

# MEMORANDUM

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Agenda Item No. 2B

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

**DATE:** April 13, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution calling a special election in conjunction with the General Election in Miami-Dade County, Florida, to be held on Tuesday, November 8, 2016, for the purpose of submitting to the electors of Miami-Dade County the question of whether to amend Section 29-124 of the Code to eliminate fare free transportation service on Metromover and permit the Board to establish a fare for Metromover equitable with other modes of transportation provided by the County

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

  
\_\_\_\_\_  
Abigail Price-Williams  
County Attorney



APW/smm

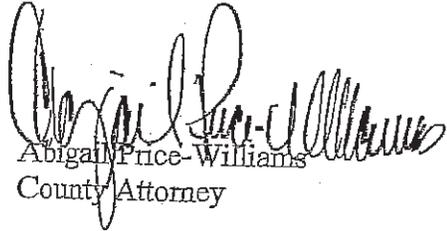


# MEMORANDUM

(Revised)

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

DATE: May 17, 2016

FROM:   
Abigail Price-Williams  
County Attorney

SUBJECT: Agenda Item No.

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
- Statement of social equity 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.  
5-17-16

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

RESOLUTION CALLING A SPECIAL ELECTION IN CONJUNCTION WITH THE GENERAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY TO ELIMINATE FARE FREE TRANSPORTATION SERVICE ON METROMOVER AND PERMIT THE BOARD OF COUNTY COMMISSIONERS TO ESTABLISH A FARE FOR METROMOVER EQUITABLE WITH OTHER MODES OF TRANSPORTATION PROVIDED BY THE COUNTY

**WHEREAS**, this Board wishes to amend Section 29-124 of the Code of Miami-Dade County to allow the Board of County Commissioners to set or amend the fare charged for public transportation service on Metromover, including any extensions, if such amendment is approved by the voters by referendum at a special election called in conjunction with the November 8, 2016 General Election; and

**WHEREAS**, this Board is currently considering an ordinance amending Section 29-124 effective upon such approval; and

**WHEREAS**, this Board desires to call a special election to place the question of whether to amend Section 29-124 before the voters,

**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 in conjunction with a General Election on Tuesday, November 8, 2016, for the purpose of submitting to the qualified electors of Miami-Dade County the ballot question contained in Section 3.

**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:

FARE FOR METROMOVER SERVICE

SHALL THE PROVISION OF THE CODE OF MIAMI-DADE COUNTY PROVIDING FOR FREE PUBLIC TRANSPORTATION SERVICE ON METROMOVER BE AMENDED TO ELIMINATE FARE FREE TRANSPORTATION SERVICE ON METROMOVER AND PERMIT THE BOARD OF COUNTY COMMISSIONERS TO ESTABLISH A FARE FOR METROMOVER EQUITABLE WITH OTHER MODES OF TRANSPORTATION PROVIDED BY THE COUNTY?

YES

NO

**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 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 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. 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 Commissioner Barbara J. Jordan. 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:

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 17<sup>th</sup> day of May, 2016. 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.



Oren Rosenthal