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RESOLUTION NO. 2016-124

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, CERTIFYING AND DECLARING THE RESULTS OF THE GENERAL ELECTION OF NOVEMBER 8, 2016, AND RUN-OFF ELECTION OF NOVEMBER 22, 2016; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Village Clerk Arocha)

WHEREAS, the certification of the results of the General Election of November 8, 2016 and of the Run-Off Election of November 22, 2016, has been delivered to the Council; and

WHEREAS, the General Election and Run-Off Election of the Village of Palmetto Bay has been canvassed and returns have been made by inspectors and the Supervisor of Elections of Miami Dade County; and

WHEREAS, ballots of registered voters for the Village of Palmetto Bay have been tabulated and a determination of the total number of votes cast as 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 Village Council hereby declares and certifies that at the General Election of November 8, 2016, the following votes were cast as provided in *Exhibit A* (Certificate of County Canvassing Board of Miami Dade County): **For Vice-Mayor, the whole number of votes cast was 11,684 of which number:**

John Edward DuBois received 4,801 votes
Erica Watts received 4,228 votes
David Zisman received 2,655 votes

For Council Member – Seat 2, the whole number of votes cast was 10,916 of which number:

Tim Schaffer received 4,414 votes
David M. Singer received 6,502 votes

Charter Amendment Number One – Powers of the Manager: Deleting from section 3.3 of the Village Charter the requirement that department directors appointed by the Village Manager be approved by the Council.

Should this amendment be adopted?

YES 4,308 votes
NO 6,830 votes

49 **Proposed Charter Amendment Number Two – Appointment and Removal of Charter**
50 **Officers and Auditors:** Amending section 4.1(C) of the Village Charter to require a quorum of
51 four members of the Village Council (replacing the quorum of three members) for appointment
52 and removal of any Charter officer (Village Manager, Village Clerk, and Village Attorney) and for
53 the appointment of auditors.

54
55 Should this amendment be adopted?

56
57 YES 7,138 votes
58 NO 4,034 votes
59

60 **Proposed Amendment Number Three – Interference with Administration:** Amending
61 section 4.2(D) of the Village Charter to provide that action by the State Attorney to enforce the
62 prohibition on interference with administration is not the exclusive remedy for enforcement; and
63 deleting confusing language which incorrectly states that the Village Manager and the Village
64 Attorney are employees subject to the direction of the Village Manager.

65
66 Should this amendment be adopted?

67
68 YES 7,100 votes
69 NO 3,724 votes
70

71 **Proposed Amendment Number Four – Nonpartisan Campaigning:** Amending section
72 5.1(B) of the Village Charter to provide that action by the State Attorney to enforce the
73 nonpartisan election provision is not the exclusive remedy for enforcement.

74
75 Should this amendment be adopted?

76
77 YES 5,715 votes
78 NO 5,000 votes
79

80 **Annexation Question:** Should the Village Council, in accordance with the Village Charter,
81 initiate the process with Miami Dade County (with subsequent steps as provided by Miami Dade
82 County law and the Village Charter) to annex the area bounded by the Busway on the west, the
83 Palmetto Bay boundary (Highway US 1) on the east, SW 160 Street on the north, and SW 184
84 Street on the south, which is presently a non-residential commercial area?

85
86 YES 5,726 votes
87 NO 5,838 votes
88

89 **Section 3.** The Village Council hereby declares and certifies that a total of 3,580
90 ballots were cast at the Run-Off Election of November 22, 2016, and the following votes were
91 cast as provided in *Exhibit B* (Certification of Palmetto Bay Run-Off Election):
92

93 **VICE MAYOR**

94
95 John Edward DuBois received 2,088 votes
96 Erica Watts received 1,492 votes

97 **Section 4.** That it is hereby certified and declared that Section(s): 4.1(C), 4.2(D), and
98 5.1(B) of the Village Charter are amended as noted above. Section 3.3 of the Village Charter
99 remains as-is.

100
101 **Section 5.** That it is hereby certified and declared that incumbent John Edward
102 DuBois is officially the Vice Mayor and David M. Singer is officially Council Member for Seat 2
103 of the Village of Palmetto Bay, Florida.

104
105 **Section 6.** That the Village Clerk is hereby authorized and directed to perform any
106 and all incidental duties in connection herewith as required by law.

107
108 **Section 7.** This Resolution shall take effect immediately upon approval.

109
110 PASSED AND ADOPTED this 5th day of December, 2016.

111
112
113
114 Attest: Missy Arocha
115 Missy Arocha
116 Village Clerk

Eugene Flinn
Eugene Flinn
Mayor

117
118
119 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND
120 RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

121
122
123 Dexter W. Lehtinen
124 Dexter W. Lehtinen
125 Village Attorney

126
127 FINAL VOTE AT ADOPTION:

128
129
130 Council Member Karyn Cunningham YES
131
132 Council Member David Singer YES
133
134 Council Member Larissa Siegel Lara YES
135
136 Vice-Mayor John DuBois YES
137
138 Mayor Eugene Flinn YES

