

MEMORANDUM

Agenda Item No. 11(A)(8)

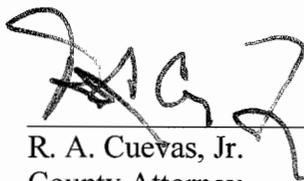
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: May 6, 2008

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

SUBJECT: Resolution calling Special
Election with regard to
renewing the Children's
Trust

The accompanying resolution was prepared and placed on the agenda at the request of Vice-Chairwoman Barbara J. Jordan, Chairman Bruno A. Barreiro, Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Joe A. Martinez, Commissioner Katy Sorenson and Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/bw



MEMORANDUM

(Revised)

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

DATE: May 6, 2008

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

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

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. 11(A)(8)

Veto _____

5-6-08

Override _____

RESOLUTION NO. _____

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, AUGUST 26, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO RENEW THE CHILDREN'S TRUST, THE INDEPENDENT SPECIAL DISTRICT FOR CHILDREN'S SERVICES, AND CONTINUE TO LEVY AN ANNUAL AD VALOREM TAX NOT TO EXCEED ONE-HALF (1/2) MILL AS REQUIRED BY SECTION 1.01 (A) (11) OF THE HOME RULE CHARTER

WHEREAS, the Miami-Dade County Home Rule Charter was amended by the electors of Miami-Dade County on September 10, 2002 to establish the Independent Special District for Children's Services "The Children's Trust" and allow for the levy of an annual ad valorem tax not to exceed one-half (1/2) mill; and

WHEREAS, Ordinance 02-247 creates The Children's Trust for the purpose of funding improvements for the children of Miami-Dade County in areas of health, development, safety, parental responsibility, community responsibility and other necessary and important children's services; and

WHEREAS, Section 1.01(A)(11) of the Home Rule Charter requires that the electors of Miami-Dade County renew the levy of the annual ad valorem tax in 2008,

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

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 August 26, 2008 for the purpose of submitting to the qualified electors of Miami-Dade County the

question of whether to renew The Children's Trust and continue to levy an annual ad valorem tax not to exceed one-half (1/2) mill.

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:

THE CHILDREN'S TRUST

SHALL THE CHILDREN'S TRUST, THE INDEPENDENT SPECIAL DISTRICT FOR CHILDREN'S SERVICES, BE RENEWED TO FUND IMPROVEMENTS TO CHILDREN'S HEALTH, DEVELOPMENT AND SAFETY INCLUDING:

- PROGRAMS TO REDUCE VIOLENCE AND KEEP CHILDREN SAFE,
- AFTER-SCHOOL AND SUMMER PROGRAMS,
- PROGRAMS TO IMPROVE THE EDUCATIONAL QUALITY OF CHILD CARE, AND
- HEALTH CARE TEAMS FOR PUBLIC SCHOOLS; AND

PROMOTE PARENTAL AND COMMUNITY RESPONSIBILITY FOR CHILDREN; AND CONTINUE THE ANNUAL AD VALOREM TAX LEVY NOT TO EXCEED ONE-HALF (1/2) MILL?

YES

NO

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

Section 9. This election shall be canvassed by the County Canvassing Board, in accordance with the provisions of general election law and Section 3.07 of the Home Rule Charter.

The foregoing resolution was sponsored by Vice-Chairwoman Barbara J. Jordan, Chairman Bruno A. Barreiro, Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Joe A. Martinez, Commissioner Katy Sorenson and Senator Javier D. Souto 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
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 6th day of May, 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

Approved by County Attorney as
to form and legal sufficiency.



Oren Rosenthal

By: _____
Deputy Clerk