

# MEMORANDUM

Substitute  
Agenda Item No. 5(H)(1)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

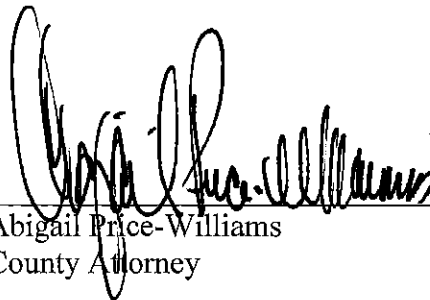
**DATE:** March 7, 2017

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

**SUBJECT:** Resolution calling special election in the Biscayne Beach Security Guard Special Taxing District in Miami-Dade County, Florida, located on Stillwater Drive, generally bounded by Biscayne Bay on the north, west, and south, and Hawthorne Avenue on the east, for the purpose of submitting to qualified electors residing in the Special Taxing district, for their approval or disapproval, an ordinance amending Ordinance No. 89-126 which created and established said Special Taxing District pursuant to section 18-3(f) of the Code

**The substitute differs from the original in that it: (1) changes the date of the special election; and (2) changes the date that the County registration books close.**

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department.



Abigail Price-Williams  
County Attorney

APW/cp



# MEMORANDUM

(Revised)

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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 \_\_\_\_\_

Substitute  
Agenda Item No. 5(H)(1)  
3-7-17

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

RESOLUTION CALLING SPECIAL ELECTION IN THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, LOCATED ON STILLWATER DRIVE, GENERALLY BOUNDED BY BISCAYNE BAY ON THE NORTH, WEST, AND SOUTH, AND HAWTHORNE AVENUE ON THE EAST, FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS RESIDING IN THE SPECIAL TAXING DISTRICT, FOR THEIR APPROVAL OR DISAPPROVAL, AN ORDINANCE AMENDING ORDINANCE NO. 89-126 WHICH CREATED AND ESTABLISHED SAID SPECIAL TAXING DISTRICT PURSUANT TO SECTION 18-3(f) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA

**WHEREAS**, on February 22, 2017, this Board passed Ordinance No. \_\_\_\_\_, amending Ordinance No. 89-126, which created and established the BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT (“Special Taxing District”); and

**WHEREAS**, the amendment modifies the scope, and therefore the cost, of the improvement(s) and/or services to be provided to the Special Taxing district, and thus is subject to approval by a majority vote of the qualified electors residing in the Special Taxing District at an election called by this Board and noticed and conducted as this Board shall determine by resolution,

**NOW, THEREFORE, 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 (“Code”), a special election is hereby called and shall be held within the boundaries of the BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT, for

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

ORDINANCE AMENDING ORDINANCE NO. 89-126 RELATING TO THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, LOCATED ON STILLWATER DRIVE, GENERALLY BOUNDED BY BISCAYNE BAY ON THE NORTH, WEST, AND SOUTH, AND HAWTHORNE AVENUE ON THE EAST; ADDING VIDEO SURVEILLANCE AND RECORDING DEVICES AT THE GUARDHOUSE; PROVIDING FOR AN ELECTION; AND PROVIDING FOR EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

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 BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT voting at such special election. All qualified electors residing in the BISCAYNE BEACH SECURITY GUARD 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 ~~[[May 1, 2017]]~~<sup>1</sup> >>April 17, 2017<<, at which date the registration books shall close in accordance with the provisions of the general election laws.

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<sup>1</sup> The differences between the substitute and the original item are indicated as follows: Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< are added.

Section 5. Mailed ballots, as prescribed by the Code, 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 said Special Taxing District, at least ten calendar days prior to the date of said special election.

Section 6. The special election shall be held on ~~[[May 30, 2017]]~~ >>May 16, 2017<<. 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 Ordinance No. 89-126, which created the Biscayne Beach Security Guard Special Taxing District, be amended to permit the installation of security cameras and recording devices, as provided for in County Ordinance No. \_\_\_\_\_?

YES

NO

Section 8. This special election shall be held and conducted in accordance with the 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 County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this Resolution.

Section 9. The 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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
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 7<sup>th</sup> day of March, 2017. 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.



Daija Page Lifshitz