

RESOLUTION NO. 26-2186

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF PROPOSED AMENDMENTS TO THE TOWN CHARTER AS PROVIDED BY THE CHARTER REVISION COMMISSION IN ACCORDANCE WITH SECTION 7.4 OF THE TOWN CHARTER; SUBMITTING PROPOSED CHARTER AMENDMENTS CONCERNING TECHNICAL AND TERMINOLOGY CORRECTIONS; SECTION 2.2, “MAYOR AND VICE-MAYOR”; SECTION 2.3, “ELECTION AND TERM OF OFFICE”; SECTION 2.5, “VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES”; SECTION 2.7, “RECALL”; SECTION 3.4, “ACTING TOWN MANAGER”; SECTION 3.9, “TOWN BOARDS AND AGENCIES”; SECTION 4.1, “COUNCIL MEETING PROCEDURE”; SECTION 4.2, “PROHIBITIONS”; SECTION 4.4, “EMERGENCY ORDINANCES”; SECTION 5.1, “ELECTIONS”; SECTION 7.4, “CHARTER REVISION”; PROVIDING FOR TRANSITION TO IMPLEMENT CHARTER AMENDMENTS; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; PROVIDING FOR SUBMISSION OF THE PROPOSED AMENDMENTS 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, pursuant to Section 7.4 of the Town of Miami Lakes Charter, the Town Council appointed a Charter Revision Commission, which has determined that certain amendments and revisions are needed to the Town Charter and, following its proceedings concluding at its final meeting held on June 2, 2026, has submitted to the Town Council the proposed amendments and revisions to the Town Charter (the “Charter Amendments”); 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 of the Town Charter, the Town Council is required to submit the Charter Amendments to the electors of the Town in accordance with the provisions of Section 6.1 of the Town Charter; 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 Amendments 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 Amendments 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 questions 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 Amendments. That pursuant to Section 7.4 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 the Town Charter Sections described in the ballot questions 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 questions 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 Amendments provided for in Section 2 of this Resolution shall be as follows:

1. **JANUARY TERM COMMENCEMENT AND ANNUAL VICE-MAYOR ELECTION**

Shall the Town Charter be amended to provide that: (1) the term of office of all elected officials elected at a general election shall commence at twelve noon on the second Tuesday of January following the general election; and (2) effective with the general election to be held in November 2028, the Council shall elect one of its members as Vice-Mayor at the first January Regular Council meeting and each year thereafter?

Yes []

No []

2. **RESIGN-TO-RUN VACANCIES FILLED AT NEXT REGULARLY SCHEDULED TOWN ELECTION**

Shall the Town Charter be amended to provide that when a vacancy in the office of Mayor or Councilmember arises from a resignation submitted pursuant to Section 99.012, Florida Statutes, the vacancy shall be filled at the next regularly scheduled election of the Town, or as earlier provided by the Council with the Town Clerk promptly notifying the Miami-Dade County Supervisor of Elections and opening a qualifying period for the vacated seat?

Yes []

No []

3. **TWO-TERM LIFETIME LIMIT FOR MAYOR AND COUNCILMEMBERS**

Shall the Town Charter be amended to limit the Mayor and members of the Council to no more than two (2) terms in each office during their lifetime (rather than two consecutive terms), with terms as Councilmember and Mayor counted separately; provide that service exceeding two years of an unexpired term counts as a term; and apply these limits retroactively such that prior terms count toward the two-term limit?

Yes []

No []

4. **ELECTION PROCEDURE: NOVEMBER GENERAL ELECTION WITH DECEMBER RUNOFF**

Shall the Town Charter be amended so that: (1) if in a general election no candidate receives more than fifty percent of the votes, a runoff between the top two candidates shall be held the second Tuesday of December; (2) the 21-day runoff provision is repealed; and (3) the Council shall hold no meetings between election and swearing-in except for emergencies?

Yes []

No []

5. **REPLACING TOWN MANAGER APPOINTMENT OF THE TOWN CLERK WITH APPOINTMENT BY TOWN COUNCIL**

Shall the Town Charter be amended to provide that the Town Clerk shall be appointed by and report directly to the Town Council, with terms and conditions established by the Council, and may be removed by majority Council vote?

Yes []

No []

6. **CONFIRMING RECALL PETITION SIGNATURE REQUIREMENT WITH STATE LAW**

Shall the Town Charter be amended to align the recall petition signature threshold to applicable statutory tier as the Town's registered voters grow?

Yes []

No []

7. **EARLY VOTING REQUIREMENT FOR ELECTIONS**

Shall the Town Charter be amended to request a minimum of two (2) days of early voting for any municipal election?

Yes []

No []

8. **CHARTER TECHNICAL AMENDMENTS: UPDATED TERMINOLOGY AND GRAMMATICAL CLEANUP**

Shall the Town Charter be amended to: (1) replace “councilmember(s)” with “member(s) of the Council” throughout; (2) replace “hearing” with “meeting” in the Citizens' Bill of Rights; (3) correct cross-references from “article” to “Bill of Rights”; (4) remove “disability” from Section 2.5 to conform to Florida Statutes; (5) update the Town map; and (6) make conforming non-substantive technical corrections?

Yes []

No []

9. **FILLING COUNCIL VACANCIES**

Shall the Town Charter be amended to revise vacancy procedures by: (1) revising the procedure for filling vacancies with less than a year remaining by Mayor nomination within 45 days with Council confirmation; (2) requiring a special election for vacancies with twelve or more months remaining; (3) providing that if the Mayor's office becomes vacant, the Vice-Mayor shall complete the Mayor's term; the resulting vacancy shall be filled as otherwise provided in the Charter?

