

**Charter Amendments**  
**September 10, 2002**

**CERTIFICATE OF COUNTY CANVASSING BOARD**

**OFFICIAL**

CLERK OF THE BOARD  
2003 JUN -9 PM 3:24  
CLERK OF COUNTY COURTS  
MIAMI, FLORIDA

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

We, the undersigned, County Court Judge SHELLEY J. KRAVITZ, Chairperson, Board of County Commissioners Chairperson GWEN MARGOLIS, Member, and Supervisor of Elections DAVID C. LEAHY, Member, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the 17<sup>th</sup> day of September, A.D., 2002, and proceeded to publicly canvass the votes cast for the several offices, persons, and questions herein specified at the **NONPARTISAN ELECTION** held on the 10<sup>th</sup> day of September, A.D., 2002, as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For **CIRCUIT-JUDGE, 11<sup>TH</sup> JUDICIAL CIRCUIT, GROUP 1**, the whole number of votes cast was 245,940, of which number

Alan I. MISHAEL received	<u>118,096</u>	votes
Ivan FERNANDEZ received	<u>127,844</u>	votes

For **CIRCUIT JUDGE, 11<sup>TH</sup> JUDICIAL CIRCUIT, GROUP 4**, the whole number of votes cast was 251,646, of which number

Diane WARD received	<u>140,560</u>	votes
Alan L. POSTMAN received	<u>111,086</u>	votes

For **CIRCUIT JUDGE, 11<sup>TH</sup> JUDICIAL CIRCUIT, GROUP 46**, the whole number of votes cast was 248,359, of which number

Xavier CORTADA received	<u>46,656</u>	votes
Sarah ZABEL received	<u>110,581</u>	votes
Alexander O. AKPODIETE received	<u>23,589</u>	votes
Raul G. ORDONEZ, JR. received	<u>67,533</u>	votes

For **COUNTY COURT JUDGE, GROUP 19**, the whole number of votes cast was 237,021, of which number

Eric William HENDON received	<u>115,568</u>	votes
Jacqueline SCHWARTZ received	<u>121,453</u>	votes

For **COUNTY COURT JUDGE, GROUP 34**, the whole number of votes cast was 231,980, of which number

Frank ABRAMS received	<u>99,298</u>	votes
Orlando A. PRESCOTT received	<u>132,682</u>	votes

For **MEMBER, BOARD OF COUNTY COMMISSIONERS, DISTRICT 2**, the whole number of votes cast was 23,237, of which number

Patrick CURE received	<u>1,926</u>	votes
Willis P. HOWARD received	<u>2,226</u>	votes
Dorin Delano ROLLE received	<u>11,783</u>	votes
Lucie TONDREAU received	<u>7,302</u>	votes

For MEMBER, BOARD OF COUNTY COMMISSIONERS, DISTRICT 4, the whole number of votes cast was 20,310, of which number

Sally A. HEYMAN received 16,976 votes  
Al Lorenzo WOODS received 3,334 votes

For MEMBER, BOARD OF COUNTY COMMISSIONERS, DISTRICT 8, the whole number of votes cast was 30,575, of which number

Peter ENGLAND received 11,169 votes  
Katy SORENSON received 19,406 votes

For MEMBER, BOARD OF COUNTY COMMISSIONERS, DISTRICT 12, the whole number of votes cast was 14,568, of which number

Jose "Pepe" DIAZ received 12,438 votes  
M. Lina PUMARIEGA received 2,130 votes

For MEMBER, SCHOOL BOARD, DISTRICT 2, the whole number of votes cast was 17,108, of which number

Alfred BARR received 6,397 votes  
"Nicholas" COLE received 6,808 votes  
Solomon C. STINSON received 17,108 votes

For MEMBER, SCHOOL BOARD, DISTRICT 6, the whole number of votes cast was  
36,770, of which number

Agustin "Gus" BARRERA received	<u>9,085</u>	votes
Gene GUTIERREZ received	<u>5,987</u>	votes
Manty Sabates MORSE received	<u>8,363</u>	votes
Anita SANDLER received	<u>13,335</u>	votes

For COMMUNITY COUNCIL 2, AT-LARGE, the whole number of votes cast was  
3,819, of which number

Lyman W. MARTYN received	<u>1,290</u>	votes
Adrienne F. PROMOFF received	<u>2,529</u>	votes

For COMMUNITY COUNCIL 5, SUBAREA 51, the whole number of votes cast was  
4,442, of which number

Sharon FRANKLIN received	<u>2,711</u>	votes
Edward REDONDO received	<u>1,731</u>	votes

For COMMUNITY COUNCIL 5, SUBAREA 52, the whole number of votes cast was  
4,384, of which number

Miguel CONTIZO received	<u>1,468</u>	votes
Paul O'DELL received	<u>2,916</u>	votes

For COMMUNITY COUNCIL 7, SUBAREA 73, the whole number of votes cast was  
1,177, of which number

Mike BRESCHER received	<u>371</u>	votes
Kathy E. EMERY received	<u>571</u>	votes
Manuel "Manny" FENTE received	<u>235</u>	votes

For COMMUNITY COUNCIL 9, SUBAREA 92, the whole number of votes cast was  
5,961, of which number

Juan C. "J.C." BERMUDEZ received	<u>1,105</u>	votes
Pedro "Pete" CABRERA received	<u>1,018</u>	votes
Carolyn CASERTA received	<u>515</u>	votes
Michael "Mike" DI PIETRO received	<u>930</u>	votes
Jerry HOWIE received	<u>410</u>	votes
Paige A. RODEN received	<u>323</u>	votes
Sandra RUIZ received	<u>1,016</u>	votes
Luimar Z. SAIDES received	<u>105</u>	votes
Bill WATTS received	<u>539</u>	votes

For COMMUNITY COUNCIL 10, SUBAREA 103, the whole number of votes cast was  
24,826, of which number

Manuel CASAS received	<u>17,401</u>	votes
Edward GONZALEZ received	<u>7,425</u>	votes

For COMMUNITY COUNCIL 12, SUBAREA 125, the whole number of votes cast was  
15,355, of which number

Nelson A. VARONA received 8,309 votes

Sanford "Sandy" YOUKILIS received 7,046 votes

## COUNTY QUESTIONS

### County Question No. 1 Charter Amendment Transferring Certain Mayoral Responsibilities to the County Commission

Shall the Charter be amended to provide that the Commission, rather than the Mayor, is empowered, without being subject to mayoral veto, to:

- enact its rules of procedure;
- select its chairperson and a vice-chairperson;
- create commission committees or delegate creation to the commission's chairperson;
- provide by ordinance for committees to conduct certain public hearings;
- appoint committee chairs and members or delegate such power to the commission's chairperson?

YES received	<u>157,106</u>	votes
NO received	<u>107,703</u>	votes

### County Question No. 2 Charter Amendment Regarding the Mayor's and County Commission's Communications with County Staff

Shall the Charter be amended to:

1. Provide that the county manager and any member of the county's administrative staff may be removed from office if he or she knowingly appoints or removes any county officer or employee upon the request of the mayor or a county commissioner, and
2. Expressly allow the mayor and commissioners to transmit constituent inquiries to county staff?

YES received	<u>172,339</u>	votes
NO received	<u>86,088</u>	votes

### County Question No. 3 Charter Amendment Changing Date of Runoff Elections for County Offices to Date of General Election

Shall, effective upon the election for County Commission in 2004, the Charter be amended to provide that runoffs for county elections be held at the time of the general election in November?

YES received	<u>190,405</u>	votes
NO received	<u>71,418</u>	votes

**County Question No. 4**  
**Charter Amendment Regarding Salaries of County Commissioners**

Shall the Charter be amended so that county commissioners no longer receive the \$6,000 annual salary established in 1957, and they commence receiving as of the effective date of this amendment, the salary provided by a state formula based on population used by other Florida counties, including Broward County (currently approximately \$80,500)?

YES received	_____	121,997	_____	votes
NO received	_____	147,891	_____	votes

**County Question No. 5**  
**Charter Amendment Relating to County Budget Process**

Shall the Charter be amended to require that annually the mayor deliver a budget message in March; the county manager submit a proposed budget between June 1 and July 15; and the mayor provide a response by July 31?

