

## MEMORANDUM

Special Item No. 14

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

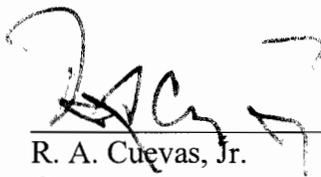
**DATE:** July 18, 2008

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

**SUBJECT:** Resolution calling special  
election relating to amending  
the master plan future land  
use map urban development  
boundary

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



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R. A. Cuevas, Jr.  
County Attorney

RAC/bw



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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County Attorney

SUBJECT: Special Item No. 14

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 \_\_\_\_\_

Special Item No. 14

7-18-08

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

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A GENERAL ELECTION, TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE THAT THE URBAN DEVELOPMENT BOUNDARY AND LAND USE CLASSIFICATIONS OUTSIDE THE URBAN DEVELOPMENT BOUNDARY SHALL BE AMENDED ONLY UPON (1) EXTRAORDINARY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OR (2) RECOMMENDATION OF AN INDEPENDENT BODY, APPROVAL BY MAJORITY VOTE OF THE COMMISSION, AND REFERENDUM

**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 general election, is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, November 4, 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 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 general election laws. The question shall appear on the ballot in substantially the following form:

HOME RULE CHARTER AMENDMENT  
RELATING TO URBAN DEVELOPMENT BOUNDARY

SHALL THE CHARTER BE AMENDED TO PROVIDE THAT THE URBAN DEVELOPMENT BOUNDARY AND LAND USE CLASSIFICATIONS OUTSIDE THE URBAN DEVELOPMENT BOUNDARY SHALL BE AMENDED ONLY UPON (1) EXTRAORDINARY VOTE OF THE BOARD OF COUNTY COMMISSIONERS OR (2) RECOMMENDATION OF AN INDEPENDENT BODY, APPROVAL BY MAJORITY VOTE OF THE COMMISSION, AND REFERENDUM?

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 Mayor or his or her designee, the Finance Director, 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 3.07 of the Home Rule Charter.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez. It 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
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 18<sup>th</sup> day of July, 2008. 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.



Joni Armstrong Coffey

**MIAMI-DADE COUNTY HOME RULE CHARTER**

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**ARTICLE - 5**

**ADMINISTRATIVE ORGANIZATION AND PROCEDURE**

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**>>SECTION 5.09. URBAN DEVELOPMENT BOUNDARY.**

The master plan future land use map shall provide for an urban development boundary, which shall distinguish the area where urban development may occur from areas where it should not occur and shall establish priorities for the provision of public services and facilities. Except as provided below, no application to amend the location of the urban development boundary or to amend the land use plan classification of land located outside the urban development boundary shall be approved except by a three-fourths majority of those Commissioners then in office.

Once in every 5 year period, an independent board shall be constituted, in accordance with procedures established by the Board, to recommend the location of the urban development boundary and the land use plan classification of land outside such boundary. A proposed amendment by the independent board to the location of the urban development boundary or to the land use plan classification of land outside such boundary shall be presented to the Board for review and approval but shall not be subject to revision. If the Board approves a proposed amendment, it shall present such proposal to the electorate. Upon approval by the electorate, an amendment to the location of the urban development boundary or to the land use plan classification of land outside such boundary shall become effective in accordance with applicable state law.<<

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