

# MIAMI BEACH

## City Commission Meeting

City Hall, Commission Chambers, 3<sup>rd</sup> Floor, 1700 Convention Center Drive  
November 12, 2013

Mayor Matti Herrera Bower  
Vice-Mayor Deede Weithorn  
Commissioner Jorge R. Exposito  
Commissioner Michael Góngora  
Commissioner Jerry Libbin  
Commissioner Edward L. Tobin  
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales  
City Attorney Jose Smith  
City Clerk Rafael E. Granada

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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.**

Meeting called to order at 12:06:48 p.m.

### REGULAR AGENDA

**Legislation concerning results from the City of Miami Beach's November 5, 2013 General and Special Elections.**

Mayor Bower announced that Commissioner Tobin had a birthday yesterday, and wished him a happy birthday.

Clerk's Note: See Advertisement 848 – Notice of Commission Meeting.

### R7 - Resolutions

**12:07:57 p.m.**

R7A A Resolution Adopting The Certificate Of The Results Of The November 5, 2013 Special Election For The City Of Miami Beach, And Declaring Results Thereof.

**ACTION: Resolution 2013-28407 adopted.** Motion made by Commissioner Tobin; seconded by Commissioner Wolfson to adopt the certificate of the results of the November 5, 2013 Special Election for the City of Miami Beach; Voice vote 5-0; absent: Commissioners Exposito and Libbin. **Rafael E. Granada to handle.**

Handout: Official Certificate of County Canvassing Board placed on the dais.

Clerk's Note: As a result of the City of Miami Beach November 5, 2013 Special Election, the votes upon the questions presented reflect the following results:

QUESTION 1:

**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

NO 1,487

QUESTION 2:

**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

NO 1,597

QUESTION 3:

**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

NO 2,833

QUESTION 4:

**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

NO 2,577

## QUESTION 5:

**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

NO 3,196

## QUESTION 6:

**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

NO 3,750

All questions were thereby adopted.

**12:08:29 pm**

R7B City Of Miami Beach General Election Results And Calling For A Run-Off Election

1. A Resolution Adopting The Certificate Of The Results Of The November 5, 2013 General Election For The City Of Miami Beach.

**ACTION: Resolution 2013-28408 adopted.** Motion made by Commissioner Tobin; seconded by Commissioner Wolfson to adopt the certificate of the results of the November 5, 2013 General Election for the City of Miami Beach Voice vote 5-0; Absent: Commissioners Exposito and Libbin. **Rafael E. Granado to handle.**

Handout: Official Certificate of County Canvassing Board placed on the dais.

Clerk's Note: As a result of the City of Miami Beach November 5, 2013 General Election, the votes reflect the following results:

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

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

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

2. A Resolution Calling For A Run-Off Election To Be Held On November 19, 2013 In The City Of Miami Beach For The Purpose Of Electing City Commissioners In Groups I, II, And III; Providing For Conduct Of The Run-Off Election By The Miami-Dade County Elections Department; 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 2013-28409 adopted.** Motion made by Commissioner Tobin; seconded by Commissioner Wolfson calling for a Run-Off Election to be held on November 19, 2013 for the purpose of electing City Commissioners in Groups I, II and III; Voice vote 5-0; Absent: Commissioners Exposito and Libbin. **Rafael E. Granado to handle.**

3. Canvassing Board For City Of Miami Beach's November 19, 2013 Run-Off Election (No Commission Action Required).  
(City Attorney's Office)

**ACTION:** No action required.

### **End of Regular Agenda**

Meeting adjourned as 12:09:20 p.m.