Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(D)(1)
4-24-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-376-07

RESOLUTION CALLING SPECIAL ELECTION IN SPECIAL TAXING DISTRICT FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS RESIDING IN BAY HEIGHTS ROVING PATROL SPECIAL TAXING DISTRICT, FOR THEIR APPROVAL OR DISAPPROVAL, AN ORDINANCE AMENDING ORDINANCE NO. 97-120, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 02-83, RELATING TO BAY HEIGHTS ROVING PATROL SPECIAL TAXING DISTRICT, INCREASING THE LEVEL OF SERVICE, PROVIDING FOR AN ELECTION AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on April 24, 2007, this Board passed Ordinance No. 07-55, amending Ordinance No. 90-52 relating to the BAY HEIGHTS ROVING PATROL SPECIAL TAXING DISTRICT; and

WHEREAS, Section 18-3(f) of the Code of Miami-Dade County, Florida, as amended, presently provides that an ordinance amending the already created and established special taxing district shall take effect when approved by a majority vote of the qualified electors residing in the 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,

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, a special election is hereby called and shall be held within the boundaries of the BAY HEIGHTS ROVING PATROL SPECIAL TAXING DISTRICT, Miami-Dade County, Florida, for the purpose of submitting to the qualified electors residing in the said District, for their approval or disapproval, Ordinance No. 07-55 entitled:

ORDINANCE AMENDING ORDINANCE NO. 97-120, AS PREVIOUSLY AMENDED BY ORDINANCE No. 02-83, RELATING TO BAY HEIGHTS ROVING PATROL SPECIAL TAXING DISTRICT INCREASING THE LEVEL OF SERVICE, IN ACCORDANCE WITH CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AND PROVIDING AND EFFECTIVE DATE

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MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg County Attorney

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

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

✓ **No committee review**

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 BAY HEIGHTS ROVING PATROL SPECIAL TAXING DISTRICT voting at such special election. All qualified electors residing in the BAY HEIGHTS ROVING PATROL 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 Dade County Supervisor of Elections until May 7, 2007, 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 said district, at least ten (10) calendar days prior to the date of said special election.

Section 6. The special election shall be held on June 5, 2007. 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. 97-120, as previously amended by Ordinance No. 02-83, relating to Bay Heights Roving Patrol Special Taxing District be amended to increase the level of service to 24 hours per day, 365 days a year?

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 Manager, 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. 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 Carlos A. Gimenez, who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez, and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2006. This resolution shall become effective 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.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James K. Kracht