

RESOLUTION NO. 2013-28408

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE CERTIFICATE OF THE RESULTS OF THE NOVEMBER 5, 2013 GENERAL ELECTION FOR THE CITY OF MIAMI BEACH.

WHEREAS, pursuant to City of Miami Beach Resolution No. 2013-28347, the Miami-Dade County Canvassing Board was appointed and authorized to act as the Canvassing Board for the City of Miami Beach's November 5, 2013 General and Special Elections; and

WHEREAS, the results of the November 5, 2013 General Election have been certified by the Miami-Dade County Canvassing Board; and

WHEREAS, the candidates for Mayor and City Commissioner Groups I, II, and III of the City of Miami Beach have received the number of votes cast as reflected more specifically within the Certification of Elections attached hereto as Composite Exhibit "A" and incorporated herein.

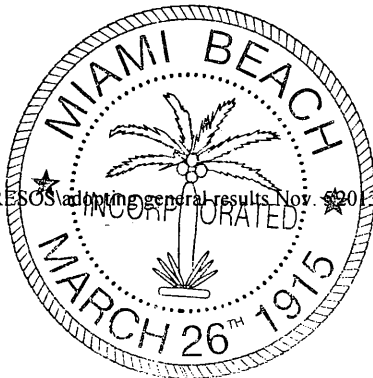
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Miami-Dade County Canvassing Board having canvassed the returns of the November 5, 2013 General Election of the City of Miami Beach, the Mayor and City Commission hereby adopt the certificate as to the results of said General Election and it is hereby ordered that the Certificate of Election and this Resolution be recorded in the minutes of the November 12, 2013 City Commission meeting as a permanent record of the results of the November 5, 2013 General Election.

PASSED and ADOPTED this 12th day of November, 2013.

ATTEST:

Matti Herrera Bower
MATTI HERRERA BOWER, MAYOR

Rafael E. Granado
RAFAEL E. GRANADO, CITY CLERK



APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

[Signature]
City Attorney *[Initials]* 11/7/13
Date

OFFICIAL

**CERTIFICATE OF COUNTY
CANVASSING BOARD**

Original with
Resolution No. 2013-28407

Agenda Item R7A/R7B1
Date 11-12-13

**OFFICIAL CERTIFICATE OF
COUNTY CANVASSING BOARD
RECOUNT FOR THE MAYORAL GROUP**

****Official****

CERTIFICATE OF COUNTY CANVASSING BOARD

**STATE OF FLORIDA)
MIAMI-DADE COUNTY)**

We, the undersigned, County Judge **SHELLEY J. KRAVITZ, Chairperson**, County Commissioner **JEAN MONESTIME, 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 8th day of November, 2013, A.D., and proceeded to publicly recount the votes cast for the office herein specified at the **City of Miami Beach General and Special Elections** held on the 5th day of November, 2013, 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 **MAYOR**, the whole number of votes cast was 11,175 of which number


Steve Berke received 1,355 Votes

Michael Góngora received 4,072 Votes

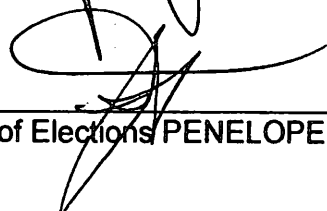
Raphael Herman received 107 Votes

Philip Levine received 5,641 Votes

MIAMI-DADE COUNTY CANVASSING BOARD:



County Judge **SHELLEY J. KRAVITZ**
Chairperson


County Commissioner **JEAN MONESTIME**
Substitute Member
Supervisor of Elections **PENELOPE TOWNSLEY**
Member

MIAMI BEACH

RUN DATE: 11/08/13 03:33 PM

OFFICIAL SPECIAL ELECTION
MIAMI-DADE COUNTY, FL
NOVEMBER 5, 2013

RE-COUNT

REPORT-EL45A PAGE 001

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
PRECINCTS COUNTED (OF 37)	36	97.30						
REGISTERED VOTERS - TOTAL	0							
BALLOTS CAST - TOTAL	11,178		4,560	0	3,741	2,871	0	6
MAYOR CITY: MIAMI BEACH								
Vote for 1								
Steve Berke	1,355	12.13	751	0	343	261	0	0
Michael Gongora	4,072	36.44	1,604	0	1,372	1,094	0	2
Raphael Herman	107	.96	34	0	58	15	0	0
Philip Levine	5,641	50.48	2,171	0	1,968	1,498	0	4
Total	11,175		4,560	0	3,741	2,868	0	6

M
11/08/13

SJK
11/8/13

[Signature]
11/8/13

**OFFICIAL CERTIFICATE OF
COUNTY CANVASSING BOARD
FOR COMMISSIONERS IN GROUPS I, II AND III**

****Official****

CERTIFICATE OF COUNTY CANVASSING BOARD

**STATE OF FLORIDA)
MIAMI-DADE COUNTY)**

We, the undersigned, County Judge **SHELLEY J. KRAVITZ, Chairperson**, County Commissioner **JEAN MONESTIME, 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 8th day of November, 2013, A.D., and proceeded to publicly canvass the votes cast for offices and proposals herein specified at the **City of Miami Beach General and Special Elections** held on the 5th day of November, 2013, 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 **MAYOR**, the whole number of votes cast was 11,176 of which number

