



## MEMORANDUM

Agenda Item 15(B)3

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TO: Honorable Chairman Jean Monestime, and  
Members, Board of County Commissioners

DATE: March 3, 2015

FROM: Honorable Harvey Ruvin, Clerk  
Circuit and County Courts

Christopher Agrippa, Director  
Clerk of the Board Division

SUBJECT: Resolution No. 2014-70 of the  
City of West Miami adopting  
and implementing the results of  
the November 4, 2014 election  
approving certain amendments  
to the Charter of the City of  
West Miami; directing the City  
Clerk to file said Charter and its  
Amendments with the Clerk of  
Miami-Dade County and  
further instructing the City  
Clerk to forward the City  
Charter with its amendments to  
The Municipal Code  
Corporation (Municode) for its  
publication

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Attached for your information is a copy of Resolution No. 2014-70 of the City of West Miami adopting and implementing the results of the November 4, 2014, election approving certain amendments to the Charter of the City of West Miami; directing the City Clerk to file said Charter and its Amendments with the Clerk of Miami-Dade County and further instructing the City Clerk to forward the City Charter with its Amendments to the Municipal Code Corporation (Municode) for its publication.

CA/fcd  
Attachment



**RESOLUTION # 2014-70**

**RESOLUTION OF THE CITY OF WEST MIAMI ADOPTING AND IMPLEMENTING THE RESULTS OF THE NOVEMBER 4, 2014 ELECTION APPROVING CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF WEST MIAMI; DIRECTING THE CITY CLERK TO FILE SAID CHARTER AND ITS AMENDMENTS WITH THE CLERK OF MIAMI-DADE COUNTY AND FURTHER INSTRUCTING THE CITY CLERK TO FORWARD THE CITY CHARTER WITH ITS AMENDMENTS TO THE MUNICIPAL CODE CORPORATION (MUNICODE) FOR ITS PUBLICATION.**

**WHEREAS**, the City of West Miami Commission appointed a Charter Review Board to review the entire City Charter and recommend to the City Commission certain proposed amendments to be offered to the voters of the City of West Miami for their consideration in the November 4, 2014 election; and

**WHEREAS**, the Charter Review Board recommended to the City Commission a total of seven (7) charter amendments; and

**WHEREAS**, a total of seven (7) Charter amendments were offered to the voters of the City of West Miami in the November 4, 2014 election; and

**WHEREAS**, the Charter amendments as attached herein and made a part hereto were voted upon by the citizens of the City of West Miami; and

**WHEREAS**, the Miami Dade County Elections Department canvassed the election return, tabulated ballots and determined the number of votes in each proposed charter amendment as attached herein as Exhibit A; and

**WHEREAS**, Charter amendment number 1, 3, 5 and 7 were approved by the voters of the City of West Miami.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Commission of the City of West Miami that :

**SECTION 1.** The aforementioned statements are true and correct and adopted as is fully stated herein.

**SECTION 2.** The City Commission hereby accepts and adopts the certification by the Miami-Dade County Elections Department whereby the attached amendments were approved.

**SECTION 3.** Said amendments are hereby accepted as approved by the Miami-Dade County Elections Department.

SECTION 4. The City Clerk is hereby instructed to remit and file this Resolution and the adopted Charter Amendments with the Clerk of the Miami-Dade County.

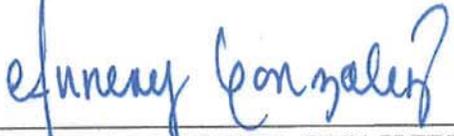
SECTION 5. The City Clerk is hereby instructed to remit the City of West Miami Amended Charter to the Municipal Code Corporation (Municode) for its publication.

SECTION 6. The City Clerk is hereby authorized and directed to perform any and all incidental duties in connection herewith as required by law.

PASSED AND ADOPTED this 19<sup>th</sup> day of November, 2014.

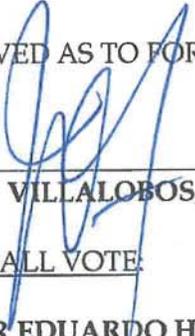
APPROVED:

ATTEST:

  
ANNERY GONZALEZ, CITY CLERK

  
EDUARDO H. MUÑINA, MAYOR

APPROVED AS TO FORM AND SUFFICIENCY:

  
JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

MAYOR EDUARDO H. MUÑINA	<u>Y</u>
VICE-MAYOR JUAN M. BLANES	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER RHONDA A. RODRIGUEZ	<u>Y</u>
COMMISSIONER LUCIANO L. SUAREZ	<u>Y</u>

**OFFICIAL RESULTS**  
OF  
**WEST MIAMI SPECIAL ELECTION**  
**PROPOSED CHARTER AMENDMENTS**

NOVEMBER 4<sup>TH</sup>, 2014

**Charter Amendment No. 1**

**Article III, Section 3.02 – Qualifications to Hold Office and Residency Requirement**

Shall Article III, Section 3.02, sentences 1 and 2 be repealed and rewritten to read:

(a) "Any elector who has been a City resident for two (2) years preceding the qualifying date for an election may qualify for candidacy of Mayor or City Commissioner."

(b) "The City Clerk acting as supervisor of elections of the City shall be empowered as the qualifying agent for City elections."?

