

MEMORANDUM

Agenda Item No. 11(A)(17)

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

DATE: July 1, 2014

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

SUBJECT: Resolution of the Board of
County Commissioners waiving
term limits for Construction
Trades Qualifying Board
member James Rose and
appointing for another term by a
two-thirds (2/3) vote of the
Board members present

Resolution No. R-638-14

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

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

DATE: July 1, 2014

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R. A. Cuevas, Jr.
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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)(17)

7-1-14

RESOLUTION NO. R-638-14

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS WAIVING TERM LIMITS FOR CONSTRUCTION TRADES QUALIFYING BOARD MEMBER JAMES ROSE AND APPOINTING FOR ANOTHER TERM BY A TWO-THIRDS (2/3) VOTE OF THE BOARD MEMBERS PRESENT

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 of Miami-Dade County, Florida to permit the waiver of term limits for County board members; and

WHEREAS, pursuant to Section 2-11.38.2 of the Code of Miami-Dade County, the Board of County Commissioners may, by resolution adopted by a two-thirds (2/3) vote of members present, waive a term limit applicable to a member of a County board; and

WHEREAS, pursuant to Section 10-20 of the Code of Miami-Dade County, term duration for members of the Construction Trades Qualifying Board is three (3) years; and

WHEREAS, Section 10-20 of the Code of Miami-Dade County does not provide for term limits for members of the Construction Trades Qualifying Board; and

WHEREAS, Section 2-11.38.2 of the Code of Miami-Dade County, which governs the Construction Trades Qualifying Board with respect to term limits, states that, "No board member shall serve more than eight (8) consecutive years on any one (1) board."; and

WHEREAS, Mr. James Rose, a licensed engineering contractor, has been a valued member of the Construction Trades Qualifying Board, "A" Division, and has reached his term limit as a member of the Construction Trades Qualifying Board, "A" Division; and

WHEREAS, Mr. James Rose's continued service as a member would aid in the effective operation of the Construction Trades Qualifying Board, "A" Division; and

WHEREAS, the Board of County Commissioners wishes to waive the applicable term limits and reappoint Mr. Rose to another term,

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 present membership, hereby waives the term limit requirement for James Rose.

Section 3. The Board reappoints James Rose to the Miami-Dade Construction Trades Qualifying Board, "A" Division, for another three (3) year term.

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

	Rebeca Sosa, Chairwoman	aye	
	Lynda Bell, Vice Chair	aye	
Bruno A. Barreiro	aye	Esteban L. Bovo, Jr.	absent
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 1st day of July, 2014. 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.

MJM

Michael J. Mastrucci