

# MEMORANDUM

Agenda Item No. 11(A)(22)

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

**DATE:** March 1, 2022

**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 Josenrique Cueto to the MDX Board

Resolution No. R-236-22

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



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Geri Bonzon-Keenan  
County Attorney

GBK/uw



**MEMORANDUM**  
(Revised)

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

**DATE:** March 1, 2022

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(22)

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

Approved David La Lewis Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(22)  
3-1-22

RESOLUTION NO. R-236-22

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 JOSENRIQUE CUETO 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**, one of the Board appointed seats is vacant; and

**WHEREAS**, each MDX Board member shall serve for a term of four years; 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

**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 vacancy, this Board wishes to waive Resolution No. R-636-14; and

**WHEREAS**, this Board wishes to appoint Josenrique Cueto 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 Josenrique Cueto to the MDX Board.

The Prime Sponsor of the foregoing resolution is Chairman Jose “Pepe” Diaz. It was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 1<sup>st</sup> day of March, 2022. 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

**Basia Pruna**

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

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

Annery Pulgar Alfonso