Shall the above described amendment be approved?

	VOTES
YES	732
NO	639

**Charter Amendment No. 2**

**Article III, Section 3.04 – Compensation and Expenses**

Shall Article III, Section 3.04, paragraph 3 be amended to read:

"The Commission may, at a regular called meeting and by a 4/5 affirmative vote, approve expenses for Commission members for travel and/or per diem expenses, which are for the direct benefit and/or direct City business. Expenses for travel and per diem shall be limited as provided by the statutes of the State of Florida."?

Shall the above described amendment be approved?

	VOTES
YES	474
NO	845

**Charter Amendment No. 3**

**Article III, Section 3.07 – Referendum by Petition**

Shall Article III, Section 3.07(5) be repealed and amended to read:

"When a referendum petition to repeal an ordinance is filed with the City Clerk or other official designated by the Commission, the ordinance sought to be reconsidered shall be deemed valid until results from such referendum are certified."?

Shall the above described amendment be approved?

	VOTES
YES	641
NO	608

**Charter Amendment No. 4**

**Article III, Section 3.08 – Mayor; Vice-Mayor**

Shall Article III, Section 3.08, first sentence, be amended to read:

"To repeal that the Mayor executes contracts and deeds. These are duties of the City Manager."?

Shall the above described amendment be approved?

	VOTES
YES	594
NO	669

**Charter Amendment No. 5**  
**Article VI, Section 6.04 – Recall**

Shall Section 6.04 be repealed and amended to read:

"The qualified electors of the City shall have the power to recall and remove from office any elected official of the City as provided by Florida Statutes and/or City of West Miami Ordinances, provided that, in no event, such recall takes place before the expiration of one year after such elected official has been elected."?

Shall the above described amendment be approved?

	VOTES
<b>YES</b>	<b>807</b>
<b>NO</b>	<b>492</b>

**Charter Amendment No. 6**  
**Article VIII – Transition Schedule**

Shall Sections 8.01, 8.05, 8.06, 8.07 and 8.08 adopted in 1949 as well as provisions adopted in 1978 and 1980 in conflict with the rest of the Charter be repealed and substituted with the following language:

"All prior Charter provisions inconsistent with the present Charter and Amendments approved on November 4, 2014 election shall be repealed."?

Shall the above described amendment be approved?

	VOTES
<b>YES</b>	<b>568</b>
<b>NO</b>	<b>624</b>

**Charter Amendment No. 7**  
**Article VIII, Section 8.05 – Schedule**

Shall the schedule of elections remain to be conducted on the second Tuesday of April of every even numbered year?

Shall the above described amendment be approved?

	VOTES
<b>YES</b>	<b>976</b>
<b>NO</b>	<b>310</b>

Respectfully submitted,

**ANNERY GONZALEZ**  
City Clerk  
City of West Miami

OFFICIAL RESULTS

OFFICIAL GENERAL ELECTION  
MIAMI-DADE COUNTY, FL  
NOVEMBER 4, 2014

REPORT-EL45A

PAGE 001

WEST MIAMI

RUN DATE: 11/14/14 04:13 PM

EV IVO

EV OSS

ABSENTEE

ED IVO

ED OSS

%

TOTAL VOTES

PRECINCTS COUNTED (OF 1)

REGISTERED VOTERS - TOTAL

BALLOTS CAST - TOTAL

VOTER TURNOUT - TOTAL

0

0

699

0

480

100.00

1

3,229

1,533

47.48

1

1

340

0

238

53.39

732

732

639

46.61

1

1

295

0

187

53.39

639

639

46.61

2

2

635

0

425

53.39

1,371

1,371

46.61

0

0

3

0

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53.39

3

3

46.61

0

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55

0

54

53.39

152

152

46.61

0

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234

0

138

35.94

474

474

35.94

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385

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262

35.94

845

845

35.94

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64.06

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223

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OFFICIAL RESULTS

OFFICIAL GENERAL ELECTION  
MIAMI-DADE COUNTY, FL  
NOVEMBER 4, 2014

REPORT-EL45A

WEST MIAMI

RUN DATE: 11/14/14 04:13 PM

PAGE 002

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WEST MIAMI

OFFICIAL GENERAL ELECTION  
MIAMI-DADE COUNTY, FL  
NOVEMBER 4, 2014

OFFICIAL RESULTS

RUN DATE: 11/14/14 04:14 PM

REPORT-EL30A PAGE 4260-02

4260 PRECINCT 426.0

TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
568	47.65	172	0	279	117	0	0
624	52.35	184	0	287	152	0	1
1,192		356	0	566	269	0	1
Over Votes		0	0	1	1	0	0
Under Votes		123	0	126	82	0	1

WEST MIAMI: TRANSITION SCHEDULE

(Vote for ) 1

YES/SI/NI . . . . . 568  
 NO/NO/NON . . . . . 624  
 Total . . . . . 1,192  
 Over Votes . . . . . 0  
 Under Votes . . . . . 123

WEST MIAMI: SCHEDULE OF ELECTIONS

(Vote for ) 1

YES/SI/NI . . . . . 976  
 NO/NO/NON . . . . . 310  
 Total . . . . . 1,286  
 Over Votes . . . . . 2  
 Under Votes . . . . . 238