



MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
November 4, 2009

Mayor Matti Herrera Bower
Vice-Mayor Deede Weithorn
Commissioner Victor M. Diaz, Jr.
Commissioner Saul Gross
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Jonah Wolfson

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's Office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

- R7A Adopt Certificate of Results of the November 3, 2009 Special Election.
- R7B Adopt Certificate of Results of the November 3, 2009 General Election.
- R7B1 Elect Commissioner Deede Weithorn as Vice-Mayor, November 4, 2009 - February 28, 2010.
- R7C City of Miami Beach General Election Results & Calling Run-Off Election.

Meeting called to order at 11:32:03 a.m.

Invocation given by Wendell Fisher from the Light House Church.

Pledge of Allegiance led by Mike Burke.

REGULAR AGENDA

Legislation concerning results from the City of Miami Beach's November 3, 2009 General and Special Elections.

The actual Election Resolutions to be considered for passage by the City of Miami Beach Commission on November 4, 2009 will be publicly available by 11:00 a.m. on that date.

Note: Either R7B (No Run-off Election needed) or R7C (Run-off Election needed) to be adopted.

R7 - Resolutions**11:34:30 a.m.**

R7A A Resolution Adopting The Certificate Of The Results Of The November 3, 2009 Special Election For The City Of Miami Beach, And Declaring Results Thereof.
(City Attorney's Office)

ACTION: Resolution No. 2009-27246 adopted. Motion made by Commissioner Gross; seconded by Commissioner Diaz; Voice vote: 6-0; Absent: Commissioner Weithorn. R. Parcher to transmit to Municipal Code Corporation.

City Clerk's Note:

Precincts	36
Registered Voters	46,178
Ballots Cast	7,764
Voter Turnout	16.81%

Question 1 Ethic in Government

Yes	5,511	93.58%
No	378	6.42%
Total	5,889	
Over Votes	1	
Under Votes	1,874	

Question 2 Lease/disposal of Public Street-ends

Yes	4,979	78.52%
No	1,362	21.48%
Total	6,341	
Over Votes	5	
Under Votes	1,418	

Question 3 Lease Disposal of City Owned Property

Yes	4,328	69.73%
No	1,879	30.27%
Total	6,207	
Over Votes	6	
Under Votes	1,551	

Question 4 New World Symphony Campus Expansion

Yes	4,443	70.51%
No	1,858	29.49%
Total	6,301	
Over Votes	8	
Under Votes	1,455	

Candidate Election

Mayor		
Matti Herrera Bower	5,768	76.54%
Raphael Herman	492	6.53%
Laura Rivero Levey	1,276	16.93%
Total	7,536	
Over Votes	10	
Under Votes	216	

Commission Group I

Jerry Libbin	5,674	83.38%
Oddy Segui	1,131	16.62%
Total	6,805	
Over Votes	3	
Under Votes	956	

Commission Group II

Jorge Exposito	2,772	38.29%
Maria Mayer	2,733	37.75%
Sherry Roberts	1,735	23.96%
Total	7,240	
Over Votes	15	
Under Votes	509	

Commission Group III * recount totals

Alex Fernandez	2,137	28.98%
Michael Gongora	3,079	41.75%
Gabrielle Redfern	2,158	29.26%
Total	7,374	
Over Votes	0	
Under Votes	0	

R7B A Resolution Adopting The Certificate Of The Results Of The November 3, 2009 General Election For The City Of Miami Beach, And Declaring Candidate Elected.
(City Attorney's Office)

ACTION: No action required.

R7B1 A Resolution Electing Commissioner Deede Weithorn As Vice-Mayor For A Term Commencing On November 4, 2009 And Terminating On February 28, 2010, Or On Such Date When A New Vice-Mayor Is Thereafter Elected.
(City Clerk's Office)

ACTION: No action required.

11:35:34 a.m.

R7C City Of Miami Beach General Election Results And Calling Run-Off Election.

1. A Resolution Adopting The Certificate Of The Results Of The November 3, 2009 General Election For the City Of Miami Beach.

ACTION: Resolution No. 2009-27247 adopted as amended. Motion made by Commissioner Diaz to accept the results subject to the automatic recount in Commission Group III; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Vice-Mayor Weithorn.

Robert Parcher, City Clerk, explained that in Group III because the difference in votes between Alex Fernandez and Gabrielle Redfern is less than ½ of 1 % or 17 votes, there is a mandatory recount on this. The recount is scheduled to begin at 9:00 a.m. on Friday, November 6, 2009. The Legal Department advised that the Commission can accept the results of the General Election contingent upon the result of the automatic recount.

2. A Resolution Calling For A Run-Off Election To Be Held On November 17, 2009 In The City Of Miami Beach For The Purpose Of Electing A ~~Mayor And~~ City Commissioner In Groups II and III; Providing For Conduct Of Same By The Miami-Dade County Elections Division; Providing That Voting Precincts Shall Be Those As Established By Miami-Dade County; Providing For Notice Of Elections; Providing For The Form Of Ballot; Providing For Absentee Balloting And Registration Of Voters In Accordance With State Law; Providing For Payment For Conducting Election To Miami-Dade County.

ACTION: Resolution No. 2009-27248 adopted. Motion made by Commissioner Diaz; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Vice-Mayor Weithorn. Legal Department to handle.

Robert Parcher, City Clerk, stated that there will be a Run-Off Election for Groups II and III.

11:37:09 a.m.

3. Canvassing Board For City Of Miami Beach's November 17, 2009 Run-Off Election (No Commission Action Required).
(City Attorney's Office)

Judge Shelly Kravitz, Judge Peter Lopez and Robert Parcher, City Clerk, are the Board for the November 17, 2009 Run-Off Election.

Meeting adjourned at 11:41:12 a.m.

End of Regular Agenda