YES received	_____	212,718	_____	votes
NO received	_____	49,027	_____	votes

**County Question No. 6**  
**Charter Amendment Creating the Position of Commission Auditor**

Shall the Charter be amended to create the Office of Commission Auditor to be selected by and report directly to the Board of County Commissioners with the responsibility to provide the Commission budgetary, audit, management revenue forecasting, and fiscal analyses of Commission policies, and county services and contracts?

YES received	_____	178,929	_____	votes
NO received	_____	76,725	_____	votes

**County Question No. 7**  
**Charter Amendment Relating to Terms and Number of County Commissioners**

Shall the Charter be updated in accordance with federal court orders to reflect that the Board of County Commissioners consists of thirteen members each elected from a single-member district and serving staggered terms?

YES received	_____	184,363	_____	votes
NO received	_____	67,941	_____	votes

**County Question No. 8**  
**Charter Amendment Expanding Right to**  
**Propose Initiative Petitions for Charter Amendments**

Shall the Charter be amended to:

- delete restriction that initiative petitions to amend the Charter be every two years,
- require that any election on initiative petitions to amend the Charter be held in conjunction with a scheduled countywide election, or if no countywide election is scheduled, at a special election, and
- require Commission to call such election within 60-120 days of presentation of a certified petition to the County Commission?

YES received \_\_\_\_\_ 153,111 \_\_\_\_\_ votes

NO received \_\_\_\_\_ 90,282 \_\_\_\_\_ votes

**County Question No. 9**  
**Charter Amendment Placing Proposed Initiative Petitions on**  
**Ballot Without Further County Commission Action**

Shall the Charter be amended to provide that if an initiative petition is deemed to be legally sufficient, the proposal shall be placed on the ballot without requiring any further action by the Board of County Commissioners, unless the Board determines to adopt the proposal?

YES received \_\_\_\_\_ 147,458 \_\_\_\_\_ votes

NO received \_\_\_\_\_ 99,788 \_\_\_\_\_ votes

**County Question No. 10**  
**Charter Amendment Relating to Appointment of County Finance Director**

Shall the Charter be amended to require that the Finance Director be appointed jointly by the County Manager and the Clerk of the Circuit and County Courts?

YES received \_\_\_\_\_ 168,967 \_\_\_\_\_ votes

NO received \_\_\_\_\_ 83,432 \_\_\_\_\_ votes

**County Question No. 11**  
**Charter Amendment Providing for Mayoral Recall**

Shall the Charter be amended to provide for recall of the Mayor?

YES received \_\_\_\_\_ 186,004 \_\_\_\_\_ votes

NO received \_\_\_\_\_ 73,010 \_\_\_\_\_ votes

**County Question No. 12**  
**Charter Amendment Abolishing the Miami-Dade Fire Board**

Shall the Charter be amended to abolish the governing board of the Miami-Dade Fire and Rescue Service District established by County Ordinance No. 80-86 (the "Fire Board") and designate the County Commission to serve as the governing body of the County's Fire and Rescue Service District?

YES received	<u>146,918</u>	votes
NO received	<u>117,451</u>	votes

**County Question No. 13**  
**Charter Amendment: Children's Trust for Children's Health, Safety and Development**

Shall the Charter be amended to name the Independent Special District for Children's Services "The Children's Trust" with authority to:

- fund improvements to children's health, development and safety;
- promote parental and community responsibility for children;
- levy an annual ad valorem tax not to exceed one-half (1/2) mill to supplement current County expenditures for children services (this levy requires voter renewal in 2008); and
- have membership provided in state law for home rule charter counties?

YES received	<u>184,535</u>	votes
NO received	<u>92,168</u>	votes

**County Question No. 14**  
**Repeal of County Ordinance 98-170 Related to Sexual Orientation**

Shall County Ordinance 98-170, entitled "Ordinance amending Articles I, II, III and IV of Chapter 11A of the Code of Miami-Dade County to prohibit discrimination based on sexual orientation in housing, credit and finance, public accommodations, and employment; amending Article VI relating to the office of Fair Employment Practices to require Miami-Dade County to provide equal employment opportunity without regard to sexual orientation," be repealed?

YES FOR REPEAL received	<u>137,526</u>	votes
NO AGAINST REPEAL received	<u>155,003</u>	votes

**Palmetto Bay Area Question No. 1**  
**Adoption of Municipal Charter for Area Currently Known as Palmetto Bay**

Shall the charter proposed by the Palmetto Bay Charter Commission be adopted as the municipal charter for the area currently known as Palmetto Bay?

YES received \_\_\_\_\_ 5,852 \_\_\_\_\_ votes  
NO received \_\_\_\_\_ 1,178 \_\_\_\_\_ votes

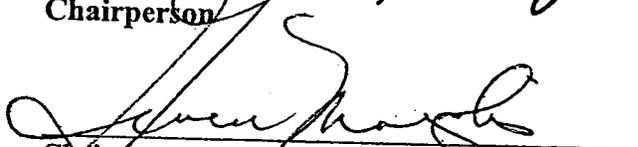
**Palmetto Bay Area Question No. 2**  
**Naming of Proposed Municipality Currently Known as Palmetto Bay**

Please select one name for the proposed municipality from the names set forth below:

VILLAGE OF OLD CUTLER received \_\_\_\_\_ 2,542 \_\_\_\_\_ votes  
VILLAGE OF PALMETTO BAY received \_\_\_\_\_ 4,545 \_\_\_\_\_ votes

**MIAMI-DADE COUNTY CANVASSING BOARD:**

  
County Court Judge SHELLEY J. KRAVITZ  
Chairperson

  
Chairperson GWEN MARGOLIS  
Board of County Commissioners  
Member

  
Supervisor of Elections DAVID C. LEAHY  
Member

Date Certified: September 17, 2002

Total ballots cast in Miami-Dade County were 317,602 for a 33.57 percent turnout.

Approved \_\_\_\_\_ Mayor  
Veto Raymond P. Peelen  
Override \_\_\_\_\_

Agenda Item No. 9(A)(3)  
6-4-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-600-02

[Pursuant to 8.01 (c) of the County's rules of procedure, the Mayor's veto was not timely filed therefore the Resolution became effective 10 days after its adoption.]

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO PROVIDE THAT THE COMMISSION, RATHER THAN THE MAYOR, IS EMPOWERED, WITHOUT BEING SUBJECT TO MAYORAL VETO, TO ENACT ITS RULES OF PROCEDURE, SELECT THE COMMISSION'S CHAIRPERSON AND A VICE-CHAIRPERSON, CREATE COMMISSION COMMITTEES OR DELEGATE SUCH POWER TO ITS CHAIRPERSON, PROVIDE BY ORDINANCE FOR COMMITTEES TO CONDUCT CERTAIN PUBLIC HEARINGS, APPOINT COMMITTEE CHAIRS AND MEMBERS OR DELEGATE SUCH POWER TO THE COMMISSION'S CHAIRPERSON

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

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof,

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of

Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT TRANSFERRING CERTAIN  
MAYORAL RESPONSIBILITIES TO THE COUNTY COMMISSION

SHALL THE CHARTER BE AMENDED TO PROVIDE THAT THE COMMISSION, RATHER THAN THE MAYOR, IS EMPOWERED, WITHOUT BEING SUBJECT TO MAYORAL VETO, TO:

- ❖ ENACT ITS RULES OF PROCEDURE;
- ❖ SELECT ITS CHAIRPERSON AND A VICE-CHAIRPERSON;
- ❖ CREATE COMMISSION COMMITTEES OR DELEGATE CREATION TO THE COMMISSION'S CHAIRPERSON;
- ❖ PROVIDE BY ORDINANCE FOR COMMITTEES TO CONDUCT CERTAIN PUBLIC HEARINGS;
- ❖ APPOINT COMMITTEE CHAIRS AND MEMBERS OR DELEGATE SUCH POWER TO THE COMMISSION'S CHAIRPERSON?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal.

Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Natacha Seijas** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	nay
Dr. Barbara Carey-Shuler	absent	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	absent
Jimmy L. Morales	aye	Dennis C. Moss	aye
Dorin D. Rolle	nay	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 4th day of June, 2002. 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: **KAY SULLIVAN**  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

Cynthia Johnson-Stacks

Approved \_\_\_\_\_

Mayor

Veto \_\_\_\_\_

Override \_\_\_\_\_

Agenda Item No. 9(A)(4)  
6-4-02

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CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-601-02

[Pursuant to 8.01 (c) of the County's rules of procedure, the Mayor's veto was not timely filed therefore the Resolution became effective 10 days after its adoption.]

