

Approved _____ Mayor

Veto _____

Override _____

Special Item No. 2A

1-13-2011

Resolution No. R-02-11

RESOLUTION NO. R-02-11

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, MARCH 15, 2011, FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER MIAMI-DADE COUNTY DISTRICT 13 COMMISSIONER NATACHA SEIJAS SHOULD BE RECALLED FROM OFFICE

WHEREAS, pursuant to the provisions of Section 8.02(3) of the Miami-Dade County Home Rule Charter, the Clerk of the Circuit Court, on December 23, 2010, certified the results of a petition seeking the recall of Miami-Dade County District 13 Commissioner Natacha Seijas; and

WHEREAS, Section 8.02(4) of the Charter requires a recall election to be held "...not less than 45 nor more than 90 days after the certification of the petition,"

NOW, THEREFOR, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. In accordance with the provisions of the Miami-Dade County Home Rule Charter and the Code of Miami-Dade County, a special election is hereby called and shall be held in Miami-Dade County, Florida on Tuesday, March 15, 2011, for the purpose of submitting to the qualified electors of Miami-Dade County the question of whether Miami-Dade County District 13 Commissioner Natacha Seijas shall be removed from office.

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:

RECALL OF MIAMI-DADE COUNTY DISTRICT 13
COMMISSIONER NATACHA SEIJAS

SHOULD MIAMI-DADE COUNTY DISTRICT 13
COMMISSIONER NATACHA SEIJAS BE RECALLED?

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. A total of twenty (20) early voting sites will be used during this election.

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 special 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. No municipal elections shall be conducted on the same ballot as this special election.

Section 10. 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 foregoing resolution was offered by Commissioner **Carlos A. Gimenez**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

	Joe A. Martinez, Chairman	aye	
	Audrey M. Edmonson, Vice Chairwoman	aye	
Bruno A. Barreiro	aye	Lynda Bell	nay
Jose "Pepe" Diaz	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	nay
Jean Monestime	aye	Dennis C. Moss	aye
Natacha Seijas	nay	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 13th day of January, 2011. 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: **DIANE COLLINS**

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Oren Rosenthal