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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 1(I)(2)

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

DATE: March 16, 2010

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

SUBJECT: Resolution regarding a conflict waiver request by Ronald L. Book, P.A. pursuant to its state lobbying contract with Miami-Dade County

Resolution No. R-293-10

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM
(Revised)

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

DATE: March 16, 2010

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

SUBJECT: Agenda Item No. 1(I)(2)

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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 1(I)(2)
3-16-10

RESOLUTION NO. R-293-10

RESOLUTION REGARDING A CONFLICT WAIVER REQUEST BY RONALD L. BOOK, P.A. PURSUANT TO ITS STATE LOBBYING CONTRACT WITH MIAMI-DADE COUNTY

WHEREAS, on January 21, 2010, the Board approved Resolution No. 56-10, which requires all contract lobbyist conflict of interest waiver requests to be submitted to the Chairman of the Board of County Commissioners, who shall place the conflict waiver request on the next available Board of County Commissioners agenda; and

WHEREAS, the law firm of Ronald L. Book, P.A. is a member of Miami-Dade County's (the "County") state lobbying team; and

WHEREAS, Ronald L. Book submitted the attached letter seeking the County's consent to its representation of Surety Bond/Bail Bond Industry related to SB 782 and HB 445 filed for consideration during the 2010 state legislative session; and

WHEREAS, the lobbying contract between Ronald L. Book, 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 Ronald L. Book, P.A. to represent both the County and the other party;
2. Refuse to grant a waiver and void its contract with the Ronald L. Book, 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,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board grants a limited waiver to Ronald L. Book, P.A. pursuant to its state lobbying contract with the County,

prohibiting Ronald L. Book, P.A. from taking any action or position for or against SB 782, HB 445 or similar legislation related to pretrial release, but allowing the firm to continue to represent both the County and Surety Bond/Bail Bond Industry on other matters not in conflict.

The Prime Sponsor of the foregoing resolution Chairman Dennis C. Moss. It was offered by Commissioner **Jose "Pepe" Diaz**, 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 **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**absent**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**absent**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of March, 2010. 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.

JMM

Jess M. McCarty

Ronald L. Book, P. A.
LAW OFFICES
PROFESSIONAL ASSOCIATION

March 8, 2010

VIA UPS OVERNIGHT

The Honorable Dennis Moss, Chairman
MIAMI DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
Stephen P. Clark Center
111 N.W. 1st Street, Suite 320
Miami, Florida 33128

Re: SB 782 and HB 445

Dear Mr. Chairman:

This letter is written with regard to SB 782 and HB 445, related to the Surety Bond/Bail Bond industry. As you are aware, my firm has represented the Bail industry for over fifteen years. In fact, we have represented the Bail industry for a longer period of time than we have represented the County.

It has come to my attention that there may be some opposition to this Bill by local governments, and I am, therefore, putting you on notice of a potential conflict. That said, I believe this legislation is not only good public policy ,but I believe it will likely be supported by many local government officials who want to make certain that their communities are safer, and there is some level of accountability and checks and balances from those who run and operate the County's Pretrial Release Program. I find it of great interest that the National Association of Pretrial Release officials have made it a point of trying to do away with the Bail industry, in order to allow them to increase their bureaucratic operations at the taxpayer's expense. I am seeking a Waiver to allow me to continue my representation of the Bail industry.

I look forward to discussing this further with you and/or the Commission at the appropriate time.

Sincerely,

Ronald L. Book

RLB/d
cc: Jess McCarty

REPLY TO:
☐ Harbour Centre - 18851 N.E. 29th Avenue, Suite 1010 - Aventura, Florida 33180 - Telephone (305) 935-1866 - Fax (305) 935-9737
☐ 104 West Jefferson Street - Tallahassee, Florida 32301 - (850) 224-3427