

RESOLUTION NO. 2012-15-1610

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING THE ELECTION RESULTS OF THE SPECIAL ELECTION HELD ON JANUARY 31, 2012 FOR THE PURPOSE OF ELECTING A COUNCILMEMBER TO AT-LARGE SEAT 5, TO SERVE THE BALANCE OF THE TERM FOR THE OFFICE LEFT VACANT BY FORMER COUNCILWOMAN SHARON PRITCHETT; RATIFYING RESULTS OF SPECIAL ELECTION RELATING TO PROPOSED CHARTER AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

WHEREAS, in accordance with Section 2.5(C)(2) of the City Charter, the City Council confirmed Mayor Shirley Gibson's appointment of David Williams Jr. to fill the seat left vacant by former City Councilwoman Sharon Pritchett, and

WHEREAS, Section 2.5(C)(2) provides that Mr. Williams would fill the vacancy until the next regularly scheduled Miami-Dade County-wide election, and

WHEREAS, that election took place on January 31, 2012, and

WHEREAS, the Miami-Dade County Supervisor of Elections and the Miami-Dade County Canvassing Board have certified the election results of the Special Election for the City of Miami Gardens, Florida, held on January 31, 2012, and

WHEREAS, the total votes cast in said election for each candidate is as follows:

AT-LARGE SEAT 5

David Williams Jr.	Received	2,700	votes
Kevin C. Williams	Received	1,046	votes

WHEREAS, in accordance with Section 2.5(C)(2) of the Charter, the elected candidate will serve the balance of the term for the office left vacant by former Councilwoman Sharon Pritchett, and

WHEREAS, the City also proposed a Charter Amendment which was considered by the electorate on January 31, 2012 relating to whether Section 2.3(C) of the City

Charter should be amended to delete Residential Area boundary descriptions and authorize the City Council to amend Residential Area boundary descriptions by Ordinance after each decennial census, and

WHEREAS, the voters did not approve this Charter Amendment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: RATIFICATION OF RESULTS: The City Council of the City of Miami Gardens hereby ratifies the results of the election held on January 31, 2012 as certified by the Miami Dade County Supervisor of Elections as follows:

- A. David Williams, Jr. has been elected as Miami Gardens At-Large Seat 5 Council Member to serve the remaining balance of the term for the office left vacant by former Councilwoman Sharon Pritchett.
- B. That Section 2.3(C) of the City Charter has not been amended to delete Area boundary descriptions and to authorize the City Council to amend Residential Area Boundary descriptions by Ordinance after each decennial census.

Section 3: EFFECTIVE DATE: This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON FEBRUARY 8, 2012.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

Prepared by City Attorney, Sonja K. Dickens

SPONSORED BY: Ronetta Taylor, MMC, City Clerk

Moved by: Councilman Gilbert

Seconded by: Vice Mayor Campbell

VOTE: 6-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Aaron Campbell Jr.	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Lisa C Davis	<u> X </u> (Yes)	<u> </u> (NO)
Councilwoman Felicia Robinson	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oliver G. Gilbert III	<u> X </u> (Yes)	<u> </u> (No)



City of Miami Gardens Agenda Cover Memo

Council Meeting Date: <i>(Enter X in box)</i>	February 8, 2012		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		X		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
					X		
Funding Source:	N/A		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
					X		
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:	N/A			
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
		X					
			Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communcation <input type="checkbox"/>				
Sponsor Name	Ronetta Taylor, MMC, City Clerk		Department:	Office of the City Clerk			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING THE ELECTION RESULTS OF THE SPECIAL ELECTION HELD ON JANUARY 31, 2012 FOR THE PURPOSE OF ELECTING A COUNCILMEMBER TO AT-LARGE SEAT 5, TO SERVE THE BALANCE OF THE TERM FOR THE OFFICE LEFT VACANT BY FORMER COUNCILWOMAN SHARON PRITCHETT; RATIFYING RESULTS OF SPECIAL ELECTION RELATING TO PROPOSED CHARTER AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

Summary:

March 9, 2011, the City Council ratified Mayor Gibson's nomination of David Williams Jr., to serve on the City Council in At-Large Seat 5, until the next regularly scheduled Miami-Dade County Election. That At-Large Seat was vacated when former Council Member Sharon Pritchett resigned to run for the Florida House of Representative. At the time of this resignation more than six months remained on that seat, which terms out August 14, 2012. Therefore, pursuant to the City's Charter when more than six months remain on a seat, the Mayor can nominate someone to serve in that vacancy, and the Council approve

**ITEM K-1) CONSENT AGENDA
RESOLUTION
Ratifying the Election Result of the Special Election**

that nomination, to the next “regularly scheduled Miami-Dade County-wide Election”. Said election took place January 31, 2012.

A proposed Charter Amendment deleting charter references to residential boundaries and permitting such boundaries to be amended by ordinance was also presented to the voters at this Special Election.

