

RESOLUTION NO. 14-1200

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING RESOLUTION NO. 14-1186 PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF A PROPOSED CHARTER AMENDMENT; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; CALLING A SPECIAL ELECTION ON THE PROPOSED AMENDMENTS TO THE TOWN CHARTER TO BE HELD ON NOVEMBER 4, 2014; PROVIDING FOR NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 11, 2014 the Town Council of the Town of Miami Lakes (the “Town”) adopted Resolution No. 14-1186 approving of the submission to the electors of the Town a charter amendment to determine whether the voters wish to amend the Charter to provide that each member of the Town Council, including the Mayor, will have an equal number of appointments to committees of the Council and that appointments to committees will be subject to approval by the Town Council; and

WHEREAS, subsequent to the Town Council’s approval of Resolution No. 14-1186, it became apparent that the ballot question had inadvertently been omitted from Sections 4 and 6 of Resolution No. 14-1186; and

WHEREAS, the Town Council desires to amend Resolution No. 14-1186 to include the ballot question in Sections 4 and 6 of Resolution No. 14-1186; and

WHEREAS, subsequent to the Town Council’s approval of Resolution No. 14-1186, the Department of Elections requested that the ballot question set forth in Sections 4 and 6 of Resolution No. 14-1186 be revised; and

WHEREAS, the Town Council desires to amend Resolution No. 14-1186 to address the changes that were required to be made to the ballot question;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Amending Section 4 of Resolution No. 14-1186. Section 4 of Resolution No. 14-1186 is hereby amended to read as follows:

Section 4. Form of Ballot. That the form of ballot for the Charter Amendments provided for in Section 2 of this Resolution shall be substantially, as follows:

1. SHOULD THE CHARTER BE AMENDED TO PROVIDE COUNCILMEMBERS WITH AN EQUAL NUMBER OF COMMITTEE APPOINTMENTS?

THE CHARTER PROVIDES THAT ALTHOUGH COUNCILMEMBERS NOMINATE INDIVIDUALS TO COMMITTEES OF THE COUNCIL, THE MAYOR MAKES THE ACTUAL COMMITTEE APPOINTMENTS. IN ORDER TO ENSURE EQUAL REPRESENTATION ON TOWN COMMITTEES, IT IS PROPOSED THAT THE TOWN CHARTER BE AMENDED TO PROVIDE THAT EACH COUNCILMEMBER, INCLUDING THE MAYOR, HAVE AN EQUAL NUMBER OF APPOINTMENTS TO TOWN COMMITTEES.

Shall the above-described Charter Amendment be adopted?

Yes []

No []

Section 3. Amending Section 6 of Resolution No. 14-1186. Section 6 of Resolution No. 14-1186 is hereby amended to read as follows:

Section 6. Notice of Election. That notice of said election shall be published in accordance with Section 100.342, Florida Statutes, in a newspaper of general circulation within the Town at least 30 days prior to said election, the first publication to be in the fifth week prior to the election (to-wit: during the week commencing Sunday, September 28, 2014), and the second publication to be in the third week prior to the election (to-wit: during the week commencing Sunday, October 12, 2014), and shall be in substantially the following form:

“NOTICE OF ELECTION.

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. ___ DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, (THE "TOWN") A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE TOWN ON TUESDAY, THE 4TH DAY OF NOVEMBER, 2014, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING CHARTER AMENDMENT PROPOSALS SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN.

1. SHOULD THE CHARTER BE AMENDED TO PROVIDE COUNCILMEMBERS WITH AN EQUAL NUMBER OF COMMITTEE APPOINTMENTS?

THE CHARTER PROVIDES THAT ALTHOUGH COUNCILMEMBERS NOMINATE PERSONS TO COMMITTEES OF THE COUNCIL, THE MAYOR MAKES THE ACTUAL COMMITTEE APPOINTMENTS. IN ORDER TO ENSURE EQUAL REPRESENTATION ON TOWN COMMITTEES, IT IS PROPOSED THAT THE TOWN CHARTER BE AMENDED TO PROVIDE THAT EACH COUNCILMEMBER, INCLUDING THE MAYOR, HAVE AN EQUAL NUMBER OF APPOINTMENTS TO TOWN COMMITTEES.

Shall the above-described Charter Amendment be adopted?

Yes []

No []


TOWN CLERK

Section 4. **Effective date.** That this Resolution shall become effective immediately upon adoption hereof.

Passed and adopted this 8th day of April, 2014.

The foregoing resolution was offered by Nelson Rodriguez who moved its adoption. The motion was seconded by Cesar Mestre and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton	<input checked="" type="checkbox"/>
Vice Mayor Manny Cid	<input checked="" type="checkbox"/>
Councilmember Tim Daubert	<input checked="" type="checkbox"/>
Councilmember Tony Lama	<input checked="" type="checkbox"/>
Councilmember Cesar Mestre	<input checked="" type="checkbox"/>
Councilmember Frank Mingo	<input checked="" type="checkbox"/>
Councilmember Nelson Rodriguez	<input checked="" type="checkbox"/>


Wayne Slaton
Wayne Slaton
MAYOR

Attest:

M. Tejada
Marjorie Tejada
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY