



RESOLUTION # 2024-57

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA, APPROVING TWO PROPOSED CITY CHARTER AMENDMENTS TO BE PLACED BEFORE THE CITY ELECTORATE AT THE NOVEMBER 2024 GENERAL ELECTION; THE FIRST PROPOSAL ASKING WHETHER THE CITY CHARTER SHALL BE AMENDED SO THAT COMMISSIONERS ARE ELECTED TO SEPARATE CITY-WIDE SEATS WITH ALL ELECTORS CASTING ONE VOTE FOR EACH SEAT ON THE BALLOT, WITH THE VICE-MAYOR DESIGNATED BY THE COMMISSION; THE SECOND PROPOSAL ASKING WHETHER THE CITY CHARTER SHALL BE AMENDED SO THAT THE TERM OF OFFICE OF THE MAYOR IS FOUR YEARS, EFFECTIVE AT THE NEXT ELECTION FOR MAYOR; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Committee of City residents and City Commissioners has recommended the two Charter amendment proposed herein; and

WHEREAS, the City Commission believes the electors of the City should be given the opportunity to decide whether or not to adopt either or both of these proposed Charter amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA, as follows:

SECTION 1. The following two Charter amendment proposals shall be placed before the electorate of the City of West Miami as two separate proposals at the general election of November 2024.

Proposal #1

**CITY OF WEST MIAMI CHARTER AMENDMENT #1
AMENDING CHARTER ARTICLE III, SECTION 3.03
ELECTING COMMISSIONERS BY SEPARATE BALLOT
IN SEPARATE CITY-WIDE SEATS**

SUMMARY

Shall the City Charter be amended so that Commissioners are elected to separate city-wide seats with all electors casting one vote for each seat on the ballot, with the Vice-Mayor designated by the Commission?

_____ YES _____ NO

FULL TEXT

Section 3.03 of the Charter of the City of West Miami is changed as follows:

Section 3.03 Election of Mayor and Commissioners; designation of the Vice-Mayor.

[a] Commission Composition - The Commission shall consist of five separate seats for the Mayor and four Commissioners, the Mayor being elected for two years or until a successor takes office, and Commissioners being elected for four years or until a successor takes office, with two Commission seats on the ballot every two years.

[b] Elections - The seats of Mayor and Commissioners shall be designated as "Mayor Seat", "Commission Seat One", "Commission Seat Two", "Commission Seat Three", and "Commission Seat Four". Qualified individuals seeking to be elected to any Commission Seat may file as a candidate for only one Seat in any one election.

[c] Electors Vote Separately for All Seats - Electors may cast one vote for each Seat on the election ballot. For each Seat, the candidate receiving the most votes shall be elected. If there is a tie among candidates receiving the highest number of votes, the winner shall be selected by lot conducted by the City Clerk from among the tied with the highest number of votes.

[d] One Candidate or No Candidate - In the event that only one qualified candidate files for election to any Seat, that candidate shall be automatically elected. In the event that no qualified candidate files for election to any Seat, the Commission as constituted following the election shall appoint a qualified individual to the Seat; and in the case of the Mayor Seat, a Commissioner or candidate for Commissioner shall be considered to be a qualified individual.

[e] Vice-Mayor Designation - After each regularly scheduled municipal election every two years or upon a vacancy of the Vice-Mayor position, the Vice-Mayor shall be designated by the Commission from among the Commissioners for a term extending to the next regularly scheduled municipal election. The Commission may re-designate another Commissioner as Vice-Mayor during the two-year term only by four-fifths (4/5) vote.

[f] Transition - Following the adoption of this amendment, the City Clerk shall permanently designate the seats held by Commissioners whose terms will expire in 2026 as "Commission Seat 1" and "Commission Seat Two" and shall permanently designate the seats held by Commissioners whose terms will expire in 2028 as "Commission Seat 3" and "Commission Seat Four". The terms of Commissioners and the Vice-Mayor holding office when this amendment is adopted shall not be affected by this amendment during their existing terms.

Proposal #2

CITY OF WEST MIAMI CHARTER AMENDMENT #2

**AMENDING CITY CHARTER TO CHANGE
MAYOR'S TERM OF OFFICE TO A FOUR-YEAR TERM**

SUMMARY

Shall the City Charter be amended so that the term of office of the Mayor is four years, effective at the next election for Mayor?

YES NO

FULL TEXT

In all sections of the City Charter which refer to the term of office of the Mayor as "two" years, the number "two" shall be stricken and the number "four" inserted. This amendment shall be effective notwithstanding the adoption of any other amendment at the same election.

SECTION 2. If one of the proposals is disallowed for placement on the ballot for any reason, the other proposal shall be placed on the ballot.

SECTION 3. The Resolution shall be effective immediately and the City Clerk, as Supervisor of Elections for the City, shall transmit the proposals to the Supervisor of Elections of Miami-Dade County for appropriate placement on the November 2024 ballot.

PASSED AND ADOPTED this 17th day of July 2024.

APPROVED:



ERIC DIAZ-PADRON, MAYOR

ATTEST:



**ANNERY GONZALEZ, MMC
CITY CLERK**

APPROVED AS TO FORM AND SUFFICIENCY:


DEXTER W. LEHTINEN, CITY ATTORNEY

ROLL CALL VOTE:

This Resolution was offered by Commissioner Blanes who moved its adoption. The motion was seconded by Commissioner Chavez, Jr. The vote was as follows:

MAYOR ERIC DIAZ-PADRON	<u>Y</u>
VICE-MAYOR NATALIE MILIAN ORBIS	<u>Y</u>
COMMISSIONER JUAN M. BLANES	<u>Y</u>
COMMISSIONER IVAN CHAVEZ, JR.	<u>Y</u>
COMMISSIONER LUCIANO SUAREZ	<u>Y</u>