Steve Berke received 1,355 Votes

Michael Góngora received 4,071 Votes

Raphael Herman received 107 Votes

Philip Levine received 5,643 Votes

For **GROUP I - COMMISSIONER**, the whole number of votes cast was 10,248 of which number

Mohammed Islam received 411 Votes

Sherry Kaplan Roberts received 2,692 Votes

Micky Steinberg received 3,849 Votes

Elsa Urquiza received 3,296 Votes

****Official****

For **GROUP II - COMMISSIONER**, the whole number of votes cast was 10,153 of which number

Dave Crystal received 1,858 Votes

Jorge Exposito received 4,650 Votes

Michael Grieco received 3,645 Votes

For **GROUP III - COMMISSIONER**, the whole number of votes cast was 10,336 of which number

Roger Abramson received 1,604 Votes

Matti Herrera Bower received 4,568 Votes

Joy Malakoff received 4,164 Votes

Prohibition of Discrimination by City of Miami Beach in Employment Practices and Benefits Offered

Shall paragraph A(17) of the Miami Beach City Charter Citizens' Bill of Rights be created banning discrimination in employment practices and benefits offered by the City of Miami Beach based upon an employee or applicant's race, color, national origin, religion, gender, sexual orientation, gender identity, disability, marital status, familial status, or age?

YES 8,702 Votes

NO 1,487 Votes

Improvement of Public Educational Facilities Available to Miami Beach Citizenry

Shall paragraph A(19) of the Miami Beach City Charter Citizens' Bill of Rights be created to set forth therein the City of Miami Beach's policy to cooperate with the Miami-Dade County Public Schools, and with other appropriate governmental agencies, which will strive to improve the quality and quantity of public educational facilities available to the citizenry of the City of Miami Beach, Florida?

YES 8,092 Votes

NO 1,597 Votes

****Official****

City Assistance to Condominium and Co-op Owners

Shall paragraph A(20) of the Miami Beach City Charter Citizens' Bill of Rights be created to acknowledge the purpose and duties of the City's administration as assisting condominium and co-op owners to navigate through the City's permitting process; facilitate resolution of other condominium-related issues with other outside agencies; and act as a liaison between condominium or co-op owners, management firms and the City?

YES 6,620 Votes

NO 2,833 Votes

Citywide Referendum Required to Repeal or Reduce Protections in City Code Chapter 62 ("Human Relations")

Shall Section 1.07 of the Miami Beach Charter be created to require a majority vote in a Citywide election to repeal, diminish, or otherwise negatively impact a right or duty established in City Code Chapter 62 ("Human Relations") that inures to the benefit of a member of the classification categories of race, color, national origin, religion, sex, gender identity, sexual orientation, disability, marital status, familial status, and age as defined in City Code Section 62-31?

YES 6,432 Votes

NO 2,577 Votes

Amending Charter Section 1.03(b) Re: Voter Approval of Certain City-Owned Property

Shall Charter Section 1.03(b) requiring majority voter approval before City's sale, lease exceeding ten years, exchange or conveyance of Convention Center Parking Lots be changed to:

- Require 60% voter approval instead; and
- Include "Convention Center Campus" (all City-owned property within Civic and Convention Center District except Convention Center and Carl Fisher Clubhouse) within category of City-owned properties subject to 60% voter approval requirement?

YES 6,684 Votes

NO 3,196 Votes

****Official****

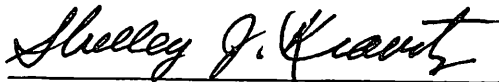
Advisory, Non-binding Straw Ballot Question – Medicinal Marijuana Resolution

Should the City Commission adopt a resolution urging the Federal Government and the Florida Legislature to decriminalize and authorize the medicinal use of marijuana?

YES 6,686 Votes

NO 3,750 Votes

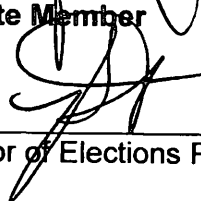
MIAMI-DADE COUNTY CANVASSING BOARD:



