

MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

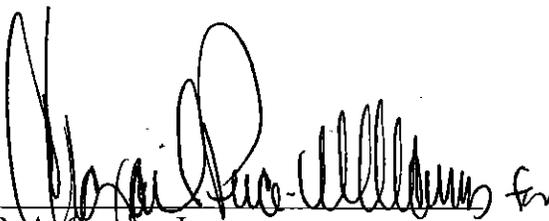
DATE: May 5, 2015

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

SUBJECT: Resolution waiving by
a two-thirds vote of the
members present the term
limit restriction for
Citizens' Independent
Transportation Trust
member Paul Schwiep;
authorizing the reappointment
of Paul Schwiep to the
Citizens' Independent
Transportation Trust for
another term

Resolution No. R-421-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

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

SUBJECT: Agenda Item No. 11(A)(4)

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)(4)

5-5-15

RESOLUTION NO. R-421-15

RESOLUTION WAIVING BY A TWO-THIRDS VOTE OF THE MEMBERS PRESENT THE TERM LIMIT RESTRICTION FOR CITIZENS' INDEPENDENT TRANSPORTATION TRUST MEMBER PAUL SCHWIEP; AUTHORIZING THE RE-APPOINTMENT OF PAUL SCHWIEP TO THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST FOR ANOTHER TERM

WHEREAS, Paul Schwiep has served on the Citizens' Independent Transportation Trust ("CITT") with distinction for eight years; and

WHEREAS, Paul Schwiep is currently serving as Chairman of the CITT and has reached his term limit as a member of the CITT; and

WHEREAS, Section 2-11.38.2 of the Code of Miami-Dade County (the "Code"), which governs the CITT with respect to term limits, states that no board member shall serve more than eight consecutive years on any one board; and

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

WHEREAS, Commissioner Daniella Levine Cava wishes to appoint Paul Schwiep to an additional four-year term; and

WHEREAS, this Board wishes to waive the applicable term limit and authorize the reappointment of Mr. Schwiep to another term on the CITT,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that, by a two-thirds vote of the members present and pursuant to Section 2-11.38.2(b) of the Code, this Board waives the

term limit restriction applicable to CITT member Paul Schwiep and authorizes the re-appointment of Paul Schwiep to an additional four-year term on the CITT.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2015. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Alex S. Bokor