MIAMIBEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
November 18, 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.

R7A1 Adopt Certificate Of Final Election Results Of The November 3, 2009 General Election.
R7A2 Adopt Certificate Of Results Of The November 17, 2009 Run-Off Election.
R7B Elect Commissioner Deede Weithorn As Vice-Mayor, November 18, 2009 To February 28, 2010

Meeting called to order at 11:36:10 a.m.

Invocation given by Rabbi Shmuel Mann, Chabad House in Miami Beach.

Pledge of Allegiance led by Florida State Representative Richard Steinberg.

REGULAR AGENDA

R7 – Resolutions

R7A City Resolutions Adopting Certificates Of Final Election Results From November 3, 2009 General Election And November 17, 2009 Run-Off Election.

1. A Resolution Adopting The Certificate Of The Final Election Results Of The November 3, 2009 General Election Re: Commission Group III (Subsequent To Mandatory Recount) For The City Of Miami Beach.

   ACTION: Resolution No. 2009-27249 adopted. Motion made by Commissioner Diaz; seconded by Commissioner Gross; Voice vote: 7-0.

2. A Resolution Adopting The Certificate Of The Results Of The November 17, 2009 Run-Off Election For The City Of Miami Beach, And Declaring Candidates Elected. (City Attorney's Office)

   ACTION: Resolution No. 2009-27250 adopted. Motion made by Commissioner Diaz; seconded by Commissioner Gross; Voice vote: 7-0.

   Commissioner Diaz stated that he filed a criminal complaint in connection with the election yesterday, and he understands that there is also an ethics violation that has been filed and that there may be an election contest; and he has been advised by the City Attorney that in accepting these results we are not impacting the right of any of the litigants to prosecute any of those actions. He moved the item and congratulated the winners.

   Commission Group II

Jorge Exposito	2,973	52.85 percent
Maria Mayer	2,652	47.15 percent
Total	5,625	
Over Votes	14	
Under Votes	131	

   Commission Group III

Michael Góngora	3,332	59.78 percent
Gabrielle Redfern	2,242	40.22 percent
Total	5,574	
Over Votes	6	
Under Votes	190	

Handout and Reference Materials:
1. Official Run-Off Election – Original Unofficial Results, November 17, 2009
2. Copy of Run-Off Election - Official Results, November 17, 2009
3. Copy of Run-Off Election - Precinct Report, November 17, 2009

R7B A Resolution Electing Commissioner Deede Weithorn As Vice-Mayor For A Term Commencing On November 18, 2009 And Terminating On February 28, 2010, Or On Such Date When A New Vice-Mayor Is Thereafter Elected.
(City Clerk's Office)

ACTION: Resolution No. 2009-27251 adopted. Motion made by Commissioner Libbin; seconded by Commissioner Wolfson; Voice vote: 7-0.

Oath of Office administered to the newly elected Mayor and Commissioners in Group I, II & III.

11:40:57 a.m. Mayor
Mayor Matti Herrera Bower was sworn in by Judge Peter Lopez.

11:43:32 a.m. Group I
Commissioner Jerry Libbin was sworn in by Commissioner Victor Diaz.

11:46:27 Group II
Commissioner Jorge Exposito was sworn in by Judge David Young.

11:48:29 Group III
Commissioner Michael Góngora was sworn in by Judge David Young and State Representative Richard Steinberg.

11:52:33 a.m.
Mayor Bower stated that this is a happy occasion because of new Commissioners coming onboard, but it is also a sad day because two very good Commissioners are leaving. She explained that she has worked with both of them for a very long time and they are great people that care about the City of Miami Beach and she wishes that the new Commissioners will fill the big shoes they left. She thanked Commissioner Diaz and Commissioner Gross for always helping her.

Commissioner Libbin sincerely thanked the voting public for their vote of confidence in electing him for another four years. He also thanked his wife and children, his mother-in-law Aida, who could not be here, and his brother Ira who came from Texas. He thanked all the campaign volunteers for their work and support. He recognized Sandra Meyer and Enid Rodriguez from his staff and added that he looks forward to another four years of providing service and being responsive to the residents. He will continue to be active in major initiatives; on the condo reform he announced that a second town hall meeting will be scheduled for December 14, 2009 at the Loews Hotel to have the State Legislature amend the law and added that he will continue to work on keeping the City beaches clean with the "No Litter No Butts Campaign."

Commissioner Exposito thanked everyone for attending the meeting today and stated that it is his pleasure and his honor to be able to serve the citizens. He thanked all the citizens that voted and supported him allowing him this wonderful opportunity. He added that it is going to be a difficult pair of shoes that he needs to fill seating in the seat of Saul Gross. He hopes that he will do him honor in the way that he will conduct himself in trying to do what is best for the community. He thanked his wife and children and all the many new friends he made during the campaign. He thanked his supporters and stated that he could not have done it without them and God willing he will serve with honor.

Commissioner Góngora thanked everyone in the audience today. After having served on the City Commission before, having lost and having to come back, it was a difficult decision for him to place

himself on the public spotlight again. He is grateful to be here and to have the support of so many friends and family members because it takes an army of people to get elected to public office. He had the best team that money cannot buy. He is blessed for having the best and most supportive parents, his mother Sandra Page-Millard and his father Alberto Góngora. He also thanked Elsa Urquiza who went above and beyond the call of duty during the campaign. He gave a special recognition to his sister, Maya Sherrill, his friend Chris Morales (Rodriguez now) and her husband Alex. He also thanked his friends Judge Young and Representative Richard Steinberg for their constant support and friendship. He also recognized his aide Diana Fontani-Martinez and her husband and the rest of his friends in the audience. He is thrilled to be back and promised to serve with integrity and is looking forward to a great four years making sure that Miami Beach will be run the best way possible. He is here to listen and his door will always be open. In closing he thanked the Police Department, CWA, SEIU, and the firefighters.

Mayor Bower stated that elections are heartwarming for her and showed that the citizens want to have a representative that listens to them. She hopes that she has done that and will continue to do it and thanked all the citizens and the wonderful people on her team. She thanked her husband for always supporting her on everything she wants to do.

Meeting adjourned 12:06:39 p.m.

End of Regular Agenda