



**MEMORANDUM**

Agenda Item No. 11(A)(4)

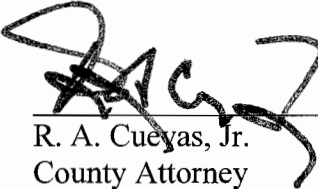
**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** September 1, 2011

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

**SUBJECT:** Resolution waiving the residency  
requirements of Section 2-11.38 and  
2-98.7 of the Code of Miami-Dade  
County for Public Nuisance  
Abatement Board member appointee  
Robert J. Powers

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.



\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** September 1, 2011

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

**SUBJECT:** Agenda Item No. 11(A)(4)

**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
- Ordinance creating a new board requires detailed County Manager'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)(4)  
9-1-11

RESOLUTION NO. \_\_\_\_\_

RESOLUTION WAIVING THE RESIDENCY REQUIREMENTS OF SECTION 2-11.38 AND 2-98.7 OF THE CODE OF MIAMI-DADE COUNTY FOR PUBLIC NUISANCE ABATEMENT BOARD MEMBER APPOINTEE ROBERT J. POWERS

**WHEREAS**, Robert J. Powers maintains significant alliance to Miami-Dade County; and

**WHEREAS**, Robert J. Power's dedication, service and professional experience has significantly contributed to this County; and

**WHEREAS**, each Commission of the Board of County Commissioners is required to appoint one member to the Public Nuisance Abatement Board; and

**WHEREAS**, Robert J. Powers has been appointed by Commissioner Audrey Edmonson; and

**WHEREAS**, Section 2-98.7 of the Miami-Dade County Code requires that all members of the Public Nuisance Abatement Board reside in unincorporated areas of Miami-Dade County; and

**WHEREAS**, Robert J. Powers is a resident of the municipality of the City of Miami; and

**WHEREAS**, pursuant to 2-11.38 of the Miami-Dade County Code the Board of County Commissioners is authorized by a two-thirds (2/3) vote of its membership to waive this residency requirement,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board waives the residency requirement of Section 2-98.7 of the Miami-Dade County Code for Robert J. Powers to allow him to fulfill his appointment as a member of the Public Nuisance Abatement Board.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Audrey M. Edmonson. It was 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

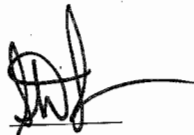
The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of September, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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.



Shannon Summerset