

**MEMORANDUM**

Agenda Item No. 10 (A) (21)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** August 23, 2012

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

**SUBJECT:** Resolution rescinding  
resolution no. R-254-12  
and canceling a countywide  
special election in Miami-  
Dade County to be held in  
conjunction with a general  
election on Tuesday  
November 6, 2012

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



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R. A. Cuevas, Jr.  
County Attorney

RAC/Imp



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

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**SUBJECT:** Agenda Item No. 10(A)(21)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required
- Application for Renewal required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 10(A)(21)  
8-23-12

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

RESOLUTION RESCINDING RESOLUTION NO. R-254-12  
AND CANCELING A COUNTYWIDE SPECIAL ELECTION IN  
MIAMI-DADE COUNTY, FLORIDA, SET TO BE HELD IN  
CONJUNCTION WITH A GENERAL ELECTION ON  
TUESDAY, NOVEMBER 6, 2012

**WHEREAS**, on March 8, 2012, the Board of County Commissioners adopted Resolution No. R-254-12 to place a ballot question on the November 6, 2012 General Election ballot regarding the amendment of the Miami-Dade Home Rule Charter to provide for term limits for County Commissioners; and

**WHEREAS**, the Board of County Commissioners desires to remove that ballot question from the November 6, 2012 General Election Ballot; and

**WHEREAS**, an application for renewal has been signed and submitted in accordance with Rule 7.01(l) of the Rules of Procedure of the County Commission,

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

Section 1. Resolution No. R-254-12 is hereby rescinded and of no force or effect.

Section 2. The special election called by Resolution No. R-254-12 is cancelled and the ballot question set forth therein shall not appear on the November 6, 2012 General Election ballot.

Section 3. In the event the ballots have been prepared or printed for the November 6, 2012 General Election: (1) all votes cast on that ballot question shall not count and shall not be deemed the approval of any amendment to the Miami-Dade Home Rule Charter; (2) the Supervisor of Elections for Miami-Dade County shall post a notice at each polling place and within each absentee ballot that has not yet been mailed informing voters that the ballot question

has been withdrawn and a vote on that ballot question will have no force or effect; and (3) the Supervisor of Elections shall not report or publish, except as required by Chapter 119 of the Florida Statutes, the tabulation of the votes cast on such ballot question.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 23<sup>rd</sup> day of August, 2012. This resolution shall become effective upon the earlier of (1) 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, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Oren Rosenthal