This resolution ratifies the results of that City of Miami Gardens Special Election. On January 31, 2012, the Miami Dade County Canvassing Board certified the results of the Miami Gardens Special Election, held January 31, 2012, a copy of which is attached hereto and made a part of this memorandum.

RESULTS: David Williams Jr., has been elected as Miami Gardens At-large Seat 4 Council Member to serve the balance of the term for the office left vacant by former Councilwoman Sharon Pritchett.

Section 2.3(C) of the City Charter has not been amended to delete Area boundary descriptions and authorize the City Council to amend Residential Area Boundary descriptions by Ordinance after each decennial census.

Proposed Action:

That City Council approve the resolution ratifying the results of the City of Miami Gardens Special Election held, January 31, 2012.

Attachment:

Attachment “A” – Certification of Results

Miami-Dade County Elections

January 31, 2012 - Presidential Preference Primary

Website last updated 2/1/2012 12:25:35 AM EST

Registered Voters: 1,214,351
 Precincts Completely Reported: 829 of 829
 Ballots Cast: 167,828
 Voter Turnout: 13.82 %

Results are unofficial until certified by the canvassing board.
 Absentee Ballots, Early Voting, and Election Night Votes Reported.

Absentee ballots received on Tuesday (Election Day) and accepted Provisional ballots will be tabulated only after verification.

Official results will be posted on Friday.

[Click here to filter the contests that appear below](#)
 (5 of 5)

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PRESIDENT		
829 of 829 Precincts Reporting		
	Percent	Votes
Michele Bachmann (REP)	0.31%	359
Herman Cain (REP)	0.22%	251
Newt Gingrich (REP)	26.51%	30,394
Jon Huntsman (REP)	0.45%	518
Gary Johnson (REP)	0.10%	114
Ron Paul (REP)	4.85%	5,562
Rick Perry (REP)	0.58%	660
Mitt Romney (REP)	60.76%	69,653
Rick Santorum (REP)	6.22%	7,133
		114,644

MIA GARDENS: AT-LARGE COUNCIL MEMBER SEAT 5		
38 of 38 Precincts Reporting		
	Percent	Votes
David Williams Jr.	72.08%	2,700
Kevin C. Williams	27.92%	1,046
		3,746

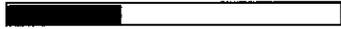
CHART AMENDMENT INIATIVE PETITIONS		
829 of 829 Precincts Reporting		
	Percent	Votes
YES	57.95%	88,152
NO	42.05%	63,953
		152,105

CHART AMENDMENT COMMISSION SALARIES, TERMS		
829 of 829 Precincts Reporting		
	Percent	Votes
YES	45.89%	70,871
NO	54.11%	83,562

154,433

MIA GARDENS: AMENDING BOUNDARIES

38 of 38 Precincts Reporting

		Percent	Votes
YES		33.85%	1,315
NO		66.15%	2,570
			3,885

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****Official****

CERTIFICATE OF COUNTY CANVASSING BOARD

STATE OF FLORIDA

Miami-Dade County

We, the undersigned, County Court Judge SHELLEY J. KRAVITZ, **Chairperson**, County Commissioner AUDREY M. EDMONSON, **Substitute Member** and Supervisor of Elections PENELOPE TOWNSLEY, **Member**, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the 10th day of February, A.D., 2012, and proceeded publicly to canvass the votes cast for the office, persons and, charter amendment question herein specified at the **Miami Gardens Special Election** held on the 31st day of January, A.D., 2012, 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 AT-LARGE COUNCIL MEMBER – SEAT 5, the whole number of votes cast was 3,747 ----- of which number

David Williams, Jr. received 2,700 votes

Kevin C. Williams received 1,047 votes

Deleting Charter References To Residential Boundaries And Permitting Such Boundaries To Be Amended By Ordinance

Shall Section 2.3(C) of the City Charter be amended to delete Residential Area boundary descriptions and authorize the City Council to amend Residential Area boundary descriptions by Ordinance after each decennial census?

YES 1,315 votes

NO 2,571 votes

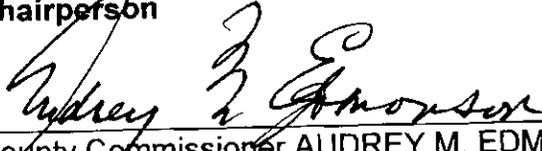
****Official****

We certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

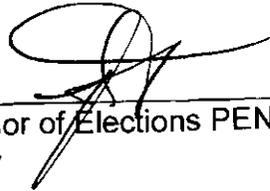
MIAMI-DADE COUNTY CANVASSING BOARD:



County Judge SHELLEY J. KRAVITZ
Chairperson



County Commissioner AUDREY M. EDMONSON
Substitute Member



Supervisor of Elections PENELOPE TOWNSLEY
Member

Total ballots cast in Miami Gardens was 4,449 for a 7.10 percent turnout.