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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 6(A)(1)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: December 15, 2009

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

SUBJECT: Resolution reappointing Miami-Dade County Inspector General Christopher R. Mazzella to another four-year term and approving employment contract between Miami-Dade County and Christopher R. Mazzella

Resolution No. R-1427-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: December 15, 2009

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

SUBJECT: Agenda Item No. 6(A)(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

_____ Ordinance creating a new board requires detailed County Manager'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
Veto _____
Override _____

Agenda Item No. 6(A)(1)
12-15-09

RESOLUTION NO. **R-1427-09**

RESOLUTION REAPPOINTING MIAMI-DADE COUNTY INSPECTOR GENERAL CHRISTOPHER R. MAZZELLA TO ANOTHER FOUR-YEAR TERM AND APPROVING EMPLOYMENT CONTRACT BETWEEN MIAMI-DADE COUNTY AND CHRISTOPHER R. MAZZELLA

WHEREAS, Christopher R. Mazzella is currently serving as the 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 by a majority vote of members present reappoint the current Inspector General to another four-year term; and

WHEREAS, the Board of County Commissioners believes that the reappointment of Christopher R. Mazzella to another four-year term is in the best interest of the citizens of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that: (1) Christopher R. Mazzella is hereby reappointed to another four-year term as the Miami-Dade County Inspector General; and (2) the Board hereby approves the employment contract between Miami-Dade County and Christopher R. Mazzella in substantially the form attached hereto.

The Prime Sponsor of the foregoing resolution is Chairman Dennis C. Moss. It was offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 2009. 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

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. GKS

Gerald K. Sanchez

CONTRACT OF EMPLOYMENT

THIS CONTRACT entered into this ___ day of _____, 2009, by and between MIAMI-DADE COUNTY ("COUNTY"), a political subdivision of the State of Florida, and CHRISTOPHER R. MAZZELLA ("MAZZELLA").

WITNESSETH

WHEREAS, Christopher R. Mazzella is currently serving as the 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 by a majority vote of members present reappoint the current Inspector General to another four-year term; and

WHEREAS, the Board of County Commissioners believes that the reappointment of Christopher R. Mazzella to another four-year term is in the best interest of the citizens of Miami-Dade County, and

WHEREAS, the Miami-Dade County Board of County Commissioners desires to enter into a contract of employment with Inspector General CHRISTOPHER R. MAZZELLA, and

WHEREAS, MAZZELLA 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 MAZZELLA have agreed that the Board of County Commissioners shall reappoint MAZZELLA 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 December 21, 2009 after its approval by resolution adopted by the Miami-Dade County Board of County Commissioners.

2. It is understood and agreed by the parties that MAZZELLA is currently employed by Miami-Dade County as Inspector General, 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 MAZZELLA's employment at any time during the term of this Contract.

3. The COUNTY shall provide MAZZELLA with the Group 1 Executive Benefit package including, but not limited to, car allowance. In lieu of the car allowance, MAZZELLA may elect to be

provided with a 24-hour vehicle under the COUNTY's law enforcement rental car agreement. If parking allowances are reinstated to the Group 1 Executive Benefit package at any point during this contract period, MAZZELLA shall also receive the benefit of the reinstated parking allowance at such time.

4. Commencing December 21, 2009, the COUNTY shall provide MAZZELLA with an annual retirement contribution of 14% of his annual base salary to the COUNTY's 401(a) senior management opt-out plan in lieu of participating in the Florida Retirement System (FRS).

5. MAZZELLA currently receives an annual salary of $234,967.72 effective September 8, 2008. Although MAZZELLA was entitled to an annual merit increase of 5% on or about September 12, 2009, MAZZELLA waived the merit increase. MAZZELLA shall not receive an annual merit increase on his anniversary date of September 12, 2010. On subsequent anniversary dates during the term of this contract, MAZZELLA will receive a merit increase within the range of those received by other County Group 1 executives during the same year. MAZZELLA will maintain the merit review schedule and anniversary date progression in effect on the date this Contract is approved by the Board of County Commissioners.

6. For the fiscal year commencing October 1, 2009, MAZZELLA will take 13 days of unpaid holidays, furlough days or a combination thereof, in accordance with the policy adopted for all Office of the Inspector General personnel. Prospectively, should other reductions be required by the Board of County Commissioners, MAZZELLA will apply reduction policies to himself in accordance with policies adopted for all Office of the Inspector General personnel.

7. MAZZELLA will receive, in addition to any merit increase provided for above, any across-the-board wage adjustments that are granted to non-bargaining unit employees in the COUNTY's executive pay plan.

8. MAZZELLA shall maintain membership with the Association of Inspectors General and maintain, in good standing, such certification as a Certified Inspector General during the term of this Contract.

9. Nothing in the agreement shall alter the COUNTY's or MAZZELLA's rights or authority under section 2-1076 of the Code of Miami-Dade County, Florida, 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, MAZZELLA's employment shall be governed by any and all rules and procedures applicable to the COUNTY's exempt employees.

10. This Contract shall be governed by the Laws of the State of Florida.

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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 Manager

Date: _____

ATTEST:

HARVEY RUVIN, Clerk

By: _____
Deputy Clerk

The foregoing was accepted and approved on the ____ day of _____, 2009, by Agenda Item No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

By: _____
CHRISTOPHER R. MAZZELLA

DATE: _____

WITNESS:

_____

(Printed)_____

_____

(Printed)_____

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY that on this ____ day of _____, 2009, before me an officer duty authorized in the State and County aforesaid to take acknowledgments, appeared CHRISTOPHER R. MAZZELLA, personally known to me or who has shown _____, as identification, and has stated that he has executed the foregoing Contract, and further states 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 ___ day of _____, 2009.

_____
NOTARY PUBLIC, State of Florida

Print Name: _____

My commission expires: _____

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