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO PROVIDE THAT THE COUNTY MANAGER AND ANY MEMBER OF THE COUNTY'S ADMINISTRATIVE STAFF MAY BE REMOVED FROM OFFICE IF HE OR SHE KNOWINGLY APPOINTS OR REMOVES ANY COUNTY OFFICER OR EMPLOYEE UPON THE REQUEST OF THE MAYOR OR A COUNTY COMMISSIONER AND EXPRESSLY ALLOW THE MAYOR AND COMMISSIONERS TO TRANSMIT CONSTITUENT INQUIRIES TO COUNTY STAFF

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

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration

books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT REGARDING THE MAYOR'S AND  
COUNTY COMMISSIONER'S COMMUNICATIONS WITH COUNTY STAFF

WHETHER THE CHARTER SHALL BE AMENDED TO

1. PROVIDE THAT THE COUNTY MANAGER AND ANY MEMBER OF THE COUNTY'S ADMINISTRATIVE STAFF MAY BE REMOVED FROM OFFICE IF HE OR SHE KNOWINGLY APPOINTS OR REMOVES ANY COUNTY OFFICER OR EMPLOYEE UPON THE REQUEST OF THE MAYOR OR A COUNTY COMMISSIONER, AND
2. EXPRESSLY ALLOW THE MAYOR AND COMMISSIONERS TO TRANSMIT CONSTITUENT INQUIRIES TO COUNTY STAFF?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general

election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Natacha Seijas** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	absent	Betty T. Ferguson	aye
Gwen Margolis	absent	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	absent
Dorrian 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 4th day of June, 2002. 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: KAY SULLIVAN  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

*CJS*

Cynthia Johnson-Stacks

MEMORANDUM

Agenda Item No. 9(A)(4)

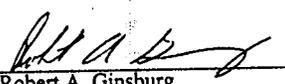
**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding amending  
Charter to remove from office  
any administrative staff that  
knowingly appoints or removes  
any county officer or employee  
upon the request of the Mayor  
or County Commissioner

The accompanying resolution was prepared and placed on the agenda at the request  
of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

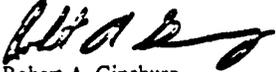
RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(4)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

THE HOME RULE CHARTER

\* \* \*

ARTICLE 3

THE COUNTY MANAGER

\* \* \*

Section 3.05. Restriction on >>the Mayor and<<Commission Members.

>>(A)<< Neither the Mayor nor any Commissioner shall direct or request the appointment of any person to, or his or her removal from, office by the Manager or any of the Manager's subordinates, or take part in the appointment or removal of officers and employees in the administrative services of the county, >>nor shall the Manager or any member of the administrative services accede to such direction or request. Any willful violation of this section by the Mayor or Manager or any County employee shall be grounds for his or her removal.<<

>>(B)<< Except for the purpose of >>transmitting constituent inquiries to the administrative services and other<< inquiry, as provided in Section 1.01A(20), the Mayor and Commissioners shall deal with the administrative service solely through the [[Manager]] >>County Manager's Office<< and neither the Mayor nor any Commissioner shall give orders to any subordinates of the Manager, either publicly or privately.

>>No County employee, other than the County Manager, shall respond to or undertake any action to comply with any request by the Mayor or any Commissioner which violates the provisions of the preceding paragraph. The County Manager shall not knowingly allow the Mayor or any Commissioner to deal with the administrative services in violation of the provisions of the preceding paragraph.<<

Approved \_\_\_\_\_

Mayor

Veto \_\_\_\_\_

Override \_\_\_\_\_

Agenda Item No. 9(A)(5)  
6-4-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-602-02

[Pursuant to 8.01 (c) of the County's rules of procedure, the Mayor's veto was not timely filed therefore the Resolution became effective 10 days after its adoption.]

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO REQUIRE THAT ANNUALLY THE MAYOR DELIVER A BUDGET MESSAGE IN MARCH; THE COUNTY MANAGER SUBMIT A PROPOSED BUDGET BETWEEN JUNE 1 AND JULY 15; AND THE MAYOR PROVIDE A RESPONSE BY JULY 31

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

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will

close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT RELATING TO COUNTY BUDGET PROCESS

SHALL THE CHARTER BE AMENDED TO REQUIRE THAT ANNUALLY THE MAYOR DELIVER A BUDGET MESSAGE IN MARCH; THE COUNTY MANAGER SUBMIT A PROPOSED BUDGET BETWEEN JUNE 1 AND JULY 15; AND THE MAYOR PROVIDE A RESPONSE BY JULY 31?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

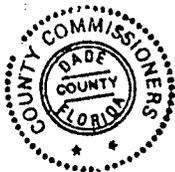
Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner Katy Sorenson, who moved its adoption. The motion was seconded by Commissioner Jose "Pepe" Cancio, Sr. and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	absent	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	absent	Dennis C. Moss	absent
Dorin 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 4th day of June, 2002. 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

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "CJS", written over the approval text.

Cynthia Johnson-Stacks

By: KAY SULLIVAN  
Deputy Clerk

MEMORANDUM

Agenda Item No. 9(A)(5)

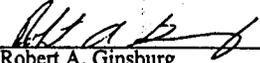
**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding amending  
Charter that the Mayor be  
required to deliver annually a  
budget message in March

The accompanying resolution was prepared and placed on the agenda at the request of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(5)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

ARTICLE-1<sup>1</sup>

Board of County Commissioners

\* \* \*

Section 1.10. Responsibilities of the Mayor.

Commencing with the election of Mayor in 1996, the Mayor shall serve as head of the county government with the following specific responsibilities:

\* \* \*

E. The Mayor shall prepare and deliver a budgetary address annually to the people of the county >>in<< [[between]] >>March<< [[July 1 and September 30]]. Such >>address<<[[report]] shall be prepared after consulting with the Manager and budget director >>and shall set forth the Mayor's funding priorities for the County<<.

\* \* \*

Section 4.03. Financial Administration

\* \* \*

B. >>Between June 1 and July 15, the County Manager should present a proposed budget to the Mayor containing a complete financial plan, including capital and operating budgets, for the ensuing fiscal year. The budget prepared and recommended by the Manager and the Mayor's written response thereto shall be presented to the Commission on or before the Board adopts tentative millage rates for the ensuing fiscal year.<< [[On or before the date established by law, the Manager shall recommend to the board a proposed budget presenting a complete financial plan, including capital and operating budgets, for the ensuing fiscal year.]]-A summary of the budget shall be published and the Board shall hold hearings on and adopt a budget >>on or before the dates required by law<<.

<sup>1</sup>Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Approved \_\_\_\_\_ Mayor  
Veto Carole Paulin  
Override \_\_\_\_\_

Agenda Item No. 9(A)(6)  
6-4-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-603-02

[Pursuant to 8.01 (c) of the County's rules of procedure, the Mayor's veto was not timely filed therefore the Resolution became effective 10 days after its adoption.]

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO REQUIRE THAT THE FINANCE DIRECTOR BE APPOINTED JOINTLY BY THE COUNTY MANAGER AND THE CLERK OF THE CIRCUIT AND COUNTY COURTS

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

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting

machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT RELATING TO APPOINTMENT OF COUNTY FINANCE DIRECTOR

SHALL THE CHARTER BE AMENDED TO REQUIRE THAT THE FINANCE DIRECTOR BE APPOINTED JOINTLY BY THE COUNTY MANAGER AND THE CLERK OF THE CIRCUIT AND COUNTY COURTS?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

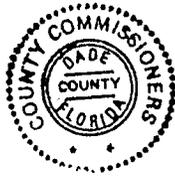
Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner Bruno A. Barreiro, who moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	absent	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	absent	Dennis C. Moss	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 4th day of June, 2002. 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

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "C. Johnson-Stacks".

Cynthia Johnson-Stacks

By: **KAY SULLIVAN**  
Deputy Clerk

MEMORANDUM

Agenda Item No. 9(A)(6)

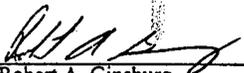
**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding amending  
Charter that the Finance  
Director be appointed jointly by  
the County Manager and the  
Clerk of the Circuit and County  
Courts

The accompanying resolution was prepared and placed on the agenda at the request of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(6)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

**THE HOME RULE CHARTER**

**ARTICLE-4'**

**ADMINISTRATION ORGANIZATION AND PROCEDURE**

\* \* \*

**Section 4.03. Financial Administration.**

- A. The department of finance shall be headed by a finance director appointed by the Manager >>and the Clerk of the Circuit and County Courts<<. The finance director shall have charge of the financial affairs of the county.

