

**RESOLUTION NO. 2012-85**

**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 A POSSIBLE NOVEMBER 20, 2012 RUN-OFF ELECTION FOR THE VICE MAYOR SEAT AND DISTRICT 2 COUNCIL SEAT; 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 50 percent of the total number of ballots cast; and

**WHEREAS**, as there are currently three candidates in the race for the Vice Mayor Seat and three candidates in the race for Council Seat District 2, 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 20, 2012 does not coincide with an existing County election, the Village must appoint its own Canvassing Board. Section 10-11(b) provides that such board shall be 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. 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, health, 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:

Councilmember Joseph Corradino, Village of Pinecrest  
City Clerk Barbara Herrera, City of Doral  
Councilmember Sue Ellen Loyzelle

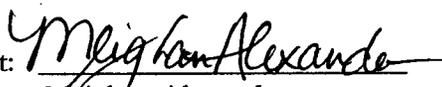
**Section 2.** The canvassing board shall meet to conduct pre-count logic and accuracy test of the optical scan system used for paper ballots, canvass of presumed invalid absentee ballots, absentee ballots opening and processing, duplication of ballots as needed, and, if needed, provisional ballots validation,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

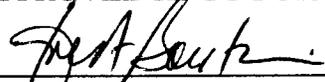
PASSED and ADOPTED this 5<sup>th</sup> day of November, 2012

Attest:

  
Meighan Alexander  
Village Clerk

  
Shelley Stanczyk  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis,  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member Howard Tendrich	<u>YES</u>
Council Member Joan Lindsay	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Shelley Stanczyk	<u>YES</u>