



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** September 1, 2015

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

**SUBJECT:** Agenda Item No. 5(D)(1)

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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5(D)(1)  
9-1-15

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

RESOLUTION CALLING SPECIAL ELECTION IN PROPOSED LAKE HILDA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS RESIDING IN SUCH SPECIAL TAXING DISTRICT, FOR THEIR APPROVAL OR DISAPPROVAL, ORDINANCE NO. \_\_\_\_\_ CREATING AND ESTABLISHING SUCH DISTRICT PURSUANT TO SECTION 18-3(F), CODE OF MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AND OTHER COUNTY OFFICIALS TO TAKE ACTIONS NECESSARY TO ACCOMPLISH THE PROVISIONS OF THIS RESOLUTION

**WHEREAS**, on September 1, 2015, this Board passed Ordinance No. \_\_\_\_\_ creating and establishing Lake Hilda Multipurpose Maintenance Special Taxing District ("Special Taxing District"); and

**WHEREAS**, Section 18-3(f) of the Code of Miami-Dade County, Florida, as amended, presently provides that an ordinance creating and establishing such a special taxing district shall take effect when approved by a majority vote of the qualified electors residing in the Special Taxing District voting at an election to be called by the Board and noticed and conducted in such manner as the Board shall by resolution determine; and

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

**Section 1.** In accordance with the provisions of Section 18-3(f) of the Code of Miami Dade County, Florida, a special election is hereby called and shall be held within the boundaries of the proposed Special Taxing District, Miami-Dade County, Florida, for the purpose of

submitting to the qualified electors residing in the Special Taxing District, for their approval or disapproval, Ordinance No.           entitled:

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA KNOWN AND DESCRIBED AS LAKE HILDA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA

**Section 2.** Notice of such special election shall be published in accordance with Section 100.342, Florida Statutes.

**Section 3.** The results of such special election shall be determined by a majority of the qualified electors residing in the Special Taxing District voting at such special election. All qualified electors residing in the Special Taxing District shall be entitled to vote at said special election.

**Section 4.** The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until December 28, 2015, at which date the registration books shall close in accordance with the provisions of the general election laws.

**Section 5.** Mailed ballots, as prescribed by the Code of Miami-Dade County, shall be used in this special election. The Supervisor of Elections shall cause such ballots to be sent by mail to all qualified electors residing in the Special Taxing District at least ten (10) calendar days prior to the date of said special election.

**Section 6.** The special election shall be held on January 26, 2016. All marked ballots must be received by 7:00 p.m. on the day of said election.

**Section 7.** The question which shall appear on the ballot shall be in substantially the following form:

Shall a special taxing district known and designated as the Lake Hilda Multipurpose Maintenance Taxing District be created and established as provided for in County Ordinance No. ?

YES

NO

**Section 8.** This special election shall be held and conducted in accordance with the County Code and other applicable provisions of the general laws relating to special elections. The County Mayor or County Mayor's designee, the Finance Director, the Supervisor of Elections, and the Clerk of the Board of County Commissioners are hereby authorized and directed to take all appropriate actions necessary to accomplish the provisions of this Resolution.

**Section 9.** This special election shall be canvassed by the County Canvassing Board as provided under the election laws of this State, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

The foregoing resolution 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:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of September, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County 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.

MKEP for

Jorge Martinez-Esteve