

MEMORANDUM

Agenda Item No. 11(A)(27)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution placing a non-binding straw ballot question on the primary election ballot in Miami-Dade County, Florida to be held on Tuesday, August, 20, 2024 for the purpose of submitting to the electors of Miami-Dade County whether they believe that Miami-Dade County needs to expand its rapid mass transit system

Resolution No. R-1174-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/ks



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

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Gen Bonzon-Keenan
County Attorney

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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
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(27)
12-12-23

RESOLUTION NO. _____ R-1174-23

RESOLUTION PLACING A NON-BINDING STRAW
BALLOT QUESTION ON THE PRIMARY ELECTION
BALLOT IN MIAMI-DADE COUNTY, FLORIDA TO BE
HELD ON TUESDAY, AUGUST, 20, 2024 FOR THE
PURPOSE OF SUBMITTING TO THE ELECTORS OF
MIAMI-DADE COUNTY WHETHER THEY BELIEVE
THAT MIAMI-DADE COUNTY NEEDS TO EXPAND ITS
RAPID MASS TRANSIT SYSTEM

WHEREAS, under the Miami-Dade County Home Rule Charter, the County is given the power to carry on a central metropolitan government and to, among other things, provide for and operate rail and bus terminals and public transportation systems and prepare and enforce comprehensive plans for the development of the County; and

WHEREAS, in 2016, this Board endorsed the Strategic Miami Area Rapid Transit (“SMART”) Plan as approved by the Transportation Planning Organization (“TPO”), which calls for expanding the central metropolitan transit system with six rapid transit corridors: Beach Corridor, East-West Corridor, Kendall Corridor, North Corridor, Northeast Corridor, and South Dade Transitway; and

WHEREAS, in February of 2018, this Board adopted Ordinance No. 18-8, which created the Miami-Dade County Transportation Infrastructure Improvement District (the “TIID”) and a corresponding trust fund, to use tax increment financing for the development, construction, maintenance, and operation of the SMART Plan rapid transit corridor projects; and

WHEREAS, this Board wishes to determine whether the residents of Miami-Dade County believe that Miami-Dade County needs to expand its rapid mass transit system,

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

Section 1. A non-binding straw ballot question shall be placed on the Tuesday, August 20, 2024 Primary Election for the purpose of submitting to the qualified electors of Miami-Dade County the non-binding straw ballot question as set forth below.

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 non-binding but nevertheless 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:

NON-BINDING STRAW BALLOT ON
COUNTY RAPID MASS TRANSIT SYSTEM

DOES MIAMI-DADE COUNTY NEED TO EXPAND ITS
EXISTING RAPID MASS TRANSIT SYSTEM? (RAPID MASS
TRANSIT IS DEFINED HERE AS ELEVATED METRORAIL,
PASSENGER RAIL, AND/OR METROMOVER)

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 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 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. 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 Chairman Oliver G. Gilbert, III. It was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	absent	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 2023. 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: Basia Pruna
 Deputy Clerk

Approved by County Attorney as
 to form and legal sufficiency. MBV

Michael B. Valdes