

MEMORANDUM

Agenda Item No. 11(A)(8)

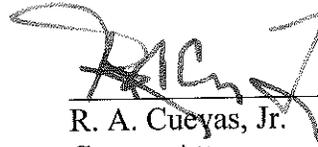
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 17, 2013

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

SUBJECT: Resolution of the Board of
County Commissioners waiving
term limits for Nuisance
Abatement Board member
Harold F. Lawton
Resolution No. R-759-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/Imp



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 17, 2013

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

SUBJECT: Agenda Item No. 11(A)(8).

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 Mayor'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)(8)
9-17-13

RESOLUTION NO. R-759-13

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS WAIVING TERM LIMITS FOR NUISANCE ABATEMENT BOARD MEMBER HAROLD F. LAWTON AND APPOINTING FOR ANOTHER TERM BY A TWO-THIRD VOTE OF THE BOARD MEMBERS PRESENT

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. Harold F. Lawton – a member of the general public who possesses an outstanding reputation for civic pride, integrity, responsibility, and business or professional ability – 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. Harold F. Lawton’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. Lawton 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 Harold F. Lawton.

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

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner **Audrey Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of September, 2013. 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.

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

Shannon Summerset-Williams