

MEMORANDUM

Special Item No. 1

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

DATE: November 13, 2008

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

SUBJECT: Resolution calling a County-
wide special election for the
purpose of conducting a runoff
election for the Office of
Property Appraiser

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Bruno A. Barreiro.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

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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. 1
11-13-08

RESOLUTION NO. _____

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA TO BE HELD ON [_____], 2008, FOR THE PURPOSE OF CONDUCTING A RUNOFF ELECTION FOR THE OFFICE OF PROPERTY APPRAISER OF MIAMI-DADE COUNTY; AND PROVIDING FOR EFFECTIVE DATE

WHEREAS, Section 2-69 of the Code of Miami-Dade County provides that the Property Appraiser of Miami-Dade County shall be elected by a majority of the qualified electors voting at a county-wide election held within Miami-Dade County, Florida; and

WHEREAS, no candidate for the office of Property Appraiser of Miami-Dade County received a majority of votes of the qualified electors voting in the November 4, 2008 General Election; and

WHEREAS, Section 2-69 of the Code of Miami-Dade County provides that, in such event, the Commission shall call a countywide runoff election to be held prior to January 1, 2009,

NOW, THEREFORE, 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 [_____], 2008 for the purpose of conducting a runoff election for the Office of Property Appraiser of Miami-Dade County between the two candidates receiving the highest vote total for the Office of Property Appraiser of Miami-Dade County in the November 4, 2008 General Election.

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 in the election. 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.

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 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 3.07 of the Home Rule Charter.

The Prime Sponsor of the foregoing resolution is Chairman Bruno a Barreiro. 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
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 13th day of November, 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.

RAC for OR

Oren Rosenthal

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