

RESOLUTION NO. 14-1201

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING RESOLUTION NO. 14-1169 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 January 14, 2014 the Town Council of the Town of Miami Lakes (the “Town”) adopted Resolution No. 14-1169 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 no annexation, consolidation, or other boundary adjustment of the Corporate Boundary of the Town shall be submitted by the Town for consideration by Miami-Dade County or otherwise sought to be enacted, until such proposed annexation, consolidation or boundary adjustment shall have been ratified by an election of the electors of the Town; and

WHEREAS, subsequent to the Town Council’s approval of Resolution No. 14-1169, the Department of Elections requested that the ballot question set forth in Sections 4 and 6 of Resolution No. 14-1169 be revised;

WHEREAS, the Town Council desires to amend Resolution No. 14-1169 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. 14-1169. Section 4 of Resolution No. 14-1169 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. WHETHER TOWN VOTERS MUST APPROVE BOUNDARY CHANGES PRIOR TO SUBMISSION TO MIAMI-DADE COUNTY.

It is proposed that the Charter be amended to provide that no annexation, consolidation, or other boundary adjustment of the Corporate Boundary of the Town shall be submitted by the Town to Miami-Dade County or otherwise sought to be enacted, until such proposed annexation, consolidation or boundary adjustment shall be approved by an election of the Town's voters.

Shall the above-described Charter Amendment be adopted?

Yes []

No []

Section 3. Amending Section 6 of Resolution No. 14-1169. Section 6 of Resolution No. 14-1169 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. WHETHER TOWN VOTERS MUST APPROVE BOUNDARY CHANGES PRIOR TO SUBMISSION TO MIAMI-DADE COUNTY.

It is proposed that the Charter be amended to provide that no annexation, consolidation, or other boundary adjustment of the Corporate Boundary of the Town shall be submitted by the Town for consideration by Miami-Dade County or otherwise sought to be enacted, until such proposed annexation, consolidation or boundary adjustment shall be approved by an election of the Town's voters.

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 Mingo, Frank who moved its adoption. The motion was seconded by Rodriguez, Nelson and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Ceasar Mestre	<u>yes</u>
Councilmember Frank Mingo	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>

Wayne Slaton
Wayne Slaton
MAYOR

Attest:

M. Tejeda
Marjorie Tejeda
TOWN CLERK

Approved as to form and legal sufficiency:

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