

RESOLUTION NO. 2014-77

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ELECTIONS; CREATING THE VILLAGE CANVASSING BOARD FOR THE PURPOSE OF CANVASSING ELECTION RETURNS FOR THE POSSIBLE NOVEMBER 25, 2014, RUN-OFF ELECTION FOR THE MAYOR SEAT AND COUNCIL SEAT 3; PROVIDING AN EFFECTIVE DATE.

WHEREAS, as Section 10-3(d) of the Code of Ordinances of the Village establishes that in order for a candidate to be duly elected to office, said individual must receive a number of votes greater than fifty percent (50%) of the total number of ballots cast; and

WHEREAS, as there are currently four candidates in the race for the Mayor and three candidates in the race for Council Seat 3, the possibility of a run-off exists; and

WHEREAS, Section 10-3(e) provides that a run-off election between the two candidates who received the most votes be held; and

WHEREAS, as the run-off date of November 25, 2014, does not coincide with an existing State, Federal or Miami-Dade County election, the Village must appoint its own Canvassing Board. Section 10-11(b) provides that such Board be composed of three individuals:

The Village canvassing board shall be a panel composed of three individuals: a member of the Miami-Dade County judiciary, the Miami-Dade County Supervisor of Elections, or his or her deputy clerk, and the village clerk. If any of these individuals are unable to serve, then the village clerk is instructed to fill the vacancy with an elected or appointed official from another municipality within Miami-Dade County.

WHEREAS, Section 5.1(c) of the Charter mandates that the, "Council shall hold no meetings between the general election and the swearing in of those newly elected or re-elected Council members except in the case of an emergency affecting life, healthy, property or the public peace." The Village must convene a Canvassing Board in order to properly certify the results of the Run-Off Election.

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

Section 1. The following persons have agreed to serve and are appointed to the Village Canvassing Board:

Mayor Philip Stoddard, City of South Miami
Town Manager Rafael Casals, Town of Cutler Bay
Village Clerk Meighan Alexander

Section 2. The canvassing board shall meet to conduct pre-count logic and accuracy test of the optical scan system used for paper ballots, canvass of presumed invalid absentee ballots, absentee ballots opening and processing, duplication of ballots as needed, and, if needed, provisional ballots validation, opening, and processing.

Section 3. The Canvassing Board shall terminate upon completion of the process.

Section 4. This resolution shall take effect immediately upon enactment.

PASSED and ADOPTED this 3rd day of November, 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 ONLY:


Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member Tim Schaffer	<u>YES</u>
Council Member Joan Lindsay	<u>YES</u>
Vice-Mayor John DuBois	<u>YES</u>
Mayor Shelley Stanczyk	<u>YES</u>

This Resolution was filed in the Office of the Village Clerk on this 3 day of November, 2014.


Meighan Alexander
Village Clerk