

MEMORANDUM

Agenda Item No. 11(A)(19)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 2, 2013

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

SUBJECT: Resolution calling
Countywide Special Election
on Tuesday, November 5,
2013 for the purpose of
submitting to the electors the
bond referendum question of
whether to approve issuance
of General Obligation Bonds
of the County payable from ad
valorem taxes for purpose of
providing bond proceeds to
the Public Health Trust to
fund modernization,
improvement and equipping of
Jackson Health System's
facilities located throughout
the County

The sponsoring Commissioner has requested that this resolution 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.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 2, 2013

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

SUBJECT: Agenda Item No. 11(A) (19)

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 Mayor'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

Approved _____ Mayor

Agenda Item No. 11(A) (19)

Veto _____

7-2-13

Override _____

RESOLUTION NO. _____

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, NOVEMBER 5, 2013, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE BOND REFERENDUM QUESTION OF WHETHER TO APPROVE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY PAYABLE FROM AD VALOREM TAXES FOR PURPOSE OF PROVIDING BOND PROCEEDS TO THE PUBLIC HEALTH TRUST TO FUND MODERNIZATION, IMPROVEMENT AND EQUIPPING OF JACKSON HEALTH SYSTEM'S FACILITIES LOCATED THROUGHOUT THE COUNTY

WHEREAS, at the request of the Public Health Trust, this Board finds it necessary and appropriate and in the best interest of the County and its citizens to hold a special election to submit a bond referendum to the electors of Miami-Dade County to authorize the issuance of general obligation bonds (the "Bonds") in a principal amount not to exceed \$830,000,000.00, as needed, in one or more series from time to time, which Bonds will be payable from ad valorem taxes collected within the County; and

WHEREAS, proceeds from such Bonds will be made available to the Public Health Trust so that it may fund a substantial portion of its capital needs without negatively affecting its revenues which are needed to maintain and operate the Jackson Health System, including Jackson Hospital's main, south and north campuses; and

WHEREAS, Section 100.201, Florida Statutes, provides that whenever the Board of County Commissioners shall have the power to call such a bond referendum special election, "the election costs of such referendum shall be paid ... out of the County ... treasury;" and

WHEREAS, if the issuance of the Bonds is approved by a majority of the County's qualified electors, the County may issue such Bonds only after Board approval of such issuance in accordance with State and local law,

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

Section 1. The preamble to this Resolution is approved and incorporated in this Resolution by reference.

Section 2. A countywide special election is hereby called and shall be held on Tuesday, November 5, 2013 for the purpose of submitting to the qualified electors of the County the bond referendum question as set forth below in Section 4 of this Resolution.

Section 3. Notice of such special election shall be published in accordance with Section 100.342, Florida Statutes.

Section 4. 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:

FUNDING MODERNIZATION AND IMPROVEMENT OF JACKSON HEALTH SYSTEM THROUGH ISSUANCE OF GENERAL OBLIGATION BONDS

SHALL MIAMI-DADE COUNTY FUND THE MODERNIZATION, IMPROVEMENT AND EQUIPPING OF JACKSON HEALTH SYSTEM'S FACILITIES LOCATED THROUGHOUT MIAMI-DADE COUNTY BY ISSUING, FROM TIME TO TIME, GENERAL OBLIGATION BONDS PAYABLE FROM AD VALOREM TAXES COLLECTED IN MIAMI-DADE COUNTY IN A PRINCIPAL AMOUNT NOT EXCEEDING \$830,000,000.00, BEARING INTEREST NOT EXCEEDING THE MAXIMUM LEGAL RATE AND MATURING WITHIN 30 YEARS FROM THE ISSUANCE DATE?

FOR BONDS

AGAINST BONDS

Section 5. The form of the ballot shall be in accordance with the requirements of general election laws and Section 100.341, Florida Statutes.

Section 6. Early voting shall be conducted for fourteen days ending on November 3, 2013. There shall be twenty early voting sites whose locations and hours of operation shall be at the discretion of the Supervisor of Elections.

Section 7. 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 8. 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 9. This special election on the bond referendum 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. Election officials in connection with this election shall be appointed in accordance with the provisions of general election laws.

Section 10. The ballots for this election shall be canvassed by the County Canvassing Board and the returns shall be reported to the Board of County Commissioners which shall ratify the canvass the returns and declare the results of the bond referendum.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of July, 2013. This resolution shall become effective immediately 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