

RESOLUTION NO. 26-2185

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO THE TOWN CHARTER, PROPOSED BY THE MAYOR, REVISING THE PROCEDURES FOR FILLING TOWN COUNCIL AND MAYORAL VACANCIES UNDER SECTION 2.5, “VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES”; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; PROVIDING FOR SUBMISSION OF THE PROPOSED AMENDMENT TO THE TOWN CHARTER AT THE NOVEMBER 3, 2026 GENERAL ELECTION; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR INCLUSION IN THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor of the Town of Miami Lakes has proposed an amendment to the Town Charter to revise the procedures governing the filling of vacancies in the offices of Town Council members and the Mayor (the “Charter Amendment”); and

WHEREAS, Section 6.03 of the Home Rule Charter of Miami-Dade County provides, in part, that a municipality may by resolution propose a charter amendment to be submitted to the electors of the municipality; and

WHEREAS, pursuant to Section 7.4 and Section 6.1 of the Town Charter, the Town Council is authorized to submit proposed amendments to the Town Charter to the electors of the Town; and

WHEREAS, Section 101.161, Florida Statutes, governs the form of the ballot question submitted to the electors, requiring that the ballot title not exceed fifteen (15) words and that the ballot summary not exceed seventy-five (75) words, and that the substance of the amendment be printed in clear and unambiguous language; and

WHEREAS, in order to submit the Charter Amendment to the electors of the Town, the Town Council must approve legally sufficient ballot language via resolution and transmit the same to the Miami-Dade County Supervisor of Elections, thereby authorizing the Miami-Dade County Elections Department to take such actions as may be necessary to administer the election for the Town; and

WHEREAS, the Town Council has prepared and considered the ballot language contained herein, and, after careful deliberation and upon the recommendation of the Town Attorney, the Town Council finds the ballot language provided herein to be legally sufficient; and

WHEREAS, the Town Council desires to provide the requisite ballot language for submission to the electors of the Town, to provide copies of the Charter Amendment to be made available to the public for inspection, and to direct the Town Clerk to request and utilize the services of the Miami-Dade County Supervisor of Elections to administer the election by placing the Charter Amendment ballot question on the November 3, 2026 General Election.

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 reference.

Section 2. Charter Amendment. That pursuant to Section 7.4 and Section 6.1 of the Town Charter and Section 6.03 of the Home Rule Charter of Miami-Dade County, it is proposed that the Town Charter of the Town of Miami Lakes, Florida, be amended by amending Section 2.5, “Vacancies; Forfeiture of Office; Filling of Vacancies,” as described in the ballot question set forth below, to read as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

See Exhibit A attached hereto and incorporated herein by reference.

Section 3. Election Called. A general election is hereby called, to be held on Tuesday, November 3, 2026, to present to the qualified electors of the Town of Miami Lakes the ballot question provided in Section 4 of this Resolution. The Town Council may by Resolution alter the date of the election in the event that the Council finds that unforeseen circumstances require it to do so.

Section 4. Form of Ballot. The form of the ballot for the Charter Amendment provided for in Section 2 of this Resolution shall be as follows:

**REVISING PROCEDURES FOR FILLING TOWN COUNCIL AND
MAYORAL VACANCIES**

Shall the Town Charter be amended to revise Council vacancy procedures to provide that the Mayor nominate a replacement within 45 days, with Council confirmation within an additional 30 days, for vacancies with more than six months remaining; and to provide that if the Mayor's office becomes vacant, the Vice-Mayor completes the term?

Yes []

No []

Section 5. Ballot; Notice; Copies; etc.

- A. The Charter Amendment ballot question shall be submitted to the qualified electors of the Town at the General Election to be held on Tuesday, November 3, 2026. All qualified electors residing within the Town who are timely registered shall be entitled to vote.
- B. 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, the first publication to be in the fifth week prior to the election and the second publication to be in the third week prior to the election, 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”), AN ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE TOWN ON TUESDAY, THE 3RD DAY OF NOVEMBER, 2026, AT WHICH TIME THE FOLLOWING CHARTER AMENDMENT PROPOSED SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN.

That certain proposed amendment to the Town Charter, which is commonly referred to by the following ballot title:

- **REVISING PROCEDURES FOR FILLING TOWN COUNCIL AND MAYORAL VACANCIES**

Polling place information and the full text of the proposed Charter Amendment is available at the Office of the Town Clerk located at 6601 Main Street, Miami Lakes, Florida 33014.

TOWN CLERK”

- C. The registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until the date at which the registration books shall close in accordance with the provisions of the general election laws.
- D. The Town Clerk, with necessary assistance from the Miami-Dade County Supervisor of Elections, is hereby authorized to take all appropriate actions necessary to carry into effect and accomplish the electoral provisions of this Resolution.
- E. This election shall be canvassed by the Town Clerk in accordance with any applicable provisions of the general election laws of the State or County, unless otherwise provided by law.
- F. Copies of this Resolution are on file at the Office of the Town Clerk located at Town of Miami Lakes, 6601 Main Street, Miami Lakes, Florida 33014, and are available for public inspection during regular business hours.

Section 6. Effectiveness of Charter Amendment.

- A. The Charter Amendment as described in Section 2 above shall only be effective if a majority of the qualified electors of the Town voting on the Charter Amendment vote for its adoption and shall be considered adopted and effective upon certification of the election results as provided herein.
- B. The Town Attorney is authorized to revise the Charter to the extent necessary to assure that the amendment, if adopted, conforms to the remaining Charter provisions and is properly included in the publication of the revised Town Charter, including the revision of transitional provisions to the extent necessary. If this Charter Amendment conflicts with any other Charter amendment adopted at the

same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

- C. Following the adoption of the Charter Amendment, the Town Clerk shall file the adopted Charter Amendment with the Clerk of the Circuit Court of Miami-Dade County, Florida, pursuant to Section 6.03 of the Miami-Dade County Charter.

Section 7. Severability. The provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution but they shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

Section 8. Inclusion in the Charter. Subject to the requirements of Section 6 above, it is the intention of the Town Council and it is hereby provided that the Charter Amendment shall become and be made a part of the Charter of the Town of Miami Lakes, and that the Sections of this Resolution may be renumbered or relettered to accomplish such intention.

Section 9. Effective Date. This Resolution shall become effective immediately upon adoption hereof.

*****THIS PORTION HAS BEEN LEFT PURPOSEFULLY BLANK*****

The foregoing resolution was offered by Mayor Dieguez who moved its adoption. The motion was seconded by Councilmember Sanchez and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes

Passed and adopted on this 21st day of July 2026.



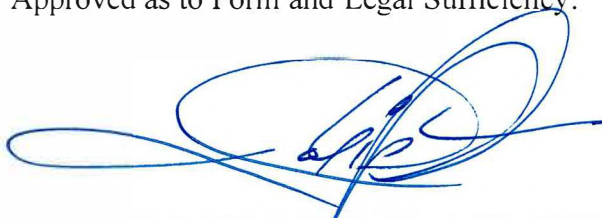
Joshua Dieguez
Mayor

Attest:



Gina M. Inguanzo
Town Clerk

Approved as to Form and Legal Sufficiency:



Lorenzo Cobiella
Gastesi, Lopez Mestre and Cobiella, PLLC
Deputy Town Attorney

EXHIBIT “A”
TEXT OF PROPOSED CHARTER AMENDMENTS

The full text of the proposed Charter Amendments, indicated by underline for proposed additions and ~~striethrough~~ for proposed deletions, is attached hereto. [The redlined Charter prepared for the Council is incorporated here as Exhibit “A”.]