



LEAGUE OF WOMEN VOTERS® OF MIAMI-DADE COUNTY

November 2012 - Local Ballot Questions Information and Positions

School Board Question: Funding Modernization and Construction of Public School Facilities Through Issuance of General Obligation Bonds

(YES #222) We believe all of our schools should offer the same amenities to ALL our children.

Home Rule Charter Amendment Relating to Term Limits of County Commissioners: Shall the Charter be amended to provide that County Commissioners shall serve no more than two consecutive four-year terms in office excluding terms of service prior to 2012?

A vote **YES** on this Charter Question would:

- Limit the number of years a Commissioner could serve in office to 8 years.
- It would not take into consideration the years that current office holders have already served.

A vote **NO** on this Charter Question would:

- Continue to allow Commissioners to serve for as long as voters re-elected to office.

(NO) We believe that commissioners are subjected to their terms being limited by having their names on the ballot every 4-years. Voters have the power to term limit elected officials.

Technical Amendments to Home Rule Charter: Shall the Charter be amended to clarify the titles of subsections, correct and update cross-references between provisions, and delete references to offices and agencies, which have been abolished?

A **YES** vote on this Charter Question would:

- Make corrections to the charter to address changes that have been made to the County organization.

A **NO** vote on this Charter Question would:

- Continue to have disorganized numbering information in certain parts of the Charter.

(YES) This is just a housekeeping amendment to correct the order in which some information is currently in the Charter.

Charter Amendment Requiring Extraordinary Vote to Include Additional Land within the Urban Development Boundary: Shall the Charter be amended to require a two-thirds vote of County Commissioners then in office to include additional land within the Urban Development Boundary established by the County's Comprehensive Development Master Plan?

A **YES** vote on this Charter Question would:

- Would include in the Charter the existing rule of requiring two-thirds vote of the total commissioners in order to expand the Urban Development Boundary.

A **NO** vote on this Charter Question would:

- Would leave the existing rule in only in the Code and not included in the Charter

(YES) This provides additional assurances to the two-third requirement that it's currently just in the Code.

Charter Amendment Pertaining to Changes in Municipal Boundaries and Creation of New Municipalities: Shall the Charter be amended to:

- Require the County Commission to consider the benefits of any proposed annexation of commercial areas, when approving or authorizing an annexation
- Establish alternative procedure for creation of new municipalities in unincorporated areas of the County by petition, which provides conditions for creation of new municipalities and a single election to approve the creation of a new municipality and approve its Charter, instead of two elections for these purposes?

A **YES** vote on this Charter Question would:

- Require the County Commission to consider the economic impacts of annexation on the property tax base of the remaining unincorporated areas. This issue will provide justification for rejecting annexation requests.
- The alternative procedure advanced by the County Commission provides a petition process that concludes with a single ballot question to approve the creation of a new municipality and adopt a charter for the governance of the new city. These are two very separate questions. The combining of these issues will jeopardize the likelihood of passage.

A **NO** vote on this Charter Question would:

- Leave the general provisions for incorporation and annexation in the Charter, and allow for any procedural reforms to be addressed through changes to the Code of Miami-Dade County

(NO) This proposal is a good idea but we believe that it should go back to the drawing board and come back to the voters in a more comprehensive way.

Charter Amendment Regarding Penalties and Enforcement of Citizens' Bill of Rights: Shall the Charter be amended to eliminate the provision providing for forfeiture of office if a public official or employee willfully violates the Citizens' Bill of Rights and allow, in addition to suit in circuit court, the Commission on Ethics and Public Trust to enforce the Citizens' Bill of Rights with penalties authorized by the Code?

A **YES** vote on this Charter Question would:

- Allow citizens an additional avenue for seeking justice in the event actions by a public official violate the rights granted in the Charter of Miami-Dade County. The option of suing in Circuit Court is preserved. This amendment allows a citizen to also appeal to the Ethics Commission and empowers the Ethics Commission to adjudicate the complaint and impose penalties. The extreme measure of removing an official from office, which has never been exercised since the adoption of the Bill of Rights, is also removed.

A **NO** vote on this Charter Question would:

- Continue the current limited remedy available in the Charter. The only avenue for justice available to Citizens who believe their rights have been violated is to file a suit in Circuit Court and ask for the offending official to be removed from office.

(YES) We support as much public access and participation as possible, this amendment extends the rights of citizens to file ethics complaints.

Charter Amendment Related to Option for Filling Mayoral or County Commissioner Vacancy: Shall the Charter be amended to:

- Extend the time to conduct an election to fill a mayoral or commissioner vacancy from 45 to 90 days from the decision to call such election and provide a timeframe for qualification and any necessary runoff;
- Temporarily transfer, during a mayoral vacancy or incapacity, certain mayoral powers to the Commission Chairperson, Vice Chairperson or Commissioner chosen by the Board?

A **YES** vote on the Charter Question would:

- Provide for certain limited powers of the Mayor to be exercised by the Chair of the Commission, or Vice-Chair, when a vacancy occurs. The limited powers relate to the declaration of a state of emergency, recommending the filling of vacancies in department director positions, and recommending the waiver of bid provisions. In order for an election to occur that will allow for the preparation and distribution of overseas military ballots, the time period for calling the election will be extended to 90 days.

A **NO** vote on this Charter Question would:

- Limit the ability of the County to function during an emergency in the event of a vacancy in the Office of the Mayor.

(YES) This language is needed in the Charter to assure ease of transition.

Charter Amendment Regarding Mayoral Conflicts in County Procurement: Shall the Charter be amended to provide that when the County Mayor declares a conflict of interest in a particular procurement of a County contract, the chairperson of the Board of County Commissioners shall exercise all authority provided by the Charter or the County Commission to the Mayor with regard to such procurement including the authority to recommend a bid waiver?

A **YES** vote on this Charter Question would:

- Transfer the power to manage and recommend procurement items to the Chair of the Commission from the Mayor when the Mayor declares a Conflict of Interest.

A **NO** vote on this Charter Question would:

- Not transfer the power to manage and recommend procurement items to the Chair of the Commission from the Mayor when the Mayor declares a Conflict of Interest. The Mayor would continue to delegate this responsibility to others when this situation arises.

(NO) This doesn't cure the conflict of interest issue.

The League of Women Voters of Miami-Dade County is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

Please send all questions/comments on the local ballot issues to: info@lwvmiamidade.org.

For information on the 11 proposed State Constitutional Amendments please visit www.TheFloridaVoter.org.

**The League of Women Voters of Florida's Position on
all 11 State Constitutional Amendments is No**

THREE WAYS TO VOTE: BY MAIL – EARLY – ELECTION DAY