

MEMORANDUM

Special Item No. 1

TO: Honorable Acting Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 7, 2020

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Resolution making appointment
to fill the vacancy in the Office
of County Commissioner for
District 8

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Acting Chairwoman Rebeca Sosa.



Gerri Bonzon-Keenan
Successor County Attorney

GBK/smm



MEMORANDUM
(Revised)

TO: Honorable Acting Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 7, 2020

FROM: 
Gen Bonzon-Keenan
Successor County Attorney

SUBJECT: Special Item No. 1

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 _____

Special Item No. 1
12-7-20

RESOLUTION NO. _____

RESOLUTION MAKING APPOINTMENT TO FILL THE
VACANCY IN THE OFFICE OF COUNTY COMMISSIONER
FOR DISTRICT 8

WHEREAS, on May 8, 2020, Commissioner Daniella Levine Cava irrevocably resigned as Miami-Dade County Commissioner for District 8, effective November 16, 2020 at 11:59 p.m.; and

WHEREAS, the Office of County Commissioner for District 8 will become vacant on November 17, 2020 at 12:00 a.m.; and

WHEREAS, section 1.07 of the Home Rule Charter requires that vacancies in the office of County Commissioner “shall be filled by majority vote of the remaining members of the Board within 30 days, or the Board shall call an election to be held not more than 90 days thereafter to fill the vacancy;” and

WHEREAS, section 1.07 of the Home Rule Charter further provides that a “person appointed shall serve only until the next county-wide election;” and

WHEREAS, the next county-wide election is currently the State Primary Election to be held in 2022 and then the State General Election on November 8, 2022; and

WHEREAS, the Board desires to fill the vacancy in Miami-Dade County Commissioner, District 8 by appointment until a replacement is elected at the next county-wide election,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that [] is hereby appointed to serve as Miami-Dade County Commissioner, District 8 until a candidate is elected to serve the remainder of the District 8 Commissioner's unexpired term at the next county-wide election. If no candidate receives a majority vote at such election, [] shall continue to serve as Miami-Dade County Commissioner, District 8 until a candidate is elected at a runoff election called for such purpose by this Board.

The Prime Sponsor of the foregoing resolution is Acting 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:

Rebeca Sosa, Acting Chairwoman	
Jose "Pepe" Diaz	Sen. René García
Oliver G. Gilbert, III	Keon Hardemon
Sally A. Heyman	Eileen Higgins
Joe A. Martinez	Kionne L. McGhee
Jean Monestime	Raquel A. Regalado
Sen. Javier D. Souto	District 8 - Vacant

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of December, 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.



Oren Rosenthal