

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2009-11

A RESOLUTION APPOINTING CERTAIN MEMBERS OF CANVASSING BOARD (BOARD) FOR THE UPCOMING GENERAL BIENNIAL ELECTION OF TUESDAY, APRIL 14, 2009, NAMELY, COMMISSIONER WAYNE "CHIP" WITHERS AND VICE-MAYOR WILLIAM H. KERDYK, JR., FOR THE PURPOSE OF CANVASSING ABSENTEE BALLOTS AND PRECINCT RETURNS; FURTHER AUTHORIZING SAID BOARD TO CERTIFY THE RESULTS OF SAID ELECTION.

WHEREAS: Pursuant to Section 22-2(c) of The Coral Gables Code, it states that the Canvassing Board shall consist of two members of the City Commission who are not candidates with opposition in the election being canvassed along with the City Clerk of the City of Coral Gables; and

WHEREAS: Commissioner Wayne "Chip" Withers and Vice-Mayor William H. Kerdyk, Jr., are hereby appointed to serve on the Canvassing Board, along with the City Clerk Walter J. Foeman, for the purpose of canvassing the Absentee Ballot Returns for the General Biennial Election Tuesday, April 14, 2009; and

WHEREAS: In the event that either Commissioner Wayne "Chip" Withers or Vice-Mayor William H. Kerdyk, Jr., is unable to serve on the Board of Canvassers, then the City Commission shall appoint Mayor Donald D. Slesnick, II, as a substitute member and if he is unable to serve, then a qualified elector of the City shall be appointed, who is not a candidate with opposition in the election being canvassed, and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed, thereby appointing said individual as a replacement Canvassing Board member for the General Biennial Election of April 14, 2009; and

WHEREAS: Any replacement of a Canvassing Board member herein authorized, shall be made pursuant to Sec. 22-2(c) and 22(d) of the City Code, which states as follows:

- (1) If sufficient Members of the City Commission are not eligible to serve on the Canvassing Board, the City Commission shall appoint as a substitute member a qualified elector of Coral Gables who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF CORAL GABLES THAT:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That at the conclusion of the tabulation of the election returns, the Canvassing Board herein appointed is hereby authorized to certify the results of said election.

SECTION 3. That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF JANUARY, A.D., 2009.

(Moved: Anderson / Seconded: Cabrera)

(Yeas: Kerdyk, Withers, Anderson, Cabrera, Slesnick)

(Unanimous: 5-0 Vote)

(Agenda Item: J-1)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY