MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 5(C)(1)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

✓ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(C)(1)
4-24-07

RESOLUTION NO. _____

RESOLUTION CALLING SPECIAL ELECTION IN SPECIAL TAXING DISTRICT FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS RESIDING IN BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT, FOR THEIR APPROVAL OR DISAPPROVAL, AN ORDINANCE AMENDING ORDINANCE NO. 90-52, RELATING TO THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT TO ADD INSTALLATION OF CAMERAS AND A RECORDING DEVICE IN THE GUARDHOUSE IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on , this Board passed Ordinance No. _____, amending Ordinance No. 90-52 relating to the BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT; and

WHEREAS, Section 18-3(f) of the Code of Miami-Dade County, Florida, as amended, presently provides that an ordinance amending the already created and established special taxing district shall take effect when approved by a majority vote of the qualified electors residing in the District voting at an election to be called by the Board and noticed and conducted in such manner as the Board shall by resolution determine,

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

Section 1. In accordance with the provisions of Section 18-3(f) of the Code of Miami-Dade County, Florida, a special election is hereby called and shall be held within the boundaries of the BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT, Miami-Dade County, Florida, for the purpose of submitting to the qualified electors residing in the said District, for their approval or disapproval, Ordinance No. _____ entitled:

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ORDINANCE AMENDING ORDINANCE NO. 90-52, RELATING TO THE BISCAYNE POINTE SECURITY GUARD SPECIAL TAXING DISTRICT TO ADD INSTALLATION OF CAMERAS AND A RECORDING DEVICE IN THE GUARDHOUSE IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AND PROVIDING AN EFFECTIVE DATE

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

Section 3. The results of such special election shall be determined by a majority of the qualified electors residing in the BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT voting at such special election. All qualified electors residing in the BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT shall be entitled to vote at said special election.

Section 4. The County registration books shall remain open at the Office of the Dade County Supervisor of Elections until May 7, 2007, at which date the registration books shall close in accordance with the provisions of the general election laws.

Section 5. Mailed ballots, as prescribed by the Code of Miami-Dade County, shall be used in this special election. The Supervisor of Elections shall cause such ballots to be sent by mail to all qualified electors residing in said district, at least ten (10) calendar days prior to the date of said special election.

Section 6. The special election shall be held on June 5, 2007. All marked ballots must be received by 7:00 p.m. on the day of said election.

Section 7. The question which shall appear on the ballot shall be in substantially the following form:

> Shall Ordinance No. 90-52 relating to the Biscayne Point Security Guard special taxing district be amended to add installation of cameras and a recording device in the guardhouse, as provided for in County Ordinance No. _____?

YES /_____/

NO /_____/

Section 8. This special election shall be held and conducted in accordance with the County Code and other applicable provisions of the general laws relating to special elections. 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.

Section 9. This special election shall be canvassed by the County Canvassing Board as provided under the election laws of this State, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution was offered by Commissioner

, who moved its adoption. The motion was seconded by Commissioner

, and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2006. 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:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James K. Kracht