

RESOLUTION NO. 2013-56

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL MAIL BALLOT ELECTION OF JUNE 25, 2013; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2009 the electorate voted to amend the Village's Charter to include section 10.1 entitled "Private School Expansion"; and,

WHEREAS, Section 10.1 of the Village Charter states in relevant part:

The number of enrolled students of any private school within the Village of Palmetto Bay shall not be increased without prior approval by a fourth-fifths (4/5) vote of the Village Council. No such approval shall be adopted by the Village Council until the request to increase enrolled students is submitted to a vote of Village of Palmetto Bay electors living within a 2,000 foot radius of the applicant school property by referendum, and 75 percent of the electors voting approve of such increase in enrolled students.

A list of Village of Palmetto Bay registered voters within the 2,000-foot radius of the school property shall be prepared by the Village Clerk. Any elector who resides on property or a portion of property that is within the 2,000 foot radius of the school seeking to increase the number of its enrolled students shall be eligible to vote in the election required under this provision. The cost of the election (including reimbursement to the city for all costs relating to the preparation of the list of eligible electors) required under this provision shall be borne by the school seeking to increase the number of its enrolled students.

and,

WHEREAS, the Council passed Resolution 2013-41 that established the date of the Special Mail Ballot Election for the Alexander School, Inc., to be held on June 25, 2013; and

WHEREAS, the Miami-Dade County Canvassing Board provided the attached Certificate of County Canvassing Board, following conducting a meeting on June 26, 2013; and

WHEREAS, the election has been canvassed; returns have been made by inspectors and the Supervisor of the Election; ballots of registered voters have been tabulated; and, a determination of the total number of votes cast at such election has been conducted.

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

Section 1. That the above and foregoing recitals are true and correct.

Section 2. The Council hereby declares and certifies that a total of 119 ballots were cast at the Special Mail Ballot Election (with one over vote), and the following votes were cast as follows:

Student Enrollment Expansion at Alexander School, Inc.

Alexander School, Inc., located at 14850 SW 67th Avenue, filed a zoning application to increase student enrollment from 270 to 329. For the application to proceed, it must first receive 75% approval of the Palmetto Bay voting electorate within 2,000 feet of its property. If the referendum succeeds, student enrollment may only be increased upon a 4/5 vote of the Village Council.

Should the application proceed?

YES	78 (66.10%)
NO	40 (33.90%)

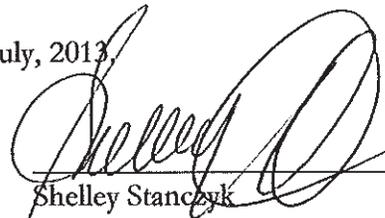
Section 3. The results of the Special Mail Ballot Election are hereby certified. Based upon the results, Alexander School, Inc., shall not be permitted at this time to proceed to public hearing on the increase in the number of students.

Section 4. The Village Clerk is hereby authorized and directed to perform any and all incidental duties in connection herewith as required by law.

Section 5. This Resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 11th day of July, 2013.

Attest: 
Meighan Alexander
Village Clerk


Shelley Stanczyk
Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


Eve A. Boutsis
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore YES

Council Member Tim Schaffer YES

Council Member Joan Lindsay YES

Vice-Mayor John DuBois YES

Mayor Shelley Stanczyk YES