<sup>1</sup>Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.



Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 9(A)(7)  
6-4-02

OFFICIAL FILE COPY  
OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-604-02

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO PROVIDE FOR RECALL OF THE MAYOR.

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

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting

machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT PROVIDING FOR MAYORAL RECALL

SHALL THE CHARTER BE AMENDED TO PROVIDE FOR  
RECALL OF THE MAYOR?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

4

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Natacha Seijas** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	absent	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	absent
Dorin 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 4th day of June, 2002. 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 KAY SULLIVAN  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in cursive script, appearing to read "CJS", is written over the text of the County Attorney's approval.

Cynthia Johnson-Stacks

MEMORANDUM

Agenda Item No. 9(A)(7)

**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding amending  
Charter to provide for recall  
of the Mayor

The accompanying resolution was prepared and placed on the agenda at the request of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(7)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

THE HOME RULE CHARTER

ARTICLE-4<sup>1</sup>

ADMINISTRATION ORGANIZATION AND PROCEDURE

Section 7.02. Recall.

Any member of the Board of County Commissioners or the ~~Mayor~~ Sheriff or Constable may be removed from office by the electors of the county, district, or municipality by which he was chosen. The procedure on a recall petition shall be identical with that for an initiatory or referendary petition, except that:

1. The Clerk of the Circuit Court shall approve the form of the petition.
2. The person or persons circulating the petition must obtain signatures of electors of the county, district, or municipality concerned in numbers at least equal to four percent of the registered voters in the county district or municipality on the day on which the petition is approved, according to the official records of the County Supervisor of Elections.
3. The signed petition shall be filed with and canvassed and certified by the Clerk of the Circuit Court.
4. The Board of County Commissioners must provide for a recall election not less than 45 nor more than 90 days after the certification of the petition.
5. The question of recall shall be placed on the ballot in a manner that will give the elector a clear choice for or against the recall. The result shall be determined by a majority vote of the electors voting on the question.
6. If the majority is against recall the officer shall continue in office under the terms of his previous election. If the majority is for recall he shall, regardless of any defect in the recall petition, be deemed removed from office immediately.

<sup>1</sup>Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

7. No recall petition against such an officer shall be certified within one year after he takes office nor within one year after a recall petition against him is defeated.

8. Any vacancy created by recall in the offices of Sheriff or Constables shall be filled for the remaining term by appointment by the Board of County Commissioners, or the Board may require the office to be filled at the next regular election or at a special election called for that purpose.

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 9(A)(9)  
6-4-02

OFFICIAL FILE COPY  
WORK OF THE BOARD  
COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-605-02

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO DELETE THE RESTRICTION THAT INITIATIVE PETITIONS TO AMEND THE CHARTER BE PROPOSED EVERY TWO YEARS, REQUIRE THAT ANY ELECTION ON INITIATIVE PETITIONS TO AMEND THE CHARTER BE HELD IN CONJUNCTION WITH A SCHEDULED COUNTYWIDE ELECTION, OR IF NO COUNTYWIDE ELECTION IS SCHEDULED, AT A SPECIAL ELECTION, AND REQUIRE COMMISSION TO CALL SUCH ELECTION WITHIN 60-120 DAYS OF PRESENTATION OF A CERTIFIED PETITION TO THE COUNTY COMMISSION

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

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration

books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT EXPANDING  
RIGHT TO PROPOSE INITIATIVE PETITIONS FOR  
CHARTER AMENDMENTS

SHALL THE CHARTER BE AMENDED TO:

- ❖ DELETE RESTRICTION THAT INITIATIVE PETITIONS TO AMEND THE CHARTER BE EVERY TWO YEARS,
- ❖ REQUIRE THAT ANY ELECTION ON INITIATIVE PETITIONS TO AMEND THE CHARTER BE HELD IN CONJUNCTION WITH A SCHEDULED COUNTYWIDE ELECTION, OR IF NO COUNTYWIDE ELECTION IS SCHEDULED, AT A SPECIAL ELECTION, AND
- ❖ REQUIRE COMMISSION TO CALL SUCH ELECTION WITHIN 60-120 DAYS OF PRESENTATION OF A CERTIFIED PETITION TO THE COUNTY COMMISSION?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner **Jimmy L. Morales**, who moved its adoption. The motion was seconded by Commissioner **Gwen Margolis** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	absent	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	absent
Dorin 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 4th day of June, 2002. 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: **KAY SULLIVAN**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "CJ-Stacks".

Cynthia Johnson-Stacks

MEMORANDUM

Agenda Item No. 9(A)(9)

: Hon. Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

DM: Robert A. Ginsburg  
County Attorney

SUBJECT: Resolution calling Special  
Election regarding amending  
Charter to delete the restriction  
that initiative petitions to  
amend Charter be proposed  
every two years

The accompanying resolution was prepared and placed on the agenda at the request  
of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

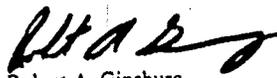
RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(9)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

THE HOME RULE CHARTER

ARTICLE-8<sup>1</sup>

GENERAL PROVISIONS

\* \* \*

Section 8.07. Amendments.

A. Amendments to this Charter may be proposed by a resolution adopted by the Board of County Commissioners or by petition of electors numbering not less than ten percent of the total number of electors registered in Dade County at the time the petition is submitted to the Board. Initiatory petitions shall be certified in the manner required for initiatory petitions for an ordinance.

B. Amendments to this Charter may be proposed by initiatory petitions of electors ~~[[biennially, only during even numbered years in which state primary and general elections are held]].~~ >>The Board of County Commissioners shall call an election to be held within 60-120 days of the date that a certified petition is presented to the County Commission. Such election shall be called in conjunction with a countywide election; however, if no countywide election is scheduled to occur within 60-120 of presentation, a special election on the petition shall be called.<<~~[[All elections on charter amendments proposed by initiatory petitions shall be held in conjunction with state primary or general elections, unless the Board of County Commissioners shall determine to call a special election by two thirds vote of the entire membership.]]~~

<sup>1</sup>Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 9(A)(10)  
6-4-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-606-02

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED, EFFECTIVE UPON THE ELECTION FOR COUNTY COMMISSION IN 2004, TO PROVIDE THAT RUNOFFS FOR COUNTY ELECTIONS BE HELD AT THE TIME OF THE GENERAL ELECTION IN NOVEMBER

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

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting

machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT CHANGING DATE OF RUNOFF  
ELECTIONS FOR COUNTY OFFICES TO DATE OF  
GENERAL ELECTION

SHALL, EFFECTIVE UPON THE ELECTION FOR COUNTY COMMISSION IN 2004, THE CHARTER BE AMENDED TO PROVIDE THAT RUNOFFS FOR COUNTY ELECTIONS BE HELD AT THE TIME OF THE GENERAL ELECTION IN NOVEMBER?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner Jimmy L. Morales, who moved its adoption. The motion was seconded by Commissioner Jose "Pepe" Cancio, Sr. and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	absent	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	absent
Dorrian D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	nay
		Sen. Javier D. Souto	absent

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of June, 2002. 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

Approved by County Attorney as  
to form and legal sufficiency.

*CJS*

**KAY SULLIVAN**  
By: \_\_\_\_\_  
Deputy Clerk

Cynthia Johnson-Stacks

6

MEMORANDUM

Agenda Item No. 9(A)(10)

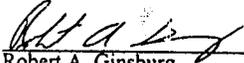
**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding amending  
Charter to provide that runoffs  
for County elections be held at  
the time of the General Election  
in November

The accompanying resolution was prepared and placed on the agenda at the request of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(10)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

**THE HOME RULE CHARTER**

**ARTICLE-2<sup>1</sup>**

**Section 2.01. Election And Commencement Of  
Terms Of County Commissioners.**

A. Unless otherwise provided in the Charter, beginning in 1976, the election of the Mayor and the County Commissioners from four County Commission districts to be selected by voluntary arrangement or by lot prior to June 1, 1976 shall be held at the time of the state primary elections in 1976 and every four years thereafter at the same time. The County Commissioners from the other four County Commission districts shall also be elected in 1976 in the same manner, but only for two year terms; the election of County Commissioners from these four County Commission districts will be held again in 1978 and every four years thereafter at the time of the state primary elections.

