



**MEMORANDUM**

Agenda Item No. 11(A)(48)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** June 2, 2009

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

**SUBJECT:** Resolution regarding a conflict  
waiver request by Greenberg  
Traurig, P.A. pursuant to its  
federal lobbying contract with  
Miami-Dade County

**Resolution No. R-774-09**

**This resolution was amended by the Health, Public Safety and Intergovernmental Committee to insert the word "granted" in place of the blank after the now therefore.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

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

R. A. Cuevas, Jr.  
County Attorney

RAC/cp




# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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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 Mayor'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)(48)  
6-2-09

RESOLUTION NO. R-774-09

RESOLUTION REGARDING A CONFLICT  
WAIVER REQUEST BY GREENBERG  
TRAURIG, P.A. PURSUANT TO ITS FEDERAL  
LOBBYING CONTRACT WITH MIAMI-DADE  
COUNTY

**WHEREAS**, the law firm of Greenberg Traurig, P.A. is a member of the Miami-Dade County (the "County") federal lobbying team; and

**WHEREAS**, Greenberg Traurig, P.A. is seeking to take over representation in the following DERM enforcement actions:

1. Miami-Dade County v. Arnaldo Diaz, Case No. 08-56337 CA 25 (Fla. 11<sup>th</sup> Jud. Cir.);
2. Miami-Dade County v. Pedro Amador, Dade Machine Works, Inc., Case No. 08-78399 CA 25 (Fla. 11<sup>th</sup> Jud. Cir.);
3. Miami-Dade County v. Annex Industrial Park, LLC, Case No. 08-63751 CA 06 (Fla. 11<sup>th</sup> Jud. Cir.); and
4. Miami-Dade County v. Ford Midway Mall Real Estate Associates, Ltd., et al, 08-09995 CA 09 (Fla. 11<sup>th</sup> Jud. Cir.); and

**WHEREAS**, Greenberg Traurig, P.A. has submitted a written request, a copy of which is attached, that the County consent to its representation of clients in connection with the above referenced DERM enforcement actions; and

**WHEREAS**, the lobbying contract between Greenberg Traurig, P.A. and the County provides that the Board may take, in its sole discretion, any action regarding a waiver of request, including but not limited to the following:

1. Grant a waiver and allow Greenberg Traurig, P.A. to continue to represent both the County and the other party;
2. Refuse to grant a waiver and void its contract with the Greenberg Traurig, P.A.; and
3. Grant a limited waiver, allow the firm to continue to represent both the County and the other party under whatever limitations or restrictions the County in its sole discretion determines to be appropriate,

**WHEREAS**, on April 21, 2009, the Board approved a conflict waiver request by Greenberg Traurig, P.A. in its role as bond counsel to the County related to the DERM enforcement actions set forth above,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board >>grants<<<sup>1</sup> the request by Greenberg Traurig, P.A. for a conflict waiver pursuant to its federal lobbying contract with the County.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. 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:

	Dennis C. Moss, Chairman	<b>aye</b>	
	Jose "Pepe" Diaz, Vice-Chairman	<b>aye</b>	
Bruno A. Barreiro	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Carlos A. Gimenez	<b>absent</b>	Sally A. Heyman	<b>absent</b>
Barbara J. Jordan	<b>absent</b>	Joe A. Martinez	<b>aye</b>
Dorrin D. Rolle	<b>aye</b>	Natacha Seijas	<b>absent</b>
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>absent</b>		

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<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of June, 2009. 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: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Jess M. McCarty  
Martin W. Sybblis