



MEMORANDUM

Agenda Item No. 11(A)(4)

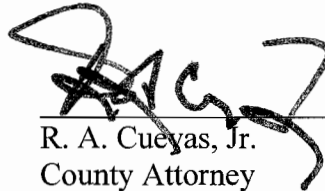
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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
Resolution No. R-690-11

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. R-690-11

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 **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shannon Summerset