

REVISED
Agenda Item No. 7 (a)
8/1/61

RESOLUTION NO. 6796

RESOLUTION CALLING A SPECIAL
ELECTION IN DADE COUNTY, FLORIDA,
PURSUANT TO THE PROVISIONS OF THE
HOME RULE CHARTER, TO BE HELD
ON TUESDAY, OCTOBER 17, 1961, FOR
THE PURPOSE OF SUBMITTING TO THE
ELECTORS OF DADE COUNTY THE
QUESTION OF WHETHER OR NOT THE
HOME RULE CHARTER SHALL BE
AMENDED OR REVISED IN ACCORDANCE
WITH THE PROPOSALS SET FORTH IN THE
INITIATORY PETITIONS FILED BY
JOHN B. McLEOD

WHEREAS, Section 8.07 of the Home Rule Charter provides
that amendments to the charter may be proposed by petition of electors
numbering five percent of the number voting in the County for the office
of governor in the last preceding gubernatorial general election, and
that the Board of County Commissioners shall call an election not less
than 60 nor more than 120 days after it receives a petition certified in
the manner required for an initiatory petition for an ordinance; and

WHEREAS, on May 23, 1961, John B. McLeod filed with the
Board of County Commissioners initiatory petitions signed by electors
of Dade County petitioning the Board to call an election for the purpose
of submitting to the electors of Dade County the question whether
proposed amendments or revisions of the Home Rule Charter set forth
in such initiatory petitions shall be adopted or rejected; and

WHEREAS, the County Manager, on June 20, 1961, certified
to the Board of County Commissioners by written certificate that the
initiatory petitions filed on May 23, 1961, by Mr. John B. McLeod had
been duly canvassed under the supervision and direction of the County

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Manager and that such initiatory petitions contain the signatures of duly qualified electors numbering more than five percent of the number of electors voting in Dade County for the office of Governor in the 1960 general election; and

WHEREAS, the Board of County Commissioners, at a regular meeting held on June 20, 1961, determined that a special election on the proposal for amending or revising the Home Rule Charter contained in said initiatory petitioner shall be held on Tuesday, October 17, 1961, which said date is not less than 60 nor more than 120 days after receipt by the Board of the initiatory petitions certified in accordance with the requirements of the charter; and

WHEREAS, the Board of County Commissioners finds and determines that all steps required by the Home Rule Charter preliminary to the calling of a special election upon the amendments or revisions to the charter proposed by said initiatory petitions have been taken in accordance with the provisions of the charter and all requirements of the charter have been fully complied with in all respects,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. A special election is hereby called and shall be held in Dade County, Florida, on Tuesday, October 17, 1961, in accordance with the provisions of the Home Rule Charter, for the purpose of submitting to the qualified electors of Dade County, Florida, the question of whether or not the Home Rule Charter of government for Dade County, Florida, shall be amended or revised in accordance

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with the provisions set forth in the initiatory petitions on file with the Clerk of the Board of County Commissioners, as herein provided.

Section 2. Notice of such special election shall be published in newspapers of general circulation published in Dade County, Florida, once a week for four consecutive weeks, the date of the first publication to be at least thirty days prior to the date of said special election, which notice shall be substantially in the following form:

NOTICE OF SPECIAL ELECTION
ON PROPOSED AMENDMENTS TO
HOME RULE CHARTER OF
GOVERNMENT FOR DADE COUNTY,
FLORIDA

To be held on

TUESDAY, OCTOBER 17, 1961
In Dade County, Florida

As provided by Resolution No. 6796, adopted on August 1, 1961, by the Board of County Commissioners of Dade County, Florida, a special election will be held in Dade County, Florida, for the purpose of submitting to the qualified electors of Dade County, Florida, the following question:

"SHALL THE HOME RULE CHARTER OF GOVERNMENT FOR DADE COUNTY, FLORIDA, BE AMENDED BY ADOPTION OF AN AMENDED CHARTER, WHICH LIMITS AND REDEFINES THE POWERS OF THE COUNTY COMMISSION, REDUCES THE NUMBER OF COUNTY COMMISSIONERS TO FIVE, FIXES COMMISSIONER'S SALARIES AT \$15,000. PER ANNUM, PROVIDES FOR ELECTION OF NEW COMMISSIONERS, DELETES ALL PROVISIONS RELATING TO THE COUNTY MANAGER, PROVIDES ASSESSMENTS FOR COUNTY AND MUNICIPAL TAXES BY BOARD OF TAX ASSESSORS APPOINTED BY COUNTY COMMISSIONERS, ELIMINATES REQUIREMENT FOR FULL-TIME COUNTY ATTORNEY,

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EXPANDS POWERS OF MUNICIPALITIES, PROVIDES FOR ESTABLISHMENT OF A COUNTY COURT, PROVIDES SHERIFF AND TAX ASSESSOR SHALL BE ELECTIVE OFFICES, LIMITS THE TORT LIABILITY OF THE COUNTY, PROVIDES SUCH REVISED CHARTER SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION, PRESCRIBES METHOD BY WHICH SUCH REVISED CHARTER MAY BE ABOLISHED, AND CONTAINS OTHER PROVISIONS AS SET FORTH IN THE INITIATORY PETITIONS ON FILE WITH CLERK OF THE COUNTY COMMISSION.

