

MEMORANDUM

Agenda Item No. 11(A)(16)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 21, 2026

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution calling a countywide special election in Miami-Dade County, Florida, to be held in conjunction with a General Election on Tuesday, November 3, 2026, for the purpose of submitting to the electors of Miami-Dade County the question of whether to amend the Home Rule Charter to revise the process for calling an election to fill commission vacancies and establish minimum standards for municipal qualifying dates

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Danielle Cohen Higgins and Co-Sponsor Commissioner Micky Steinberg.



Geri Bonzon-Keenan
County Attorney

GBK/ks

MDC001



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 21, 2026

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

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**
- _____ **Requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 votes (majority of membership) ____, CDMP 2/3 members present but not less than 7 votes (majority of membership) ____, CDMP 9 votes (2/3 membership) ____) to approve**
- _____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(16)
7-21-26

RESOLUTION NO. _____

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 3, 2026, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO REVISE THE PROCESS FOR CALLING AN ELECTION TO FILL COMMISSION VACANCIES AND ESTABLISH MINIMUM STANDARDS FOR MUNICIPAL QUALIFYING DATES

WHEREAS, on March 19, 2024, this Board approved Resolution No. R-225-24, sponsored by Commissioner Danielle Cohen Higgins, creating a Charter Review Task Force to review the Home Rule Charter of Miami-Dade County in its entirety and to prepare and submit written recommendations to the Board of County Commissioners setting forth any proposed amendments or revisions to the Charter; and

WHEREAS, the Charter Review Task Force transmitted a final report recommending that this Board place proposed changes to the Miami-Dade County Home Rule Charter before the electorate of the County; and

WHEREAS, among the issues studied by the Charter Review Task Force was the process for calling an election to fill a vacancy on the County Commission; and

WHEREAS, the Charter Review Task Force, by a vote of seven in favor and one against, recommends that the Board place a referendum before the electors of Miami-Dade County to approve an amendment to the Miami-Dade County Home Rule Charter to (1) allow the Board to take action on a prospective resignation to call an election that would sync up with other elections

and (2) establish minimum standards for municipal qualifying dates to provide greater opportunity for such elections to be synced up; and

WHEREAS, this Board desires to place this issue before the voters on the November 3, 2026 General Election Ballot,

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

Section 1. A countywide special election is hereby called and shall be held in Miami-Dade County, Florida in conjunction with the General Election on Tuesday, November 3, 2026, for the purpose of submitting to the qualified electors of Miami-Dade County the proposal for amendment to the Home Rule Charter in the form attached hereto and made a part hereof as Attachment A.

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 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:

CHARTER AMENDMENT
ALLOW VACANCY ELECTION TO SYNC UP WITH OTHER
ELECTION; ESTABLISH MUNICIPAL QUALIFYING
STANDARDS

Shall the Charter be amended to allow the Board to align the timing of special elections to fill vacancies in the offices of Mayor or County Commissioner with other scheduled elections when such vacancies are caused by resignations to run for other offices, and to establish minimum standards for municipal candidate qualifying periods?

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.

Section 6. Vote-by-mail ballots may be used by qualified electors of Miami-Dade County for voting on this question. The form of such vote-by-mail 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 Home Rule Charter. The County Mayor or County Mayor's designee and the Clerk of the Board are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. Election officials in connection with this election shall be appointed in accordance with the provisions of general election laws.

Section 9. 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 Prime Sponsor of the foregoing resolution is Commissioner Danielle Cohen Higgins and the Co-Sponsor is Commissioner Micky Steinberg. It 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:

Anthony Rodriguez, Chairman	
Kionne L. McGhee, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Sen. René García	Oliver G. Gilbert, III
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Vicki L. Lopez
Natalie Milian Orbis	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of July, 2026. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Michael B. Valdes

ATTACHMENT A¹

MIAMI-DADE HOME RULE CHARTER

* * *

SECTION 1.07. - VACANCIES IN THE OFFICE OF MAYOR OR COUNTY COMMISSIONER.

Any vacancy in the office of Mayor or the members of the Board shall be filled by majority vote of the remaining members of the Board within 30 days >>of the effective date of the vacancy<<, or the Board shall call an election to be held not more than 90 days thereafter to fill the vacancy >>or at the earliest possible time thereafter that the Supervisor of Elections has confirmed availability to conduct such election<<. >>However, if the vacancy is a result of an irrevocable resignation to run for another office, the Board may also take action anytime between the submission of the irrevocable resignation and the effective date of the resignation in order to call for an election filling the vacancy to be held at the same time as another available election already scheduled for no later than 90 days after the effective date of the resignation.<< The qualification period for such election shall be the first 10 days after the call of the election and any runoff election shall be held within 30 days of the certification of election results requiring a runoff >>or at the earliest possible time thereafter that the Supervisor of Elections has confirmed availability to conduct such election<<. The person chosen to fill the office vacated must at the time of appointment meet the residence requirements for the office to which such person is appointed. A person appointed shall serve only until >>a candidate is elected at<< the next county-wide election. A person elected shall serve for the remainder of the unexpired term of office. If a majority of the members of the Board should become appointed rather than elected to office, then the Board shall call an election to be held not more than 90 days thereafter>>, or at the earliest possible time thereafter that the Supervisor of Elections has confirmed availability to conduct such election,<< to permit the registered electors to elect commissioners to succeed the appointed commissioners; appointed commissioners may succeed themselves unless otherwise prohibited by the Charter. The qualification period for such election shall be the first 10 days after the call of the election and any runoff election shall be held within 30 days of the certification of election results requiring a runoff >>or at the earliest possible time thereafter that the Supervisor of Elections has confirmed availability to conduct such election<<. If a county-wide election is scheduled to be held within 180 days from the date on which the majority of the members of the Board become appointive, the Board may elect to defer the required election until the scheduled county-wide election. Notwithstanding the foregoing, a vacancy in the office of Mayor or the members of the Board which will be created as a result of an irrevocable resignation to run for another office that is effective after the Primary or General Election in accordance with state law shall be filled by election as if the officer's term were otherwise scheduled to expire. A person elected to fill such vacancy shall take office on the effective date of the resigning officer's resignation and serve for the remainder of the unexpired term of office.

* * *

>>SECTION 6.08. – QUALIFICATION OF MUNICIPAL OFFICERS.

Notwithstanding any provision of a municipal charter, the qualification period for any elected municipal office in a regularly scheduled election shall, at a minimum, commence no later than the 84th day and conclude no later than the 70th day prior to the date of the relevant regularly scheduled election. A municipality may adopt any additional regulations governing qualification for municipal elections to the extent not inconsistent with this Charter, any ordinance adopted hereunder, or state law.<<

¹ Words highlighted in yellow and stricken through and/or [[double bracketed]] shall be deleted under the amendment proposed. Words highlighted in yellow and underscored and/or >>double arrowed<< constitute the amendment proposed. Words highlighted in green constitute changes in other proposed Charter amendments. Remaining provisions are now in effect and remain unchanged.