



RESOLUTION # 2014-70

RESOLUTION OF THE CITY OF WEST MIAMI ADOPTING AND IMPLEMENTING THE RESULTS OF THE NOVEMBER 4, 2014 ELECTION APPROVING CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF WEST MIAMI; DIRECTING THE CITY CLERK TO FILE SAID CHARTER AND ITS AMENDMENTS WITH THE CLERK OF MIAMI-DADE COUNTY AND FURTHER INSTRUCTING THE CITY CLERK TO FORWARD THE CITY CHARTER WITH ITS AMENDMENTS TO THE MUNICIPAL CODE CORPORATION (MUNICODE) FOR ITS PUBLICATION.

WHEREAS, the City of West Miami Commission appointed a Charter Review Board to review the entire City Charter and recommend to the City Commission certain proposed amendments to be offered to the voters of the City of West Miami for their consideration in the November 4, 2014 election; and

WHEREAS, the Charter Review Board recommended to the City Commission a total of seven (7) charter amendments; and

WHEREAS, a total of seven (7) Charter amendments were offered to the voters of the City of West Miami in the November 4, 2014 election; and

WHEREAS, the Charter amendments as attached herein and made a part hereto were voted upon by the citizens of the City of West Miami; and

WHEREAS, the Miami Dade County Elections Department canvassed the election return, tabulated ballots and determined the number of votes in each proposed charter amendment as attached herein as Exhibit A; and

WHEREAS, Charter amendment number 1, 3, 5 and 7 were approved by the voters of the City of West Miami.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Commission of the City of West Miami that :

SECTION 1. The aforementioned statements are true and correct and adopted as is fully stated herein.

SECTION 2. The City Commission hereby accepts and adopts the certification by the Miami-Dade County Elections Department whereby the attached amendments were approved.

SECTION 3. Said amendments are hereby accepted as approved by the Miami-Dade County Elections Department.

SECTION 4. The City Clerk is hereby instructed to remit and file this Resolution and the adopted Charter Amendments with the Clerk of the Miami-Dade County.

SECTION 5. The City Clerk is hereby instructed to remit the City of West Miami Amended Charter to the Municipal Code Corporation (Municode) for its publication.

SECTION 6. The City Clerk is hereby authorized and directed to perform any and all incidental duties in connection herewith as required by law.

PASSED AND ADOPTED this 19th day of November, 2014.

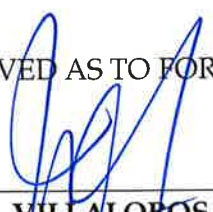
APPROVED:


EDUARDO H. MUÑINA, MAYOR

ATTEST:


ANNERY GONZALEZ, CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:


JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

MAYOR EDUARDO H. MUÑINA	<u>Y</u>
VICE-MAYOR JUAN M. BLANES	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER RHONDA A. RODRIGUEZ	<u>Y</u>
COMMISSIONER LUCIANO L. SUAREZ	<u>Y</u>

OFFICIAL RESULTS

OF WEST MIAMI SPECIAL ELECTION PROPOSED CHARTER AMENDMENTS

NOVEMBER 4TH, 2014

Charter Amendment No. 1

Article III, Section 3.02 – Qualifications to Hold Office and Residency Requirement

Shall Article III, Section 3.02, sentences 1 and 2 be repealed and rewritten to read:

(a) "Any elector who has been a City resident for two (2) years preceding the qualifying date for an election may qualify for candidacy of Mayor or City Commissioner."

(b) "The City Clerk acting as supervisor of elections of the City shall be empowered as the qualifying agent for City elections."?

Shall the above described amendment be approved?

	VOTES
YES	732
NO	639

Charter Amendment No. 2

Article III, Section 3.04 – Compensation and Expenses

Shall Article III, Section 3.04, paragraph 3 be amended to read:

"The Commission may, at a regular called meeting and by a 4/5 affirmative vote, approve expenses for Commission members for travel and/or per diem expenses, which are for the direct benefit and/or direct City business. Expenses for travel and per diem shall be limited as provided by the statutes of the State of Florida."?

Shall the above described amendment be approved?

