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

MEMORANDUM

Agenda Item No. 11(A)(11)

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

DATE: September 17, 2013

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

SUBJECT: Resolution waiving by a two-thirds (2/3) vote of the members present the term limit pursuant to Section 2-11.38.2 of the Code of Miami-Dade County for and reappointing Ronald T. Fulton to the Miami-Dade County Commission on Disability Issues
Resolution No. R-762-13

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

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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MEMORANDUM

(Revised)

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

DATE: September 17, 2013

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
Veto _____
Override _____

Agenda Item No. 11(A)(11)
9-17-13

RESOLUTION NO. R-762-13

RESOLUTION WAIVING BY A TWO-THIRDS (2/3) VOTE OF THE MEMBERS PRESENT THE TERM LIMIT PURSUANT TO SECTION 2-11.38.2 OF THE CODE OF MIAMI-DADE COUNTY FOR AND REAPPOINTING RONALD T. FULTON TO THE MIAMI-DADE COUNTY COMMISSION ON DISABILITY ISSUES

WHEREAS, Ronald T. Fulton has served as a member of the Miami-Dade County Commission on Disability Issues ("CODI") since April 13, 2004; and

WHEREAS, Mr. Fulton is active in the local disability community and has demonstrated a commitment to advocate on behalf of disabled residents of Miami-Dade County and the goals of Miami-Dade County Commission on Disability Issues; and

WHEREAS, Mr. Fulton desires to continue serving as a member of Miami-Dade County Commission on Disability Issues; and

WHEREAS, Mr. Fulton has served two (2) consecutive and complete terms of four (4) years; and

WHEREAS, Section 2-11.38.2 of the Code of Miami-Dade County, states "no board member shall serve more than eight (8) consecutive years on any one (1) board.... Notwithstanding the foregoing, the Board of County Commissioners may, by resolution adopted by a two-thirds (2/3) vote of members present, waive the restriction that a particular member of a board may not serve more than eight (8) consecutive years on that board"; and

WHEREAS, the Board desires to reappoint Mr. Fulton to serve as a member of Miami-Dade County Commission on Disability Issues,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. Pursuant to Section 2-11.38.2 of the Code of Miami-Dade County, the Board by a two-thirds (2/3) vote of its members present, hereby waives the term limit requirement for Ronald T. Fulton.

Section 3. The Board reappoints Ronald T. Fulton to the Miami-Dade County Commission on Disability Issues for a term of four (4) years.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. It was offered by Commissioner **Audrey Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman			**aye**
Lynda Bell, Vice Chair			**absent**
Bruno A. Barreiro	**absent**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**absent**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of September, 2013. 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shanika A. Graves