



1 except in the case of an emergency affecting life, healthy, property or the  
2 public peace.” The Village must convene a Canvassing Board in order to  
3 properly certify the results of the Run-Off Election.  
4

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

8  
9 **Section 1.** The following persons have agreed to serve and are  
10 appointed to the Village Canvassing Board:

- 11
- 12 Missy Arocha, Village Clerk, Village of Palmetto Bay
- 13 Annery Gonzalez, City Clerk, City of West Miami
- 14 Mauricio Melinu, Deputy Clerk, Town of Cutler Bay
- 15

16 **Section 2.** The Village Clerk has appointed a stand-by individual  
17 who shall serve only if one of the appointed Village Canvassing Board  
18 Members has an emergency and cannot attend the Run-Off Election on  
19 November 27, 2018. The stand-by individual agreeing to serve in the  
20 case of an emergency is: Debra Eastman, Town Clerk, Town of Cutler  
21 Bay.  
22

23 **Section 3.** The Canvassing Board shall meet to conduct pre-count  
24 logic and accuracy test of the optical scan system used for paper ballots,  
25 canvass of presumed invalid vote-by-mail ballots opening and  
26 processing, duplication of ballots as needed, and, if needed, provisional  
27 ballots validation, opening, and processing.  
28

29 **Section 4.** This Resolution shall take effect immediately upon  
30 approval.  
31

32 **PASSED and ADOPTED** this 1<sup>st</sup> day of October, 2018.  
33  
34

35  
36 Attest:   
37 Missy Arocha  
38 Village Clerk  
39  
40

  
Eugene Flinn  
Mayor

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

3  
4  
5 DocuSigned by:  
6 *Dexter W. Lehtinen*  
7 \_\_\_\_\_  
8 Dexter W. Lehtinen  
9 Village Attorney

10  
11  
12 **FINAL VOTE AT ADOPTION:**

|    |                                    |               |
|----|------------------------------------|---------------|
| 13 |                                    |               |
| 14 | Council Member Karyn Cunningham    | <u>ABSENT</u> |
| 15 |                                    |               |
| 16 | Council Member David Singer        | <u>YES</u>    |
| 17 |                                    |               |
| 18 | Council Member Larissa Siegel Lara | <u>YES</u>    |
| 19 |                                    |               |
| 20 | Vice-Mayor John DuBois             | <u>ABSENT</u> |
| 21 |                                    |               |
| 22 | Mayor Eugene Flinn                 | <u>YES</u>    |

ORDINANCE NO. 2014-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ELECTIONS; REVISING SECTION 10-11, CODE OF ORDINANCES OF THE VILLAGE OF PALMETTO BAY, FLORIDA TO MODIFY THE COMPOSITION OF THE VILLAGE OF PALMETTO BAY CANVASSING BOARD; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter of the Village of Palmetto Bay provides the date of election, terms of office and general information concerning the conduct of Village elections; and

WHEREAS, in 2004 the Village Council adopted Ordinance 2004-02, which established a specific process for conducting elections and a Village Canvassing Board (the "Canvassing Board"); and

WHEREAS, the Mayor and Council desire to modify the composition of the Canvassing Board in order to allow for appropriate selection of individuals.

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

Section 1.     Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2.     Code Amendment. Section 10-11 of the Code of Ordinances of the Village of Palmetto Bay, Florida, is hereby amended to read as follows:

CHAPTER 10 ELECTIONS

\*\*\*

Sec. 10-11.     Canvassing of election returns; canvassing board; certificates of election.

- (a) All municipal elections shall be canvassed by the appropriate canvassing board. Any election held in conjunction with a county, state or federal election or any mail-ballot election shall be canvassed by the Miami-Dade County canvassing board. Any special election of the village, or any election not otherwise held in conjunction with a county, state or federal election, shall be canvassed by the village canvassing board. The canvassing of

election results shall be conducted under the applicable provisions of the Florida Statutes.

- (b) The village canvassing board shall be a panel composed of three individuals: a member of the Miami-Dade County judiciary, ~~the Miami-Dade County Clerk, or his or her Deputy Clerk, and a member of the Clergy who either resides in the Village or represents a church within the Village~~ the Village Clerk, and an elected or appointed official from another municipality within Miami-Dade County. ~~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.~~
- (c) The village clerk shall present a certification of election results to the village council at the first meeting of the village council following the election.

**Section 3. Conflicting Provisions.** The provisions of the Code of Ordinances of the Village of Palmetto Bay, Florida and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 4. Severability.** The provisions of this Ordinance are declared to be severable, and if any sentence, section, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences, sections, clauses or phrases of the Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 5. Codification.** It is the intention of the Village Council and it is hereby ordained the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the Village of Palmetto Bay, Florida, that sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** This ordinance shall take effect immediately upon enactment.

**PASSED and ENACTED** this 3<sup>rd</sup> day of February, 2014.

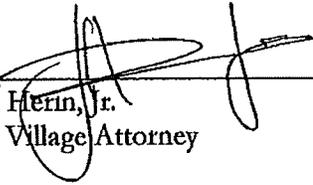
First Reading: January 6, 2014

Second Reading: February 3, 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:

  
\_\_\_\_\_  
John R. Herin, Jr.  
Interim 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> |