Note: The election of the Commissioners from even-numbered districts shall be held in 1994 and every four years thereafter and the election of Commissioners from odd-numbered districts shall be held in 1996 and every four years thereafter. Meek v. Metropolitan Dade County, 908 F.2d 1540 (11th Cir. 1990), opinion after remand, 985 F.2d 1471 (11th Cir. 1993).

B. A candidate must receive a majority of the votes cast to be elected. >>Effective with the election for County Commission in 2004.<< [[{#}] >>if<< no candidate receives a majority of the votes cast there will be a runoff election at the time of the >>general election following the state primary election<< [[state second primary election]] between the two candidates receiving the highest number of votes. Should a tie result, the outcome shall be determined by lot.

<sup>1</sup>Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Approved \_\_\_\_\_ Mayor  
Veto *[Signature]*  
Override \_\_\_\_\_

Agenda Item No. 9(A)(11)  
6-4-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-607-02

[Pursuant to 8.01 (c) of the County's rules of procedure, the Mayor's veto was not timely filed therefore the Resolution became effective 10 days after its adoption.]

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO CREATE THE OFFICE OF COMMISSION AUDITOR TO BE SELECTED BY AND REPORT DIRECTLY TO THE BOARD OF COUNTY COMMISSIONERS WITH THE RESPONSIBILITY TO PROVIDE THE BOARD BUDGETARY, AUDIT, MANAGEMENT, REVENUE FORECASTING, AND FISCAL ANALYSES OF COMMISSION POLICIES, AND COUNTY SERVICES AND CONTRACTS

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of

Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT CREATING THE  
POSITION OF COMMISSION AUDITOR

SHALL THE CHARTER BE AMENDED TO CREATE THE OFFICE OF COMMISSION AUDITOR TO BE SELECTED BY AND REPORT DIRECTLY TO THE BOARD OF COUNTY COMMISSIONERS WITH THE RESPONSIBILITY TO PROVIDE THE BOARD BUDGETARY, AUDIT, MANAGEMENT REVENUE FORECASTING, AND FISCAL ANALYSES OF COMMISSION POLICIES, AND COUNTY SERVICES AND CONTRACTS?

YES   
NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner Jimmy L. Morales, who moved its adoption. The motion was seconded by Commissioner Katy Sorenson and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	nay
Dr. Barbara Carey-Shuler	aye	Betty T. Ferguson	aye
Gwen Margolis	nay	Joe A. Martinez	nay
Jimmy L. Morales	aye	Dennis C. Moss	absent
Dorin D. Rolle	nay	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	nay
		Sen. Javier D. Souto	absent



The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of June, 2002. 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: KAY SULLIVAN  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Cynthia Johnson-Stacks

2

MEMORANDUM

Agenda Item No. 9(A)(11)

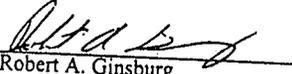
**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding amending  
Charter to create the Office of  
Commission Auditor to be  
selected by and report directly  
to Board of County  
Commissioners

The accompanying resolution was prepared and placed on the agenda at the request  
of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

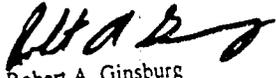
RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(11)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

THE HOME RULE CHARTER

ARTICLE-8<sup>1</sup>

Section 8.10. COMMISSION AUDITOR

>>There is hereby created and established the Office of the Commission Auditor. The Commission Auditor, who shall be a certified public accountant, will be selected by the County Commission and shall report directly to the County Commission. The County Commission shall provide by ordinance for the specific functions and responsibilities of the Commission Auditor, which shall include but not be limited to providing the Commission with independent budgetary, audit, management, revenue forecasting, and fiscal analyses of commission policies, and county services and contracts.<<

<sup>1</sup>Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

>

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 9(A)(12)  
6-4-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-608-02

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE AMENDED TO ABOLISH THE GOVERNING BOARD OF THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT (THE "FIRE BOARD") AND DESIGNATE THE COUNTY COMMISSION AS THE GOVERNING BOARD OF THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the

registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT ABOLISHING THE MIAMI-DADE FIRE BOARD

SHALL THE CHARTER BE AMENDED TO ABOLISH THE GOVERNING BOARD OF THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT ESTABLISHED BY COUNTY ORDINANCE NO. 80-86 (THE "FIRE BOARD") AND DESIGNATE THE COUNTY COMMISSION TO SERVE AS THE GOVERNING BODY OF THE COUNTY'S FIRE AND RESCUE SERVICE DISTRICT?

YES   
NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner Gwen Margolis, who moved its adoption. The motion was seconded by Commissioner Natacha Seijas and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	nay
Dr. Barbara Carey-Shuler	absent	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	aye
Dorin D. Rolle	nay	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 4th day of June, 2002. 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

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "CJ-Stacks".

Cynthia Johnson-Stacks

By: KAY SULLIVAN  
Deputy Clerk

MEMORANDUM

Agenda Item No. 9(A)(12)

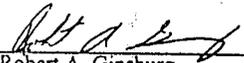
**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding amending  
Charter to abolish the  
governing board of the  
Miami-Dade Fire and Rescue  
Service District (the "Fire  
Board")

The accompanying resolution was prepared and placed on the agenda at the request  
of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(12)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

THE HOME RULE CHARTER

ARTICLE-1<sup>1</sup>

Board of County Commissioners

Section 1.01. POWERS

A. The Board of County Commissioners shall be the legislative and the governing body of the county and shall have the power to carry on a central metropolitan government. This power shall include but shall not be restricted to the power to:

\* \* \*

11. By ordinance, establish, merge, and abolish special purpose districts within which may be provided police and fire protection, beach erosion control, recreation facilities, water, streets, sidewalks, street lighting, waste and sewage collection and disposal, drainage, and other essential facilities and services. All county funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only. The Board of County Commissioners shall be the governing body of all such districts and when acting as such governing body shall have the same jurisdiction and powers as when acting as the Board; ~~[[provided, however, the Board of County Commissioners shall not be the governing body of the Metro Dade Fire and Rescue Service District established by Ordinance No. 80-86, but said Fire and Rescue Service District shall be governed by five members elected for initial terms of two years by the registered voters of the Metro Dade Fire and Rescue Service District;]]~~ provided ~~[[further]]~~, however, that the governing board of the juvenile welfare special district shall not be the Board of County Commissioners, but shall consist of the superintendent of schools, a local school board member, the district administrator of the Department of Health and Rehabilitative Services, a member of the Board of County Commissioners and five members appointed by the Governor.

<sup>1</sup>Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.



Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 9(A)(13)  
6-4-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-609-02

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE CHARTER SHALL BE UPDATED IN ACCORDANCE WITH FEDERAL COURT ORDERS TO REFLECT THAT THE BOARD OF COUNTY COMMISSIONERS CONSISTS OF THIRTEEN MEMBERS EACH ELECTED FROM A SINGLE-MEMBER DISTRICT AND SERVING STAGGERED TERMS

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002 for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will

close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

**CHARTER AMENDMENT RELATING TO TERMS AND  
NUMBER OF COUNTY COMMISSIONERS**

SHALL THE CHARTER BE UPDATED IN ACCORDANCE WITH FEDERAL COURT ORDERS TO REFLECT THAT THE BOARD OF COUNTY COMMISSIONERS CONSISTS OF THIRTEEN MEMBERS EACH ELECTED FROM A SINGLE-MEMBER DISTRICT AND SERVING STAGGERED TERMS?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner Jimmy L. Morales, who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	aye	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	absent
Dorrian 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 4th day of June, 2002. 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: **KAY SULLIVAN**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "CJS", is written over the text of the County Attorney's approval.

Cynthia Johnson-Stacks

MEMORANDUM

Agenda Item No. 9(A)(13)

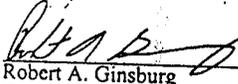
**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding updating  
Charter to reflect that the Board  
of County Commissioners  
consists of thirteen members  
each elected from a  
single-member district

The accompanying resolution was prepared and placed on the agenda at the request  
of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

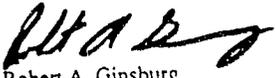
RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: June 4, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 9(A)(13)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

HOME RULE CHARTER

\* \* \*

ARTICLE-1<sup>1</sup>

BOARD OF COUNTY COMMISSIONERS

\* \* \*

SECTION 1.03. Districts.

