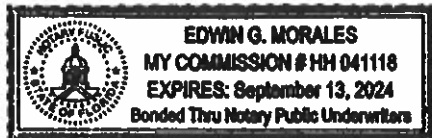
STATE OF FLORIDA)

) ss

COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY that on this 13 day of October, 2020 before me an officer duty authorized in the State and County aforesaid to take acknowledgments, appeared FELIX JIMENEZ, personally known to me or who has shown FL DRIVER LICENSE as identification, and has stated that he has executed the foregoing Contract, and further state that he acknowledges executing the same in the presence of two subscribing witnesses freely and voluntarily.

WITNESS my hand and official seal in the County and State aforesaid this 13 day of October 2020.



[Signature]
NOTARY PUBLIC, State of Florida

Print Name: EDWIN G. MORALES

My commission expires: SEPTEMBER 13, 2024

ATTEST:

HARVEY RUVIN, Clerk

By: _____
Deputy Clerk

The foregoing was accepted and approved on the _____ day of _____, 2020, by Agenda Item No. _____ of the Board of County Commissioners of Miami-Dade County.