	VOTES
YES	474
NO	845

Charter Amendment No. 3

Article III, Section 3.07 – Referendum by Petition

Shall Article III, Section 3.07(5) be repealed and amended to read:

"When a referendum petition to repeal an ordinance is filed with the City Clerk or other official designated by the Commission, the ordinance sought to be reconsidered shall be deemed valid until results from such referendum are certified."?

Shall the above described amendment be approved?

	VOTES
YES	641
NO	608

Charter Amendment No. 4

Article III, Section 3.08 – Mayor; Vice-Mayor

Shall Article III, Section 3.08, first sentence, be amended to read:

"To repeal that the Mayor executes contracts and deeds. These are duties of the City Manager."?

Shall the above described amendment be approved?

	VOTES
YES	594
NO	669

Charter Amendment No. 5
Article VI, Section 6.04 – Recall

Shall Section 6.04 be repealed and amended to read:

"The qualified electors of the City shall have the power to recall and remove from office any elected official of the City as provided by Florida Statutes and/or City of West Miami Ordinances, provided that, in no event, such recall takes place before the expiration of one year after such elected official has been elected."?

Shall the above described amendment be approved?

	VOTES
YES	807
NO	492

Charter Amendment No. 6
Article VIII – Transition Schedule

Shall Sections 8.01, 8.05, 8.06, 8.07 and 8.08 adopted in 1949 as well as provisions adopted in 1978 and 1980 in conflict with the rest of the Charter be repealed and substituted with the following language:

"All prior Charter provisions inconsistent with the present Charter and Amendments approved on November 4, 2014 election shall be repealed."?

Shall the above described amendment be approved?

	VOTES
YES	568
NO	624

Charter Amendment No. 7
Article VIII, Section 8.05 – Schedule

Shall the schedule of elections remain to be conducted on the second Tuesday of April of every even numbered year?

Shall the above described amendment be approved?

	VOTES
YES	976
NO	310

Respectfully submitted,

ANNERY GONZALEZ
City Clerk
City of West Miami

WEST MIAMI

OFFICIAL GENERAL ELECTION
MIAMI-DADE COUNTY, FL
NOVEMBER 4, 2014

OFFICIAL RESULTS

RUN DATE: 11/14/14 04:13 PM

REPORT-EL45A PAGE 001

TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
1	100.00						
3,229		480	0	699	352	0	2
1,533	47.48						

PRECINCTS COUNTED (OF 1)
 REGISTERED VOTERS - TOTAL
 BALLOTS CAST - TOTAL
 VOTER TURNOUT - TOTAL

WEST MIAMI: QUALIFICATIONS AND RES. REQ.
 (Vote for) 1

YES/SI/NI	732	53.39	238	340	153	0	1
NO/NO/NON	639	46.61	187	295	156	0	1
Total	1,371		425	635	309	0	2
Over Votes	3		0	3	0	0	0
Under Votes	152		54	55	43	0	0

WEST MIAMI: COMPENSATION AND EXPENSES
 (Vote for) 1

YES/SI/NI	474	35.94	138	234	102	0	0
NO/NO/NON	845	64.06	262	385	197	0	1
Total	1,319		400	619	299	0	1
Over Votes	4		0	4	0	0	0
Under Votes	203		79	70	53	0	1

WEST MIAMI: REFERENDUM BY PETITION
 (Vote for) 1

YES/SI/NI	641	51.32	185	312	144	0	0
NO/NO/NON	608	48.68	189	282	136	0	1
Total	1,249		374	594	280	0	1
Over Votes	5		0	4	1	0	0
Under Votes	272		105	95	71	0	1

WEST MIAMI: REPEAL MAYOR CONTRACT DUTIES
 (Vote for) 1

YES/SI/NI	594	47.03	178	290	125	0	1
NO/NO/NON	669	52.97	201	311	157	0	0
Total	1,263		379	601	282	0	1
Over Votes	3		0	3	0	0	0
Under Votes	260		100	89	70	0	1

WEST MIAMI: RECALL
 (Vote for) 1

YES/SI/NI	807	62.12	233	395	178	0	1
NO/NO/NON	492	37.88	164	213	115	0	0
Total	1,299		397	608	293	0	1
Over Votes	4		1	3	0	0	0
Under Votes	223		81	82	59	0	1

