MEMORANDUM

Agenda Item No. 11(A)(9)

TO:	Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners	**DATE:**	May 6, 2008
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution directing County Attorney's Office to bring legal action with respect to property located at 19431 East Lake Drive, Miami, Florida

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Natacha Seijas.

R. A. Cuevas, Jr.
County Attorney

RAC/bw

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: May 6, 2008

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

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

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(9)
5-6-08

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY ATTORNEY'S OFFICE TO BRING LEGAL ACTION AGAINST THE OWNER AND/OR ANY RESPONSIBLE PARTY WITH RESPECT TO THE PROPERTY LOCATED AT 19431 EAST LAKE DRIVE, MIAMI, FLORIDA, FOR COUNTY CODE VIOLATIONS EXISTING ON THE PROPERTY, AUTHORIZING THE COUNTY ATTORNEY TO BRING SUIT AND TO COMPROMISE AND RESOLVE THE ACTION IN A MANNER THAT IS IN THE BEST INTEREST OF THE COUNTY

WHEREAS, the property located at 19431 East Lake Drive has been the subject of numerous violations of the County Code in the form of overgrowth and in the form of unsafe structure violations; and

WHEREAS, the property located at 19431 East Lake Drive is and has been an ongoing eyesore and a problem for the neighbors and the neighborhood; and

WHEREAS, numerous liens have been placed against the property as a result of violations described above; and

WHEREAS, numerous costs and charges to the County with respect to the unsafe structures are outstanding but not yet reduced to liens; and

WHEREAS, there are legal causes of action available to the County to seek enforcement of the County Code and to seek recovery of the various sums described above,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Attorney's Office is directed to bring any and all available causes of action against the owner and/or any other responsible party for the conditions and violations which exist at 19431 East Lake Drive. The County Attorney's Office is directed to pursue any and all available legal action in this

matter and to negotiate and resolve this matter, if possible, in a manner that is in the best interest of the County. The County Attorney in coordination and cooperation with the Director of the Building Department and the Director of Team Metro is authorized to enter into such agreements and resolutions as are in the best interest of Miami-Dade County.

The foregoing resolution was sponsored by Commissioner Natacha Seijas and offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 6th day of May, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas H. Robertson

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