Yes []

No []

10. REDUCING COUNCILMEMBERS FROM 6 TO 4 AND UPDATING COUNCIL VOTING THRESHOLDS

Shall the Town Charter be amended to reduce the number of Councilmembers from 6 Councilmembers to 4 Councilmembers by: (1) electing the Councilmember to Seat #5 in 2028 to a two-year term, after which Seat #5 shall be abolished in 2030; (2) abolishing Seat #6 upon expiration of its term in 2030, with no further election for Seat #6, and (3) providing for updating and modifying proportional Councilmember voting thresholds?

Yes []

No []

11. ADMINISTRATIVE UPDATES: TOWN MANAGER REMOVAL AND ACTING MANAGER

Shall the Town Charter be amended to comprehensively revise the procedure for designating an Acting Town Manager during the Town Manager's absence or disability, including notice and reporting requirements?

Yes []

No []

12. MAYOR'S DUTIES: COMMITTEES, INTERGOVERNMENTAL RELATIONS, AND ANNUAL ADDRESS

Shall the Town Charter be amended to revise the Mayor's powers and duties by: (1) clarifying that the Mayor's role representing the Town does not preclude administration and staff from communicating with other governmental entities; (2) requiring the Mayor to present an annual State of the Town address, with the Town's budget continuing through the regular budget adoption process; and (3) providing that the Council may establish or terminate Town Committees?

Yes []
No []

13. AMENDING THE CHARTER REVISION COMMISSION PROCESS

Shall the Town Charter be amended to update the Charter Revision Commission process by: (1) appointing the Charter Revision Commission at the final Regular meeting of the calendar year; (2) extending the commencement period from 45 to 60 calendar days after appointment; (3) requiring the Mayor to appoint a sitting Councilmember if no second-term Councilmember is available; and (4) advancing the Charter question submission deadline?

Yes []
No []

14. INTERFERENCE WITH ADMINISTRATION

Shall the Town Charter be amended to provide that the Council and its members may make good-faith inquiries and investigations of Town employees without first passing a Council resolution?

Yes []
No []

Section 5. Ballot; Notice; Copies; etc.

- A.** The Charter Amendment ballot questions 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 AMENDMENTS PROPOSED SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN.

Those certain proposed amendments to the Town Charter, which are commonly referred to by the following ballot titles:

- **CHARTER TECHNICAL AMENDMENTS: UPDATED TERMINOLOGY AND GRAMMATICAL CLEANUP**
- **JANUARY TERM COMMENCEMENT AND ANNUAL VICE-MAYOR ELECTION**
- **RESIGN-TO-RUN VACANCIES FILLED AT NEXT REGULARLY SCHEDULED TOWN ELECTION**
- **FILLING COUNCIL VACANCIES**
- **TWO-TERM LIFETIME LIMIT FOR MAYOR AND COUNCIL MEMBERS**
- **REDUCING COUNCILMEMBERS FROM 6 TO 4 AND UPDATING COUNCIL VOTING THRESHOLDS**
- **ELECTION PROCEDURE: NOVEMBER GENERAL ELECTION WITH DECEMBER RUNOFF**
- **REPLACING TOWN MANAGER APPOINTMENT OF THE TOWN CLERK WITH APPOINTMENT BY TOWN COUNCIL**
- **ADMINISTRATIVE UPDATES: TOWN MANAGER REMOVAL AND ACTING MANAGER**
- **MAYOR’S DUTIES: COMMITTEES, INTERGOVERNMENTAL RELATIONS, AND ANNUAL ADDRESS**
- **AMENDING THE CHARTER REVISION COMMISSION PROCESS**
- **CONFIRMING RECALL PETITION SIGNATURE REQUIREMENT WITH STATE LAW**
- **INTERFERENCE WITH ADMINISTRATION**

○ **EARLY VOTING REQUIREMENT FOR ELECTIONS**

Polling place information and the full text of the proposed Charter Amendments 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 Amendments.

- A.** Each Town 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 specific Charter Amendment vote for its adoption, and shall be considered adopted and effective upon certification of the election results as provided herein. Each Charter Amendment shall stand alone, and the failure of any one ballot question shall not invalidate the remaining provisions.
- B.** The Town Attorney is authorized to revise the Charter to the extent necessary to assure that any amendments adopted conform to one another and are properly included in the

publication of the revised Town Charter. Further, in the event that some, but not all, of the Charter Amendments are approved by the electors, conforming amendments shall be deemed to be adopted and the Town Attorney is authorized to reflect and implement such revisions of the Charter, including the revision of transitional provisions, to the extent necessary to assure that all amendments adopted conform to one another and to all remaining Charter provisions. If conflicting Charter Amendments are 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 Amendments, the Town Clerk shall file the adopted Charter Amendments 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 Amendments 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.

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.



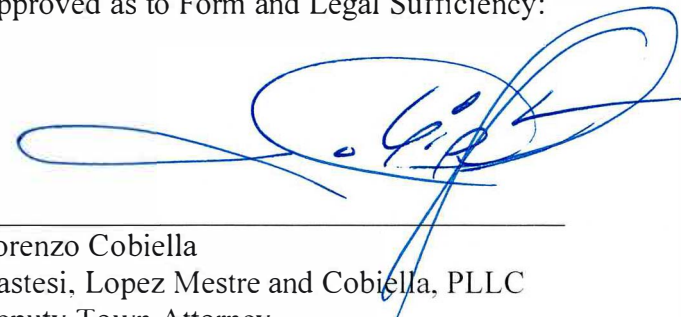
Josh Dieguez
Mayor

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”].