WEST MIAMI

RUN DATE: 11/14/14 04:13 PM

OFFICIAL GENERAL ELECTION
MIAMI-DADE COUNTY, FL
NOVEMBER 4, 2014

OFFICIAL RESULTS

REPORT-EL45A PAGE 002

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
WEST MIAMI: TRANSITION SCHEDULE								
(Vote for) 1								
YES/SI/MI	568	47.65	172	0	279	117	0	0
NO/NO/NON	624	52.35	184	0	287	152	0	1
Total	1,192		356	0	566	269	0	1
Over Votes	2		0	0	1	1	0	0
Under Votes	332		123	0	126	82	0	1
WEST MIAMI: SCHEDULE OF ELECTIONS								
(Vote for) 1								
YES/SI/MI	976	75.89	293	0	470	212	0	1
NO/NO/NON	310	24.11	95	0	137	78	0	0
Total	1,286		388	0	607	290	0	1
Over Votes	2		1	0	1	0	0	0
Under Votes	238		90	0	85	62	0	1

WEST MIAMI

OFFICIAL GENERAL ELECTION
MIAMI-DADE COUNTY, FL
NOVEMBER 4, 2014

OFFICIAL RESULTS

RUN DATE: 11/14/14 04:14 PM

REPORT-EL30A PAGE 4260-01

4260 PRECINCT 426.0

TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
REGISTERED VOTERS - TOTAL		480	0	699	352	0	2
BALLOTS CAST - TOTAL	47.48						
VOTER TURNOUT - TOTAL							

WEST MIAMI: QUALIFICATIONS AND RES. REQ.

(Vote for) 1							
YES/SI/NI	732	238	0	340	153	0	1
NO/NO/NON	639	187	0	295	156	0	1
Total	1,371	425	0	635	309	0	2
Over Votes	3	0	0	3	0	0	0
Under Votes	152	54	0	55	43	0	0

WEST MIAMI: COMPENSATION AND EXPENSES

(Vote for) 1							
YES/SI/NI	474	138	0	234	102	0	0
NO/NO/NON	845	262	0	385	197	0	1
Total	1,319	400	0	619	299	0	1
Over Votes	4	0	0	4	0	0	0
Under Votes	203	79	0	70	53	0	1

WEST MIAMI: REFERENDUM BY PETITION

(Vote for) 1							
YES/SI/NI	641	185	0	312	144	0	0
NO/NO/NON	608	189	0	282	136	0	1
Total	1,249	374	0	594	280	0	1
Over Votes	5	0	0	4	1	0	0
Under Votes	272	105	0	95	71	0	1

WEST MIAMI: REPEAL MAYOR CONTRACT DUTIES

(Vote for) 1							
YES/SI/NI	594	178	0	290	125	0	1
NO/NO/NON	669	201	0	311	157	0	0
Total	1,263	379	0	601	282	0	1
Over Votes	3	0	0	3	0	0	0
Under Votes	260	100	0	89	70	0	1

WEST MIAMI: RECALL

(Vote for) 1							
YES/SI/NI	807	233	0	395	178	0	1
NO/NO/NON	492	164	0	213	115	0	0
Total	1,299	397	0	608	293	0	1
Over Votes	4	1	0	3	0	0	0
Under Votes	223	81	0	82	59	0	1

WEST MIAMI

OFFICIAL GENERAL ELECTION
MIAMI-DADE COUNTY, FL
NOVEMBER 4, 2014

OFFICIAL RESULTS

RUN DATE: 11/14/14 04:14 PM

REPORT-EL30A PAGE 4260-02

4260 PRECINCT 426.0

TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
568	47.65	172	0	279	117	0	0
624	52.35	184	0	287	152	0	1
1,192		356	0	566	269	0	1
Over Votes		0	0	1	1	0	0
Under Votes		123	0	126	82	0	1

WEST MIAMI: TRANSITION SCHEDULE

(Vote for) 1							
YES/SI/MI							
NO/NO/NON							
Total							
Over Votes							
Under Votes							

WEST MIAMI: SCHEDULE OF ELECTIONS

(Vote for) 1							
YES/SI/MI							
NO/NO/NON							
Total							
Over Votes							
Under Votes							