ITEM 4A

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; CREATING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS OF A PROPOSED AMENDMENT TO THE VILLAGE CHARTER; CREATING SECTION 10.4, OF THE VILLAGE OF PALMETTO BAY'S CHARTER; PROVIDING FOR COPIES OF THE CHARTER AMENDMENT TO BE AVAILABLE FOR PUBLIC INSPECTION; PROVIDING FOR THE VILLAGE CLERK TO UTILIZE THE SERVICES OF MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO PLACE THE CHARTER AMENDMENT ON THE BALLOT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (Sponsored by Mayor Shelley Stanczyk)

WHEREAS, the Mayor and Village Council desire to create a proposed charter amendment, to be numbered Section 10.4, which shall be submitted to the electorate for approval or disapproval at the next regularly scheduled General Election, currently scheduled for November 4, 2014; and,

WHEREAS, the Mayor and Village Council desire to provide requisite ballot language for submission to electorate, providing for copies of this charter amendment to be available for public inspection, and providing for the Village Clerk to utilize the services of Miami-Dade County Supervisor of Elections.

BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. *Whereas clauses.* The above whereas clauses are incorporated by reference into this Resolution.

Section 2. *Proposed Amendment to the Village Charter.* The Mayor and Village Council propose an amendment to the Village Charter that shall be voted upon by the Village electorate. Those proposed amendment is commonly referred to by the following ballot title: **Lighting Prohibition.** The amendment is as follows:

Section 10.4
Lighting shall not be installed or used for outdoor recreational areas, except for underwater swimming pool lighting, by religious facilities, private schools, child care facilities or other non-governmental public assembly uses in any single-family residential zoning district. This provision shall be self-executing and become effective upon the date of adoption by the electorate.

Section 3. *Form of Ballot.* The form of ballot of the Charter amendments provided for in this Resolution shall be as follows:

Proposed Palmetto Bay Charter Amendment:
LIGHTING PROHIBITION [Section 10.4].

Lighting shall not be installed or used for outdoor recreational areas, except for underwater swimming pool lighting, by religious facilities, private schools, child care facilities or other non-governmental public assembly uses in any single-family residential zoning district. This provision shall be self-executing and become effective upon the date of adoption by the electorate.

Shall the above described amendment be adopted?

YES [ ]
NO [ ]

Section 4. *Charter Amendment to be Available for Public Inspection, and for the Village Clerk to Utilize the Services of Miami-Dade County Supervisor of Elections.* The place, information and the full text of the proposed Village Charter amendment is available at the office of the Village Clerk located at 9705 East Hibiscus Street, Palmetto Bay, Florida 33157. Copies of this resolution providing the charter amendment subject to this referendum approval is on file in the office of the Village Clerk and available for public inspection during regular business hours. The Village Clerk is authorized to utilize the services of Miami-Dade County Supervisor of Elections for any assistance required in the administration of the election.

Section 5. *Providing for Adoption of Enabling Resolution.* The Village Council shall enable the submittal of the proposed amendments to the electorate pursuant to section 6.03 of the Miami-Dade County Charter.

Section 6. If any section, clause, sentence, or phrase of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this resolution.

Section 7. This resolution shall take effect immediately upon enactment.

PASSED AND RESOLVED this ____ day of June, 2014.

Attest: _____ _____

Meighan Alexander
Village Clerk

Shelley Stanczyk
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

_____

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore ____

Council Member Tim Schaffer ____

Council Member Joan Lindsay ____

Vice-Mayor John DuBois ____

Mayor Shelley Stanczyk ____