A. There shall be ~~>>thirteen<<~~ ~~[[eight]]~~ County Commission districts. The ~~>>current<<~~ ~~[[initial]]~~ boundaries of these districts shall be as shown on the map attached as Exhibit A and made a part hereof.

~~[[Note: There are thirteen County Commission districts. Meek v. Metropolitan Dade County, 908 F.2d 1540 (11th Cir. 1990), opinion after remand, 985 F.2d 1471 (11th Cir. 1993).]]~~

B. The Board may by ordinance adopted by two-thirds vote of the members of the Board change the boundaries of the districts from time to time. The boundaries shall be fixed on the basis of the character, population, and geography of the districts.

SECTION 1.04. Composition Of The Commission.

~~>>The Commission shall consist of thirteen members, each of whom shall be a qualified elector residing within his or her district for at least six months and within the County for at least three years before qualifying and who shall be elected by the qualified electors of his or her district.<<~~

~~[[The Commission shall consist of nine members elected, as follows~~

~~From each of the eight districts there shall be elected by the qualified electors of the county at large a County Commissioner who shall be a qualified elector residing within the district at least~~

<sup>1</sup>Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or ~~>>double arrowed<<~~ constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

~~six months and within the county at least three years before qualifying. Commencing with the election of Mayor in 1996, the Commission shall consist of eight members.~~

~~Beginning with the state primary elections in 1998, the Mayor and each Commissioner shall be elected for a term of four years.~~

~~Note: The Commission consists of thirteen members elected from districts. Meek v. Metropolitan Dade County, 908 F.2d 1540 (11th Cir. 1990), opinion after remand, 985 F.2d 1471 (11th Cir. 1993).]]~~

\* \* \*

## ARTICLE - 2

### ELECTIONS

#### SECTION 2.01. ELECTION AND COMMENCEMENT OF TERMS OF COUNTY COMMISSIONERS.

A. ~~[[Unless otherwise provided in the Charter, beginning in 1976, the election of the Mayor and the County Commissioners from four County Commission districts to be selected by voluntary arrangement or by lot prior to June 1, 1976 shall be held at the time of the state primary elections in 1976 and every four years thereafter at the same time. The County Commissioners from the other four County Commission districts shall also be elected in 1976 in the same manner, but only for two year terms; the election of County Commissioners from these four County Commission districts will be held again in 1978 and every four years thereafter.]]>>The election of the Commissioners from even-numbered districts shall be held in 1994 and every four years thereafter and the election of Commissioners from odd-numbered districts shall be held in 1996 and every four years thereafter<< at the time of the state primary elections.~~

~~[[Note: The election of the Commissioners from even-numbered districts shall be held in 1994 and every four years thereafter and the election of Commissioners from odd-numbered districts shall be held in 1996 and every four years thereafter. Meek v. Metropolitan Dade County, 908 F.2d 1540 (11th Cir. 1990), opinion after remand, 985 F.2d 1471 (11th Cir. 1993).]]~~



Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 9(A)(16)  
6-4-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-610-02

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE CHARTER TO PROVIDE THAT IF AN INITIATIVE PETITION IS DEEMED TO BE LEGALLY SUFFICIENT, THE PROPOSAL SHALL BE PLACED ON THE BALLOT WITHOUT REQUIRING ANY FURTHER ACTION BY THE BOARD OF COUNTY COMMISSIONERS, UNLESS THE BOARD DETERMINES TO ADOPT THE PROPOSAL

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

Section 1. A Countywide special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, September 10, 2002, for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof.

Section 2. Notice of such election shall be published in accordance with Section 100.342, Florida Statutes 1995.

Section 3. The result of such election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the proposal. The polls at such election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions

of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT PLACING PROPOSED  
INITIATIVE PETITIONS ON BALLOT WITHOUT  
FURTHER COUNTY COMMISSION ACTION

SHALL THE CHARTER BE AMENDED TO PROVIDE THAT IF AN INITIATIVE PETITION IS DEEMED TO BE LEGALLY SUFFICIENT, THE PROPOSAL SHALL BE PLACED ON THE BALLOT WITHOUT REQUIRING ANY FURTHER ACTION BY THE BOARD OF COUNTY COMMISSIONERS, UNLESS THE BOARD DETERMINES TO ADOPT THE PROPOSAL?

YES

NO

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County for voting on this question at said election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO".

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the touch screen system at this election shall be published and provided in accordance with the applicable provisions of the general

election laws.

Section 7. This election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This election shall be a nonpartisan election. Inspectors and clerks to serve as election officials in connection with this election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by the Board of County Commissioners and offered by Commissioner Katy Sorenson, who moved its adoption. The motion was seconded by Commissioner Natacha Seijas and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	nay
Dr. Barbara Carcy-Shuler	aye	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	nay
Jimmy L. Morales	aye	Dennis C. Moss	absent
Dorin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	nay
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of June, 2002. 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: KAY SULLIVAN  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Cynthia Johnson-Stacks

MEMORANDUM

Agenda Item No. 9(A)(16)

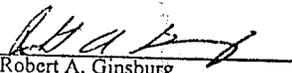
**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling Special  
Election regarding amending  
Charter to provide that if an  
initiative petition is deemed  
legally sufficient, the proposal  
shall be placed on ballot

The accompanying resolution was prepared and placed on the agenda at the request  
of the Board of County Commissioners.

  
Robert A. Ginsburg  
County Attorney

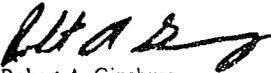
RAG/jls



MEMORANDUM

**TO:** Honorable Chairperson and Members  
Board of County Commissioners

**DATE:** June 4, 2002

**FROM:**   
Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 9(A)(16)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

ARTICLE -7

INITIATIVE, REFERENDUM, AND RECALL

SECTION 7.01. INITIATIVE AND REFERENDUM.

The electors of the county shall have the power to propose to the Board of County Commissioners passage or repeal of ordinances and to vote on the question if the Board refuses action, according to the following procedure:

1. The person proposing the exercise of this power shall submit the proposal, ~~>>including proposed ballot language,<<~~ to the Board which shall without delay approve as to form a petition for circulation in one or several copies as the proposer may desire.

2. The person or persons circulating the petition shall, within 60 days of the approval of the form of the petition, obtain the valid signatures of voters in the county in numbers at least equal to four percent of the registered voters in the county on the day on which the petition is approved, according to the official records of the County Supervisor of Elections. In determining the sufficiency of the petition, no more than 25 percent of the valid signatures required shall come from voters registered in any single county commission district. Each signer of a petition shall place thereon, after his name, the date, and his place of residence or precinct number. Each person circulating a copy of the petition shall attach to it a sworn affidavit stating the number of signers and the fact that each signature was made in the presence of the circulator of the petition.

3. The signed petition shall be filed with the Board which shall within 30 days order a canvass of the signatures thereon to determine the sufficiency of the signatures. If the number of signatures is insufficient or the petition is deficient as to form or compliance with this Section, the Board shall notify the person filing the petition that the petition is insufficient and has failed.

4. The Board ~~>>may<<~~ ~~[[shall]]~~ within 30 days after the date a sufficient petition is presented

~~[[either:-]]~~

~~[[~~(a)~~—Adopt]]~~ >>adopt<< the ordinance as submitted in an initiatory petition or repeal the ordinance referred to by a referendary petition>> << ~~[[repeal]]~~

~~(b) Submit the proposal to the electors in impartial and concise language and in such manner as provides a clear understanding of the proposal.]~~ >>If the Board does not adopt or repeal the ordinance as provided above, then the proposal shall be placed on the ballot without further action of the Board.<<

5. If the ~~[[Board determines to submit the]]~~ proposal >>is submitted<< to the electors, the election shall be held either:

(a) In the next scheduled county-wide election, or

(b) If the petition contains the valid signatures in the county in numbers at least equal to eight percent of the registered voters in the county, the election shall take place >>on the first Tuesday after<< ~~[[within]]~~ 120 days >>from certification of the petition.<< ~~[[after the date the petition is presented to the Board, preferably in an election already scheduled for other purposes, otherwise in a special election.]]~~ The result shall be determined by a majority vote of the electors voting on the proposal.