County Judge SHELLEY J. KRAVITZ
Chairperson



County Commissioner JEAN MONESTIME
Substitute Member



Supervisor of Elections PENELOPE TOWNSLEY
Member

MIAMI BEACH

RUN DATE: 11/08/13 03:47 PM

OFFICIAL SPECIAL ELECTION
MIAMI-DADE COUNTY, FL
NOVEMBER 5, 2013

OFFICIAL RESULTS

REPORT - EL45A PAGE 001

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
PRECINCTS COUNTED (OF 37)	37	100.00						
REGISTERED VOTERS - TOTAL	44,697							
BALLOTS CAST - TOTAL	11,385	25.47	4,612	1	3,856	2,910	0	6
VOTER TURNOUT - TOTAL								
CITY MIAMI BEACH: MAYOR ***See Addendum***								
Vote for 1								
Steve Berke	1,355	12.12	751	0	343	261	0	0
Michael Gongora	4,071	36.43	1,603	1	1,372	1,093	0	2
Raphael Herman	107	.96	34	0	58	15	0	0
Philip Levine	5,643	50.49	2,172	0	1,969	1,498	0	4
Total	11,176		4,560	1	3,742	2,867	0	6
Over Votes	21		2	0	18	1	0	0
Under Votes	188		50	0	96	42	0	0

MIAMI BEACH: GROUP I - COMMISSIONER

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
Vote for 1								
Mohammed Islam	411	4.01	192	0	87	132	0	0
Sherry Kaplan Roberts	2,692	26.27	1,095	1	848	747	0	1
Micky Steinberg	3,849	37.56	1,641	0	1,276	930	0	2
Elsa Urquiza	3,296	32.16	1,165	0	1,265	863	0	3
Total	10,248		4,093	1	3,476	2,672	0	6
Over Votes	31		4	0	25	2	0	0
Under Votes	1,106		515	0	355	236	0	0

MIAMI BEACH: GROUP II - COMMISSIONER

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
Vote for 1								
Dave Crystal	1,858	18.30	816	0	599	442	0	1
Jorge Exposito	4,650	45.80	1,726	1	1,730	1,192	0	1
Michael Grieco	3,645	35.90	1,537	0	1,096	1,009	0	3
Total	10,153		4,079	1	3,425	2,643	0	5
Over Votes	17		1	0	16	0	0	0
Under Votes	1,215		532	0	415	267	0	1

MIAMI BEACH: GROUP III - COMMISSIONER

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
Vote for 1								
Roger Abramson	1,604	15.52	703	0	519	381	0	1
Matti Herrera Bower	4,568	44.20	1,690	0	1,731	1,144	0	3
Joy Malakoff	4,164	40.29	1,777	1	1,246	1,138	0	2
Total	10,336		4,170	1	3,496	2,663	0	6
Over Votes	17		0	0	16	1	0	0
Under Votes	1,032		442	0	344	246	0	0

MIAMI BEACH

OFFICIAL SPECIAL ELECTION
MIAMI-DADE COUNTY, FL
NOVEMBER 5, 2013

OFFICIAL RESULTS

RUN DATE: 11/08/13 03:47 PM

REPORT - EL45A PAGE 002

TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO	PROV
7,347	71.10	2,928	1	2,502	1,910	0	6
2,987	28.90	1,251	0	1,060	676	0	0
10,334		4,179	1	3,562	2,586	0	6
Over Votes		3	0	11	1	0	0
Under Votes		430	0	283	323	0	0

CO. QUESTION: FUNDING JACKSON HEALTH SYSTEM

Vote for 1

FOR BONDS

AGAINST BONDS

Total

Over Votes

Under Votes




MIAMI BEACH

OFFICE OF THE CITY ATTORNEY

JOSE SMITH, CITY ATTORNEY

COMMISSION MEMORANDUM

**TO: MAYOR MATTI HERRERA BOWER
MEMBERS OF THE CITY COMMISSION
CITY MANAGER JIMMY MORALES**

**FROM: JOSE SMITH
CITY ATTORNEY** 

DATE: NOVEMBER 12, 2013

**SUBJECT: RESOLUTIONS REGARDING CITY OF MIAMI BEACH GENERAL ELECTION
RESULTS AND CALLING RUN-OFF ELECTION**

The attached Resolutions formally adopt the certificate of results of the City of Miami Beach November 5, 2013 General Election, and call for the City of Miami Beach November 19, 2013 Run-Off Election, made necessary as a result of no candidate for Commission Groups I, II, and III from the General Election having received a majority of votes cast. Accordingly, and pursuant to Miami Beach City Charter Section 2.01, a Run-Off Election shall be called for November 19, 2013 between the two candidates for Commission Groups I, II, and III receiving the highest number of votes in the General Election.

In addition, prior to the canvassing of provisional ballots, the unofficial returns for the General Election reflect that a candidate for the office of the Mayor may be defeated or eliminated by one-half of a percent or less of the votes cast for such office. Provisional ballots will be counted on Friday, November 8, 2013 at 10:00 a.m. If, after counting the provisional ballots, the differential is still one-half of a percent or less of all votes cast for such office, then a mandatory machine recount shall be conducted by the Miami-Dade County Elections Department at 1:00 p.m. If a run-off election for Mayor is needed, the Resolution calling for the November 19, 2013 Run-Off Election shall be amended accordingly to also call for a run-off election for Mayor.

The Run-Off Election results for Commission Groups I, II, and III, and if needed for the Mayor, will be adopted by the Miami Beach City Commission on November 25, 2013, followed by the swearing in of all newly-elected officials.

JS/DT/sc