**CERTIFICATE OF COUNTY CANVASSING BOARD
MIAMI-DADE COUNTY**

We, the undersigned, County Judge ANDREW S. HAGUE, **Chairperson**, County Judge SHELLEY J. KRAVITZ, **Member** and Supervisor of Elections CHRISTINA WHITE, **Member**, constituting the Miami-Dade County Canvassing Board and for said County, do hereby certify that we met on the 18th day of November, 2016 A.D., and proceeded publicly to canvass the votes for the **Palmetto Bay General and Special Elections** held on the Eighth day of November, 2016 A.D., as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For **Vice-Mayor**, the whole number of votes cast was 11,684 of which number

John Edward DuBois received 4,801 Votes

Erica Watts received 4,228 Votes

David Zisman received 2,655 Votes

For **Council Member – Seat 2**, the whole number of votes cast was 10,916 of which number

Tim Schaffer received 4,414 Votes

David M. Singer received 6,502 Votes

Charter Amendment Number One – Powers of the Manager

Deleting from section 3.3 of the Village Charter the requirement that department directors appointed by the Village Manager be approved by the Council.

Should this amendment be adopted?

YES 4,308 Votes

NO 6,830 Votes

Proposed Charter Amendment Number Two – Appointment and Removal of Charter Officers and Auditors

Amending section 4.1© of the Village Charter to require a quorum of four members of the Village Council (replacing the quorum of three members) for appointment and removal of any Charter officer (Village Manager, Village Clerk, and Village Attorney) and for the appointment of auditors.

Should this amendment be adopted?

YES 7,138 Votes

NO 4,034 Votes

Proposed Amendment Number Three – Interference with Administration

Amending section 4.2(D) of the Village Charter to provide that action by the State Attorney to enforce the prohibition on interference with administration is not the exclusive remedy for enforcement; and deleting confusing language which incorrectly states that the Village Manager and the Village Attorney are employees subject to the direction of the Village Manager.

Should this amendment be adopted?

YES 7,100 Votes

NO 3,724 Votes

Proposed Amendment Number Four – Nonpartisan Campaigning

Amending section 5.1(B) of the Village Charter to provide that action by the State Attorney to enforce the nonpartisan election provision is not the exclusive remedy for enforcement.

Should this amendment be adopted?

YES 5,715 Votes

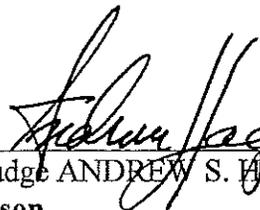
NO 5,000 Votes

Annexation Question

Should the Village Council, in accordance with the Village Charter, initiate the process with Miami-Dade County (with subsequent steps as provided by Miami-Dade County law and the Village Charter) to annex the area bounded by the Busway on the west, the Palmetto Bay boundary (Highway US 1) on the east, SW 160 Street on the north, and SW 184 Street on the south, which is presently a non-residential commercial area?

YES 5,726 Votes

NO 5,838 Votes



County Judge ANDREW S. HAGUE
Chairperson

County Judge SHELLEY J. KRAVITZ
Member



Supervisor of Elections CHRISTINA WHITE
Member

SUMMARY REPT-GROUP DETAIL

OFFICIAL RUN-OFF ELECTION
PALMETTO BAY, FLORIDA
NOVEMBER 22, 2016

OFFICIAL RESULTS

RUN DATE:11/28/16 11:05 AM

REPORT-EL45A

PAGE 001

	TOTAL VOTES	%	ED OSS	ED IVO	VBM	PROV
PRECINCTS COUNTED (OF 10)	10	100.00				
REGISTERED VOTERS - TOTAL	17,045					
BALLOTS CAST - TOTAL	3,582		2,097	0	1,484	1
VOTER TURNOUT - TOTAL		21.01				
VICE-MAYOR CITY:PALMETTO BAY						
Vote for 1						
John Edward DuBois	2,088	58.32	1,198	0	889	1
Erica Watts	1,492	41.68	899	0	593	0
Total	3,580		2,097	0	1,482	1
Over Votes	0		0	0	0	0
Under Votes	2		0	0	2	0

Erica Watts
11/28/16

John Edward DuBois
11/28/16



Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-8683 F 305-499-8547
TTY: 305-499-8480

miamidade.gov

CERTIFICATION

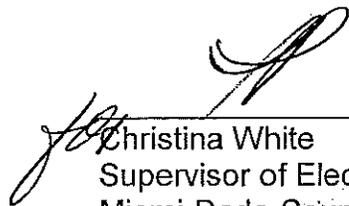
STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

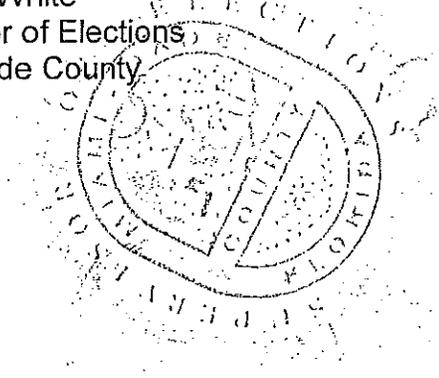
I, Christina White, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the attached is a true and correct copy of the Official Results for the municipal office listed below in the **Palmetto Bay Run-Off Election** conducted on November 22, 2016:

VICE-MAYOR

WITNESS MY HAND AND
OFFICIAL SEAL, AT MIAMI,
MIAMI-DADE COUNTY, FLORIDA,
ON THIS 28th DAY OF NOVEMBER, 2016



Christina White
Supervisor of Elections,
Miami-Dade County



Enclosure