6. An ordinance proposed by initiatory petition or the repeal of an ordinance by referendary petition shall be effective on the day after the election, except that:

(a) Any reduction or elimination of existing revenue or any increase in expenditures not provided for by the current budget or by existing bond issues shall not take effect until the beginning of the next succeeding fiscal year; and

(b) Rights accumulated under an ordinance between the time a certified referendary petition against the ordinance is presented to the Board and the repeal of the ordinance by the voters, shall not be enforced against the county; and



(c) Should two or more ordinances adopted at the same election have conflicting provisions, the one receiving the highest number of votes shall prevail as to those provisions.

7. An ordinance adopted by the electorate through initiatory proceedings shall not be amended or repealed by the Board for a period of one year after the election at which it was adopted, but thereafter it may be amended or repealed like any other ordinance.

Approved \_\_\_\_\_

Mayor

Attended \_\_\_\_\_

Veto \_\_\_\_\_

Agenda Item No. 9(A)(10)

Override \_\_\_\_\_

5-21-02

RESOLUTION NO. 552-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON SEPTEMBER 10, 2002, TO APPROVE AMENDMENT TO MIAMI-DADE COUNTY'S HOME RULE CHARTER FOR THE INDEPENDENT SPECIAL DISTRICT FOR CHILDREN'S SERVICES TO BE NAMED "THE CHILDREN'S TRUST," WITH THE AUTHORITY TO FUND IMPROVEMENTS TO CHILDREN'S HEALTH, DEVELOPMENT AND SAFETY, PROMOTE PARENTAL AND COMMUNITY RESPONSIBILITY FOR CHILDREN, LEVY AN ANNUAL AD VALOREM LEVY NOT TO EXCEED ONE-HALF (1/2) MILL TO SUPPLEMENT CURRENT COUNTY EXPENDITURES FOR CHILDREN'S SERVICES AND HAVE THIS LEVY BE SUBJECT TO VOTER RENEWAL IN 2008, AND HAVING MEMBERSHIP PROVIDED IN STATE LAW FOR HOME RULE CHARTER COUNTIES

WHEREAS, the State of Florida created the Children's Services Statute, Section 125.901 of Florida Statutes; and

WHEREAS, the statute allows a local government to create an independent special district, known as a children's services council, to address the needs of children in the community; and

WHEREAS, the statute allows the children's service council, upon approval of the electorate, to levy a tax of no more than one-half (1/2) mill for the provision of children's services and programs; and

WHEREAS, in 1988, the electorate of Miami-Dade County approved the creation of a juvenile welfare board, as children's services councils were called at the time; and

WHEREAS, as a consequence of the voter approval, the Home Rule Charter was amended to include this juvenile welfare board as an independent special district; and

WHEREAS, in 1988, the electorate of Miami-Dade County did not approve the children's service ad valorem tax; and

WHEREAS, the Miami-Dade County Children's Services Council, the advisory board to the Board of County Commissioners on children's issues, recommends that the matter of the children's services ad valorem tax be presented once again to the electorate; and

WHEREAS, the Miami-Dade County Children's Services Council recommends that the membership of the children's services council (the juvenile welfare board) be changed so as to conform with the recently amended statutory provisions set forth in Senate Bill 2086, and codified as Section 125.901(b) of the Florida Statutes, governing children's services councils serving home rule charter counties and, therefore, increase the number and diversity of members; and;

WHEREAS, this Board adopts these recommendations of the Miami-Dade County's Children's Services Council,

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

Section 1. A county-wide special election is hereby called and shall be held in Miami-Dade County, Florida, on September 10, 2002, for the purpose of submitting to the qualified electors of Miami-Dade County the question of whether the Home Rule Charter shall be amended to name the independent special district for children's services "The Children's Trust" with the authority to fund improvements to children's health, development and safety,

promote parental and community responsibility for children, levy an annual ad valorem tax not to exceed one-half (1/2) mill to supplement current county expenditures for children services and have this levy be subject to renewal by the voters in 2008 and have membership as provided in state law for home rule charter counties. A copy of the amendment to the Home Rule Charter is attached hereto and incorporated as Attachment "A."

Section 2. Notice of such special election shall be published in accordance with Section 100.342, Florida Statutes.

Section 3. The result of such special election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the question. The polls at such special election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such special election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said special election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such special election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

CHARTER AMENDMENT:

CHILDREN'S TRUST FOR CHILDREN'S HEALTH,  
SAFETY AND DEVELOPMENT

SHALL THE CHARTER BE AMENDED TO NAME THE INDEPENDENT SPECIAL DISTRICT FOR CHILDREN'S SERVICES "THE CHILDREN'S TRUST" WITH AUTHORITY TO:

- FUND IMPROVEMENTS TO CHILDREN'S HEALTH, DEVELOPMENT AND SAFETY;

- PROMOTE PARENTAL AND COMMUNITY RESPONSIBILITY FOR CHILDREN;
- LEVY AN ANNUAL AD VALOREM TAX NOT TO EXCEED ONE-HALF (1/2) MILL TO SUPPLEMENT CURRENT COUNTY EXPENDITURES FOR CHILDREN SERVICES (THIS LEVY REQUIRES VOTER RENEWAL IN 2008); AND
- HAVE MEMBERSHIP PROVIDED IN STATE LAW FOR HOME RULE CHARTER COUNTIES?

YES \_\_\_\_\_

NO \_\_\_\_\_

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES." Those qualified electors desiring to reject or disapprove the question shall be instructed to vote "NO."

Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County voting on this question at said special election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal herein above set forth, with proper place for voting either "YES" or "NO" following the statement of the question or proposal aforesaid.

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This special election on the question aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to special elections and the

provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This special election shall be a nonpartisan election. Election Inspection Boards, inspectors and clerks to serve as election officials in connection with this special election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This special election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was sponsored by Dr. Barbara Carey-Shuler, Commissioner Jose "Pepe" Cancio, Sr., Commissioner Betty T. Ferguson, Chairperson Gwen Margolis, Commissioner Jimmy L. Morales, Commissioner Dennis C. Moss, Commissioner Dorrin D. Rolle and Commissioner Katy Sorenson and offered by Commissioner **Jimmy L. Morales** who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Cancio, Sr.** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	nay	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	aye	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
		Sen. Javier D. Souto	absent

The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of May, 2002. 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: **KAY SULLIVAN**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

KAG

Karon M. Coleman

§

ATTACHMENT A

Section 1.01 of the Miami-Dade County Home Rule Amendment and Charter shall be amended as follows:

Section 1.01 POWERS

- A. The Board of County Commissioners shall be the legislative and the governing body of the county and shall have the power to carry on a central metropolitan government. This power shall include but shall not be restricted to the power to:

\* \* \*

11. By ordinance, establish, merge, and abolish special purpose districts within which may be provided police and fire protection, beach erosion control, recreation facilities, water, streets, sidewalks, street lighting, waste and sewage collection and disposal, drainage, and other essential services. All county funds for such districts shall be provided by service charges, special assessments, or general tax levies with such districts only. The Board of County Commissioners shall be the governing body of all such districts and when acting as such governing body shall have the same jurisdiction and powers as when acting as the Board; provided however, the Board of County Commissioners shall not be the governing body of the Metro-Dade Fire and Rescue Service District established by Ordinance 80-86, but said Fire and Rescue Service District shall be governed by five members elected for initial terms of two years by the registered voters of the Metro-Dade Fire and Rescue Service District; provided further, however, that the governing board of the >>Children's Trust << ~~[[juvenile welfare special district]]~~ shall not be the Board of County Commissioners, but shall >>have membership as provided in state law for children's service councils serving home rule charter counties<< ~~[[consist of the superintendent of schools, a local school board member, the district administrator of the Department of Health and Rehabilitative Services, a member of the Board of County Commissioners and five members appointed by the Governor]]~~ >>The Children's Trust shall have the authority to fund improvements to children's health, development and safety; promote parental and community responsibility for children; levy an annual ad valorem tax not to exceed one-half (1/2) mill to supplement current county expenditures for children services and require voter renewal in 2008<<

\* \* \*

**MEMORANDUM**

Amended  
Agenda Item No. 9(A)(10)

**TO:** Hon. Chairperson and Members  
Board of County Commissioners

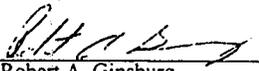
**DATE:** May 21, 2002

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution calling special  
election regarding the  
"The Children's Trust"

**R#552-02**

The accompanying resolution was prepared and placed on the agenda at the request of Dr. Barbara Carey-Shuler, Commissioner District 3, Commissioner Jose "Pepe" Cancio, Sr., Commissioner Betty T. Ferguson, Chairperson Gwen Margolis, Commissioner Jimmy L. Morales, Commissioner Dennis C. Moss, Commissioner Dorrin D. Rolle and Commissioner Katy Sorenson.

