



MEMORANDUM

Agenda Item No. 11(A)(10)

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


DATE: May 1, 2012

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

SUBJECT: Resolution waiving term limits
for Nuisance Abatement Board
Member Steve Sessler and
appointing for another term

Resolution No. R-400-12

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



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

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

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County Attorney

SUBJECT: Agenda Item No. 11(A)(10)

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) (10)
5-1-12

RESOLUTION NO. R-400-12

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS WAIVING TERM LIMITS FOR
NUISANCE ABATEMENT BOARD MEMBER STEVE
SESSLER AND APPOINTING FOR ANOTHER TERM

WHEREAS, on January 21, 2010, the Board of County Commissioners enacted Ordinance No. 10-06, amending Chapter 2, Section 2-11.38.2 of the Code of Miami-Dade County, Florida to permit the waiver of term limits for County board members; and

WHEREAS, pursuant to Section 2-11.38.2 of the Code of Miami-Dade County, the Board of County Commissioners may by resolution adopted by a two-thirds (2/3) vote of members present waive a term limit applicable to a member of a County board; and

WHEREAS, Section 2-98.7(b) of the Code of Miami-Dade County, which governs the Nuisance Abatement Board, states that “no members shall serve more than three (3) consecutive terms or seven (7) years”; and

WHEREAS, Mr. Steve Sessler, a licensed investigator and retired police sergeant, has been a valued member of the Nuisance Abatement Board and has reached his term limit as a member of the Nuisance Abatement Board; and

WHEREAS, Mr. Steve Sessler’s continued service as a member would aid in the effective operation of the Nuisance Abatement Board; and

WHEREAS, the Board of County Commissioners wishes to waive the applicable term limits and reappoint Mr. Sessler to another term,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. Pursuant to Section 2-11.38.2 of the Code of Miami-Dade County, the Board by a two-thirds (2/3) vote of its present membership, hereby waives the term limit requirement for Steve Sessler.

Section 3. The Board reappoints Steve Sessler to the Miami-Dade Nuisance Abatement Board for another two (2) year term.

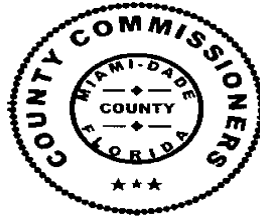
The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of May, 2012. 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.

MBV

Michael B. Valdes