

MEMORANDUM

Amended
Alternate
Agenda Item No. 11(A)(8)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 18, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution waiving Resolution No. R-636-14 directing the Commission Auditor to complete background research on applicants being considered to serve on County boards and trusts that require nominations or appointments by this Board; and waiving by a two-thirds vote of the Board members present, the process for appointments of members of the governing body of the Miami-Dade Expressway Authority (the "MDX Board") as set forth in section 2-128.1 of the Code, and appointing Chairman Jose "Pepe" Diaz, Commissioner Jean Monestime, Dennis C. Moss, Darlene Fernandez, and Rafael Rodon to the MDX Board

Resolution No. R-517-21

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



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 18, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

Amended
Alternate
SUBJECT: Agenda Item No. 11(A)(8)

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 present ☒, 2/3 membership ☐, 3/5's ☐, unanimous ☐, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ☐, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ☐, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ☐ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

WHEREAS, it is in the best interest of the County that this Board fill the MDX Board vacancies in a prompt manner so as to promote the public health and welfare of the County residents and visitors who travel along the MDX expressway system; and

WHEREAS, in order to promptly fill the MDX Board vacancies, this Board wishes to waive Resolution No. R-636-14; and

WHEREAS, this Board wishes to appoint Chairman Jose "Pepe" Diaz, Commissioner Jean Monestime, Dennis C. Moss, Darlene Fernandez, and Rafael Rodon to the MDX Board,

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

Section 1. Waives Resolution No. R-636-14 directing the Commission Auditor to complete background research on applicants being considered to serve on County boards and trusts that require nominations or appointments by this Board.

Section 2. Waives by a two-thirds vote of the Board members present, the process for appointments of members of the MDX Board as set forth in section 2-128.1 of the Code of Miami-Dade County, Florida, and appoints Chairman Jose "Pepe" Diaz, Commissioner Jean Monestime, Dennis C. Moss, Darlene Fernandez, and Rafael Rodon to the MDX Board.

The Prime Sponsor of the foregoing resolution is Chairman Jose "Pepe" Diaz. It was offered by Commissioner **Oliver G. Gilbert, III**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

Approved *Ramella Leticia Carr* Mayor
Veto _____
Override _____

Amended
Alternate
Agenda Item No. 11(A)(8)
5-18-21

RESOLUTION NO. R-517-21

RESOLUTION WAIVING RESOLUTION NO. R-636-14 DIRECTING THE COMMISSION AUDITOR TO COMPLETE BACKGROUND RESEARCH ON APPLICANTS BEING CONSIDERED TO SERVE ON COUNTY BOARDS AND TRUSTS THAT REQUIRE NOMINATIONS OR APPOINTMENTS BY THIS BOARD; AND WAIVING BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT, THE PROCESS FOR APPOINTMENTS OF MEMBERS OF THE GOVERNING BODY OF THE MIAMI-DADE EXPRESSWAY AUTHORITY (THE "MDX BOARD") AS SET FORTH IN SECTION 2-128.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AND APPOINTING CHAIRMAN JOSE "PEPE" DIAZ, COMMISSIONER JEAN MONESTIME, DENNIS C. MOSS, DARLENE FERNANDEZ, AND RAFAEL RODON TO THE MDX BOARD

WHEREAS, section 2-128.1 of the Code of Miami-Dade County, Florida, (the "Code") provides the process for appointments of members of the governing body of the Miami-Dade Expressway Authority (the "MDX Board"); and

WHEREAS, section 2-128.1 of the Code also provides that by a two-thirds vote of the Board members present, the nomination process set forth therein may be waived; and

WHEREAS, this Board may appoint five voting members to the MDX Board; and

WHEREAS, all five of the Board appointed seats are vacant and expired; and

WHEREAS, the terms of the members shall be four years each; and

WHEREAS, Resolution No. R-636-14 directs the Commission Auditor to complete background research on applicants being considered to serve on County boards and trusts that require nominations or appointments by this Board; and

Jose "Pepe" Diaz, Chairman	aye
Oliver G. Gilbert, III, Vice-Chairman	aye
Sen. René García	absent
Sally A. Heyman	aye
Eileen Higgins	nay
Kionne L. McGhee	aye
Raquel A. Regalado	aye
Sen. Javier D. Souto	absent
Keon Hardemon	aye
Danielle Cohen Higgins	aye
Joe A. Martinez	nay
Jean Monestime	aye
Rebeca Sosa	aye

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of May, 2021. 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: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "AP", written over a horizontal line.

Annery Pulgar Alfonso