  
Robert A. Ginsburg  
County Attorney

RAG/bw



MEMORANDUM

TO: Honorable Chairperson and Members  
Board of County Commissioners

DATE: May 21, 2002

FROM:   
Robert A. Ginsburg  
County Attorney

Amended  
SUBJECT: Agenda Item No. 9(A)(10)

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(2)

1-29-02

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

RESOLUTION NO. R-39-02

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, SEPTEMBER 10, 2002, TO REPEAL ORDINANCE 98-170 ENTITLED "ORDINANCE AMENDING ARTICLES I, II, III AND IV OF CHAPTER 11A OF THE CODE OF MIAMI-DADE COUNTY TO PROHIBIT DISCRIMINATION BASED ON SEXUAL ORIENTATION IN HOUSING, CREDIT AND FINANCE, PUBLIC ACCOMMODATIONS, AND EMPLOYMENT; AMENDING ARTICLE VI RELATING TO THE OFFICE OF FAIR EMPLOYMENT PRACTICES TO REQUIRE MIAMI-DADE COUNTY TO PROVIDE EQUAL EMPLOYMENT OPPORTUNITY WITHOUT REGARD TO SEXUAL ORIENTATION; PROVIDING SAVINGS CLAUSE, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE"

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

Section 1. A county-wide special election is hereby called and shall be held in Miami-Dade County, Florida, on Tuesday, September 10, 2002, for the purpose of submitting to the qualified electors of Miami-Dade County the question of whether Miami-Dade County Ordinance 98-170, relating to prohibiting discrimination based on sexual orientation in housing, credit and finance, public accommodations, and employment shall be repealed.

Section 2. Notice of such special election shall be published in accordance with Section 100.342, Florida Statutes.

Section 3. The result of such special election shall be determined by a majority of the qualified electors of Miami-Dade County voting upon the question. The polls at such special election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such

METROPOLITAN DADE COUNTY, FLORIDA



STEPHEN P. CLARK CENTER

OFFICE OF THE SUPERVISOR OF ELECTIONS  
SUITE 1910  
111 NW 1ST STREET  
MIAMI FLORIDA 33128-1962  
(305) 375-5553

Mailing Address:  
P.O. Box 012241  
Miami, Florida 33101-2241

## CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, David C. Leahy, Supervisor of Elections for Miami-Dade County, Florida, do hereby certify that the PETITION TO REPEAL MIAMI-DADE COUNTY ORDINANCE 98-170 RELATED TO SEXUAL ORIENTATION contained fifty thousand, seven hundred and twenty-one (50,721) signatures. A random sample of fifteen hundred (1,500) signatures was compared with the records on file in my office, as provided under Sections, 99.097(1) and (2), Florida Statutes, and Department of State Rule 1S-2.008, Random Sampling Procedures for Petition Signature Verification. I further certify that, based on the Department of State's random sampling procedures, the PETITION TO REPEAL MIAMI-DADE COUNTY ORDINANCE 98-170 RELATED TO SEXUAL ORIENTATION contains the valid signatures of Miami-Dade County voters in numbers at least equal to four percent (4%) of the registered voters in Miami-Dade County. I further certify that a determination was made that no more than 25 percent of the valid signatures required came from voters registered in any single county commission district.

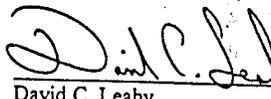
WITNESS MY HAND

AND OFFICIAL SEAL

AT MIAMI-DADE COUNTY,

FLORIDA, ON THIS 18<sup>th</sup> DAY

OF DECEMBER, 2001

  
\_\_\_\_\_  
David C. Leahy  
Supervisor of Elections  
Miami-Dade County, Florida

special election. All qualified electors of Miami-Dade County, Florida, shall be entitled to vote at said special election. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such special election, at which time the registration books will close in accordance with the provisions of the general election laws. Touch Screen Voting machines shall be used in such special election, and the question shall appear on the ballot in substantially the following form:

REPEAL OF COUNTY ORDINANCE 98-170 RELATED  
TO SEXUAL ORIENTATION

SHALL COUNTY ORDINANCE 98-170, ENTITLED "ORDINANCE AMENDING ARTICLES I, II, III AND IV OF CHAPTER 11A OF THE CODE OF MIAMI-DADE COUNTY TO PROHIBIT DISCRIMINATION BASED ON SEXUAL ORIENTATION IN HOUSING, CREDIT AND FINANCE, PUBLIC ACCOMMODATIONS, AND EMPLOYMENT; AMENDING ARTICLE VI RELATING TO THE OFFICE OF FAIR EMPLOYMENT PRACTICES TO REQUIRE MIAMI-DADE COUNTY TO PROVIDE EQUAL EMPLOYMENT OPPORTUNITY WITHOUT REGARD TO SEXUAL ORIENTATION," BE REPEALED?

~~YES - for repeal~~

NO - against repeal

Section 4. Such question shall appear on the ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to vote "YES - for repeal." Those qualified electors desiring to reject or disapprove the question shall be instructed to vote "NO - against repeal."

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Section 5. Optical scan or touch screen systems may be used for absentee voting by qualified electors of Miami-Dade County voting on this question at said special election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal herein above set forth, with proper place for voting either "YES - for repeal" or "NO - against repeal" following the statement of the question or proposal aforesaid.

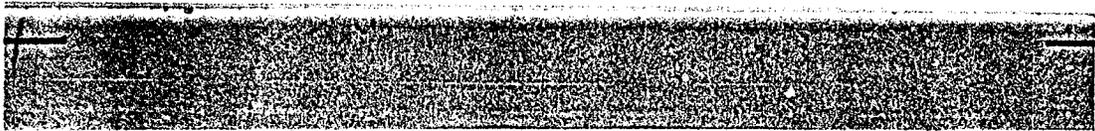
Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This special election on the question aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to special elections and the provisions of the Miami-Dade County Home Rule Charter. The County Manager, the Finance Director, the Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This special election shall be a nonpartisan election. Election Inspection Boards, inspectors and clerks to serve as election officials in connection with this special election shall be appointed in accordance with the provisions of the general election laws.

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Section 8. This special election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was offered by Commissioner **Dr. Barbara Carey-Shuler**, who moved its adoption. The motion was seconded by Commissioner **Gwen Margolis** and upon being put to a vote, the vote was as follows:



Dr. Miriam Alonso	absent	Bruno A. Barreiro	aye
Dr. Barbara Carey-Shuler	aye	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	aye
Jimmy L. Morales	absent	Dennis C. Moss	aye
Dorrian D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	absent	Rebeca Sosa	aye
	Javier D. Souto	absent	

The Chairperson thereupon declared the resolution duly passed and adopted this 29<sup>th</sup> day of January, 2002. 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: **KAY SULLIVAN**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency *[Signature]*

Murray A. Greenberg

MEMORANDUM

Agenda Item No. 11(A)(2)

To: Hon. Chairperson and Members  
Board of County Commissioners

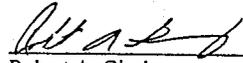
Date: January 29, 2002

Subject: Initiative Petition by Take Back Miami-  
Dade to repeal County Ordinance related to  
sexual orientation

From: Robert A. Ginsburg  
County Attorney

As set forth on the certification from the Supervisor of Elections which is attached hereto, the Supervisor has determined that the petition to repeal Miami-Dade County Ordinance 98-170 contains sufficient valid signatures to bring it within the ambit of Section 7.01(4) of the County Charter.

As you are aware, the Charter requires the Board either to "adopt the ordinance as submitted" or "submit the proposal to the electors." Paragraph 5(a) of Section 7.01 requires that if the Board submits the proposal to the electors, it shall be done "in the next scheduled county-wide election," currently scheduled for September 10, 2002.

  
Robert A. Ginsburg  
County Attorney

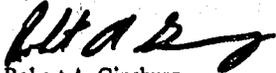
RAG/mk  
Attachment



MEMORANDUM

**TO:** Honorable Chairperson and Members  
Board of County Commissioners

**DATE:** January 29, 2002

**FROM:**   
Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- "4-Day Rule" (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
- Statement of private business sector impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- "Sunset" provision required
- Legislative findings necessary