The result of such election shall be determined by a majority of the qualified electors of Dade County voting on said proposed revised charter.

The polls at such special election will be open from 7:00 o'clock A. M. until 7:00 o'clock P. M. of the same day.

Registration books are now open and will remain open at the office of the Dade County Supervisor of Registration, 116 West Flagler Street, Miami, Florida, until thirty days prior to the election day, at which time the registration books will close.

All qualified electors of Dade County, Florida, shall be permitted to vote in such special election.

By Order of the Board of County Commissioners of Dade County, Florida.

E. B. Leatherman
Clerk of the Board of
County Commissioners

By: _____
Deputy Clerk.

Section 3. Voting machines shall be used at such special election, and the question which shall appear on the voting machines shall be substantially in the following form, to-wit:

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"SHALL THE HOME RULE CHARTER OF GOVERNMENT FOR DADE COUNTY, FLORIDA, BE AMENDED BY ADOPTION OF AN AMENDED CHARTER, WHICH LIMITS AND REDEFINES THE POWERS OF THE COUNTY COMMISSION, REDUCES THE NUMBER OF COUNTY COMMISSIONERS TO FIVE, FIXES COMMISSIONER'S SALARIES AT \$15,000 PER ANNUM, PROVIDES FOR ELECTION OF NEW COMMISSIONERS, DELETES ALL PROVISIONS RELATING TO THE COUNTY MANAGER, PROVIDES ASSESSMENTS FOR COUNTY AND MUNICIPAL TAXES BY BOARD OF TAX ASSESSORS APPOINTED BY COUNTY COMMISSIONERS, ELIMINATES REQUIREMENT FOR FULL-TIME COUNTY ATTORNEY, EXPANDS POWERS OF MUNICIPALITIES, PROVIDES FOR ESTABLISHMENT OF A COUNTY COURT, PROVIDES SHERIFF AND TAX ASSESSOR SHALL BE ELECTIVE OFFICES, LIMITS THE TORT LIABILITY OF THE COUNTY, PROVIDES SUCH REVISED CHARTER SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION, PRESCRIBES METHOD BY WHICH SUCH REVISED CHARTER MAY BE ABOLISHED, AND CONTAINS OTHER PROVISIONS AS SET FORTH IN THE INITIATORY PETITIONS ON FILE WITH CLERK OF THE COUNTY COMMISSION. "

YES

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NO

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Those qualified electors desiring to adopt and approve the proposed revised charter will be instructed to pull down the lever over the word "YES", and those desiring to vote against the adoption and approval of the proposed revised charter will be instructed to pull down the lever over the word "NO".

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Section 4. Absentee paper ballots may be used by any qualified electors of Dade County for any reason set forth and prescribed in Chapter 101.62, Florida Statutes. The form of such absentee ballots shall have printed thereon the question hereinabove set forth with proper places for voting "YES" or "NO" following the statement of such question.

Section 5. A sample ballot form shall be provided and published in accordance with the applicable provisions of the Election Code. Copies of the proposed revised charter and the home rule charter adopted on May 21, 1957, shall be printed in legible type and conspicuously posted at each precinct and made available to electors requesting copies thereof.

Section 6. This special election shall be held and conducted in accordance with the applicable provisions of the general laws pertaining to elections and in compliance with the charter provisions governing elections on proposed amendments to the Home Rule Charter. The County Manager, the Supervisor of Registration, and the Clerk of the County Commission are hereby authorized and directed to take all actions necessary to carry into effect and accomplish the provisions of this Resolution.

The foregoing Resolution was offered by Commissioner Walter Weiss, who moved its adoption. The motion was seconded by Commissioner Harold B. Spaet, and upon being put to a vote, the vote was as follows:

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James H. Allen	Aye
Jack H. Beckwith	Aye
Joseph A. Boyd, Jr.	Aye
Alexander S. Gordon	Absent
Charles F. Hall	Nay
Ben C. McGahey	Aye
Arthur H. Patten, Jr.	Aye
Frank O. Pruitt	Aye
Harold B. Spaet	Aye
Milton E. Thompson	Aye
Walter Weiss	Aye
Winston W. Wynne	Aye
Robert M. Haverfield	Aye

The Chairman thereupon declared the Resolution duly passed
and adopted this 1st day of August, 1961.

DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

E. B. LEATHERMAN, CLERK



By: Edward D. Phelan
Deputy Clerk.

