

MEMORANDUM

Agenda Item No. 11(A)(9)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: June 21, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution waiving, by a two-thirds vote of the full membership of the Board, the residency requirement of section 2-11.38 of the Code, for the County Mayor's appointment of Arthur Rosenberg to the Miami-Dade County Living Wage Commission

Resolution No. R-547-23

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



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: June 21, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

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 _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(9)
6-21-23

RESOLUTION NO. _____ R-547-23

RESOLUTION WAIVING, BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE BOARD, THE RESIDENCY REQUIREMENT OF SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, FOR THE COUNTY MAYOR'S APPOINTMENT OF ARTHUR ROSENBERG TO THE MIAMI-DADE COUNTY LIVING WAGE COMMISSION

WHEREAS, this Board established the Living Wage Commission to review the effectiveness of the Living Wage Ordinance, review certifications submitted by covered employers, review complaints filed by employees and make recommendations to this Board, the County Mayor and County departments; and

WHEREAS, the Living Wage Commission is a County board as provided by section 2-11.36.1 of the County Code; and

WHEREAS, pursuant to section 2-8.9 of the County Code, two members of the Living Wage Commission shall be selected by the County Mayor for a term of two years; and

WHEREAS, pursuant to section 2-11.38 of the County Code, all members of County boards shall be permanent residents and electors of Miami-Dade County unless this Board, by a two-thirds vote of its full membership, waives this requirement; and

WHEREAS, as set forth in the memorandum attached to this resolution, the County Mayor has appointed Arthur Rosenberg to the Living Wage Commission, subject to Board action waiving the residency requirement, pursuant to section 2-11.38 of the County Code; and

WHEREAS, this Board would like to waive the residency requirement for Mr. Rosenberg, who lives in Broward County; and

WHEREAS, an engaged member of the community, Mr. Rosenberg currently serves as the chair of the Living Wage Commission and has been a member of the Commission for the past 23 years; and

WHEREAS, this Board concludes that it is in the best interest of the County to waive the residency requirement of section 2-11.38 for the County Mayor's appointment of Arthur Rosenberg to the Living Wage Commission to serve another two-year term,

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

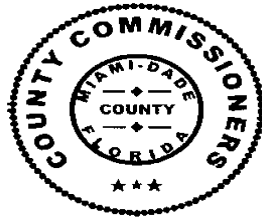
Section 1. Ratifies and adopts the matters set forth in the foregoing recitals and in the County Mayor's memorandum attached to this resolution.

Section 2. By a two-thirds vote of its full membership, pursuant to section 2-11.38 of the Code of Miami-Dade County, waives the residency requirement for the County Mayor's appointment of Arthur Rosenberg as a member of the Miami-Dade County Living Wage Commission to serve another two-year term.

The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee. It was offered by Commissioner **Danielle Cohen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	absent		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	absent	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of June, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in blue ink, appearing to be "M. Moffett", written over a horizontal line.

Marlon D. Moffett

Memorandum



Date: January 9, 2023

To: Honorable Luis G. Montaldo
Interim Clerk of Courts

From: Daniella Levine Cava
Mayor 

Subject: Mayoral Board Appointment – Living Wage Commission

Pursuant to the authority vested in me under Section 2-8.9 of the Code of Miami-Dade County, I hereby appoint Arthur Rosenberg to serve on the Living Wage Commission, subject to Board action waiving the residency requirement, pursuant to Section 2-11.38 of the County Code.

If you require additional information, please contact Nicole Tallman, Director of Legislative Affairs, at tallman@miamidade.gov.

c: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
Geri Bonzon-Keenan, County Attorney
Gerald Sanchez, First Assistant County Attorney
Jess McCarty, Executive Assistant County Attorney
Basia Pruna, Director, Clerk of the Board
Arthur J. Rosenberg, Esq.