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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(10)

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

DATE: December 4, 2007

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

SUBJECT: Resolution directing Supervisor of Elections to assist the Secretary of State in disposing of existing touch screen voting machines

R-1343-07

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman.

R. A. Cuevas, Jr.
County Attorney

RAC/bw

MEMORANDUM

(Revised)

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

DATE: December 4, 2007

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

SUBJECT: Agenda Item No. 11(A)(10)

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(10)
12-4-07

RESOLUTION NO. **R-1343-07**

RESOLUTION DIRECTING THE SUPERVISOR OF ELECTIONS TO ASSIST THE SECRETARY OF STATE IN SELLING OR OTHERWISE DISPOSING OF EXISTING, EXCESS TOUCH SCREEN VOTING MACHINES

WHEREAS, the Florida Legislature passed a comprehensive elections bill, House Bill 537 ("HB 537"), into law during the 2007 regular legislative session this past spring, Chapter 2007-30, Laws of Florida; and

WHEREAS, except for voting by persons with disabilities HB 537 requires all voting in the State of Florida to be by optical scan, which results in a paper record; and

WHEREAS, HB 537 allocates federal Help America Vote Act ("HAVA") funds to the 15 counties with touch screen voting machines to partially fund their conversion from touch screen voting machines to optical scan voting machines; and

WHEREAS, HAVA fund allocations are conditioned upon the counties permitting the Secretary of State to dispose of the existing, excess touch screen voting equipment; and

WHEREAS, the Supervisor of Elections of Miami-Dade County's experience in the voting equipment market will provide material assistance to the Secretary of State in the marketing of the excess touch screen voting machines and ensure the best price for the equipment,

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

directs the Supervisor of Elections for Miami-Dade County to provide assistance to the Secretary of State in selling or otherwise disposing of the existing, excess touch screen voting machines; and participate in any negotiations, to the extent permitted, with any potential purchaser of those voting machines.

The foregoing resolution was sponsored by Commissioner Sally A. Heyman and offered by Commissioner **Jose "Pepe" Diaz**, 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	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**absent**
Joe A. Martinez	**aye**	Dennis C. Moss	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of December, 2007. 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.

Oren Rosenthal