



MEMORANDUM

Agenda Item No. 14(A)(6)

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 Becker &
Poliakoff, P.A. pursuant to its state
lobbying contract with Miami-Dade
County

Resolution No. R-322-10

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

A handwritten signature in black ink, appearing to read "R. A. Cuevas, Jr.", is written over a horizontal line.

R. A. Cuevas, Jr.
County Attorney

RAC/cp



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. 14(A)(6)

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. 14(A)(6)
3-16-10

RESOLUTION NO. R-322-10

RESOLUTION REGARDING A CONFLICT WAIVER
REQUEST BY BECKER & POLIAKOFF, P.A. PURSUANT TO
ITS STATE LOBBYING CONTRACT WITH MIAMI-DADE
COUNTY

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

WHEREAS, Becker & Poliakoff, P.A. submitted the attached letter seeking the County's consent to its representation of the bailbond industry related to SB 782 and HB 445 filed for consideration during the 2010 state legislative session; and

WHEREAS, the lobbying contract between Becker & Poliakoff, 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 Becker & Poliakoff, P.A. to represent both the County and the other party;
 2. Refuse to grant a waiver and void its contract with the Becker & Poliakoff, 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 Becker & Poliakoff, P.A. pursuant to its state lobbying contract with the

County, prohibiting Becker & Poliakoff, 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 the bailbond industry on other matters not in conflict.

The Prime Sponsor of the foregoing resolution is 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	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	absent
Dorrin D. Rolle	absent	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

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.

Jess M. McCarty

**BECKER &
POLIAKOFF**

**Emerald Lake Corporate Park
3111 Stirling Road
Fort Lauderdale, Florida 33312-6525
Phone: (954) 987-7550 Fax: (954) 985-4176**

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Ft. Lauderdale, FL 33310-9057**

**ADMINISTRATIVE OFFICE
3111 STIRLING ROAD
FORT LAUDERDALE, FL 33312
800.432.7712 U.S. TOLL FREE**

**WWW.BECKER-POLIAKOFF.COM
BP@BECKER-POLIAKOFF.COM**

March 11, 2010

**Reply To:
Fort Lauderdale
Yolanda Cash Jackson, Esq.
Direct dial: (954) 985-4132
YJackson@becker-poliakoff.com**

**Chairman Dennis C. Moss
Board of County Commissioners
Miami-Dade County
111 N.W. 1st Street
Suite 220
Miami, FL 33128**

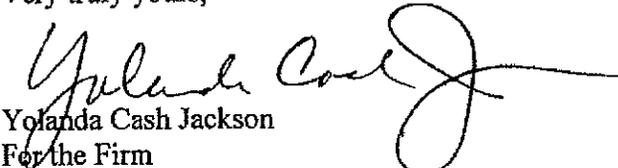
Re: Conflict Waiver

Dear Chairman Moss:

Per the Commission's resolution, our Firm may have a conflict on the legislation regarding the Bailbonds issue (SB 782/HB 445 Pretrial Detention and Release). Therefore, we hereby request to be excused from representing Miami-Dade County on this particular issue.

Should you have any questions, please feel free to contact me.

Very truly yours,


Yolanda Cash Jackson
For the Firm

YCI/sc

cc: Jess McCarty
Gary Rutledge
Margie Menduni

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* by appointment only

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LEGAL AND BUSINESS STRATEGISTS

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