

**MEMORANDUM**

GOE  
Agenda Item No. 3(Q)

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

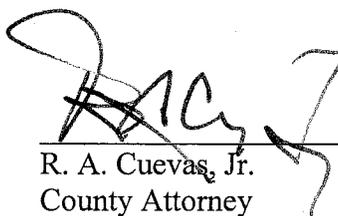
**DATE:** November 13, 2007

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

**SUBJECT:** Resolution Calling for a  
Countywide Special Election  
To be held on January 29,  
2008 on Whether to Amend  
The Home Rule Charter to  
Provide that Each Commissioner  
May Choose to Devote Full-  
Time Service and Receive  
The Population Based Salary  
(Currently Approximately  
\$91,995)

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Jose "Pepe" Diaz.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/js

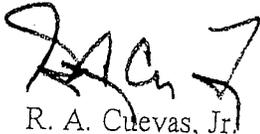


# MEMORANDUM

(Revised)

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

DATE:

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

SUBJECT: Agenda Item No.

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

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT COMMENCING ON MARCH 1, 2008 AND EACH YEAR THEREAFTER, EACH COUNTY COMMISSIONER MAY CHOOSE TO DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT, AND RECEIVE THE POPULATION BASED SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$91,995) INSTEAD OF THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957; OR CHOOSE TO CONTINUE TO RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY WITHOUT ANY PROHIBITION ON OUTSIDE EMPLOYMENT

**WHEREAS**, Miami-Dade County established an annual salary of \$6,000 for County Commissioners in 1957, when the County's Home Rule Charter was adopted; and

**WHEREAS**, the demands of the position of County Commissioner have grown substantially, while the salary has remained the same; and

**WHEREAS**, Miami-Dade County is now the most populous county in the State of Florida with a population of over 2.3 million residents and a budget in excess of \$7.3 billion; and

**WHEREAS**, other counties in the State of Florida compensate their Commissioners pursuant to a state statutory formula based on population,

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

Section 1. A countywide special election, to be held in conjunction with a statewide election, is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, January 29, 2008, 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.

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 thirty (30) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of general election laws. The question shall appear on the ballot in substantially the following form:

HOME RULE CHARTER AMENDMENT  
RELATING TO SALARIES AND SERVICE OF  
COUNTY COMMISSIONERS

SHALL THE CHARTER BE AMENDED TO PROVIDE THAT EACH COMMISSIONER CAN CHOOSE:

- COMMENCING ON MARCH 1, 2008 AND EACH YEAR THEREAFTER, TO DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER, HOLD NO OTHER EMPLOYMENT, AND RECEIVE THE POPULATION BASED SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$91,995) INSTEAD OF THE CURRENT \$6,000 ANNUAL SALARY; OR
- TO CONTINUE TO RECEIVE THE \$6,000 ANNUAL SALARY WITHOUT ANY PROHIBITION ON OUTSIDE EMPLOYMENT

YES

NO

Section 4. The form of the ballot shall be in accordance with the requirements of general election laws.

Section 5. Early voting shall be conducted in accordance with the requirements of general election laws.

Section 6. Absentee paper ballots may be used by qualified electors of Miami-Dade County for voting on this question. The form of such absentee ballot shall be in accordance with the requirements prescribed by general election laws.

Section 7. A sample ballot showing the manner in which the question or proposal aforesaid will appear at this election shall be published and provided in accordance with the applicable provisions of general election laws.

Section 8. This special 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. Election officials in connection with this election shall be appointed in accordance with the provisions of general election laws.

Section 9. 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 Commissioner Jose "Pepe" Diaz and 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-Chairman
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 Chairman thereupon declared the resolution duly passed and adopted this day of \_\_\_\_\_, 2007. 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.  
Wifredo A. Ferrer



MIAMI-DADE COUNTY HOME RULE CHARTER

ARTICLE-1<sup>1</sup>

BOARD OF COUNTY COMMISSIONERS

\* \* \*

Section 1.06. SALARY ~~>>~~AND SERVICE AS A COUNTY COMMISSIONER~~<<~~.

~~Each County Commissioner shall receive a salary of \$6,000 per year payable monthly and shall be entitled to be reimbursed for such reasonable and necessary expenses as may be approved by the Board.~~

>>Commencing on March 1, 2008 and each year thereafter, each County Commissioner may choose to devote full-time service to the Office of County Commissioner and hold no other employment, and receive a salary determined pursuant to general law applicable to non-chartered counties or, in the alternative, receive a salary of \$6,000 per year payable monthly without any prohibition on outside employment. Each County Commissioner shall be entitled to be reimbursed for such reasonable and necessary expenses as may be approved by the Board.<<

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<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.