

MEMORANDUM

Agenda Item No. 11(A)(6)

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

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution waiving, by a two-thirds vote of the full membership of the Board, the term limits imposed on Max Blumberg pursuant to section 2-1113(D) of the Code; waiving, by a two-thirds vote of the Board members present, the term limits imposed on Max Blumberg pursuant to section 2-11.38.2 of the Code; and reappointing him to the Vizcaya Museum and Gardens Trust board for another Term

Resolution No. R-654-16

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



Abigail Price-Williams
County Attorney



APW/smm



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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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
- 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 , 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)(6)
7-6-16

RESOLUTION NO. R-654-16

RESOLUTION WAIVING, BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE BOARD, THE TERM LIMITS IMPOSED ON MAX BLUMBERG PURSUANT TO SECTION 2-1113(D) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; WAIVING, BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT, THE TERM LIMITS IMPOSED ON MAX BLUMBERG PURSUANT TO SECTION 2-11.38.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND REAPPOINTING HIM TO THE VIZCAYA MUSEUM AND GARDENS TRUST BOARD FOR ANOTHER TERM

WHEREAS, Section 2-1113(D) of the Code of Miami-Dade County, Florida (“Code”) provides that no member of the Vizcaya Museum and Gardens Trust board (“Vizcaya Trust”) “shall be permitted to serve more than two (2) consecutive and complete terms of three (3) years each unless so authorized by a two-thirds (2/3) vote of the full membership of the Board of County Commissioners”; and

WHEREAS, in addition, Section 2-11.38.2 of the Code provides that no board member shall serve more than eight consecutive years on any one County board unless the Board of County Commissioners (the “Board”), by a two-thirds vote of the members present, votes to waive the term limit; and

WHEREAS, Max Blumberg has reached his term limit on the Vizcaya Trust; and

WHEREAS, this Board wishes to waive the applicable term limits in Sections 2-1113(D) and 2-11.38.2 of the Code, and reappoint Max Blumberg to the Vizcaya Trust for another term; and

WHEREAS, Max Blumberg has served on the Vizcaya Trust since 2001 with distinction, also served for many years as a member and President of The Vizcayans, Inc., has personally provided financial support to Vizcaya, and has been active on numerous Vizcaya Trust Committees, including the Collections Management Committee; and

WHEREAS, this Board, pursuant to Section 2-1113(D) of the Code, by a two-thirds vote of its full membership, and pursuant to Section 2-11.38.2 of the Code, by a two-thirds vote of Board members present, desires to waive the applicable term limits and re-appoint Max Blumberg to an additional three year term as a member of the Vizcaya Trust,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board, by a two-thirds vote of the full membership of the Board, waives the term limit restrictions in Section 2-1113(D) of the Code for Max Blumberg, and, by a two-thirds vote of Board members present, waives the term limit restrictions in Section 2-11.38.2 of the Code for Max Blumberg, and reappoints him to another three year term as a member of the board of the Vizcaya Trust.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. It was offered by Commissioner **Dennis C. Moss**, 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	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	aye
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2016. 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.

A handwritten signature in black ink, appearing to read "Jorge Martinez-Esteve", written over a horizontal line.

Jorge Martinez-Esteve