

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2009-09

A RESOLUTION OF THE CITY COMMISSION, WITH ATTACHMENT MAKING PROVISIONS FOR HOLDING A GENERAL BIENNIAL ELECTION ON APRIL 14, 2009, FOR THE ELECTION OF CANDIDATES FOR THE OFFICE(S) OF TWO COMMISSIONERS; FURTHER DESIGNATING AND APPOINTING THE CITY CLERK AS THE OFFICIAL REPRESENTATIVE OF THE CITY COMMISSION, WITH RESPECT TO THE SUPERVISION OF SAID GENERAL BIENNIAL ELECTION; FURTHER DIRECTING THE CITY CLERK TO GIVE NOTICE BY PUBLICATION OF THE ADOPTION OF THIS RESOLUTION AND THE PROVISIONS HEREOF.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. In accordance with the provisions of Section 9 of the City Charter (Chapter 10847, Laws of Florida, 1925, as amended,) a General Biennial Election is directed to be held in the City of Coral Gables, Florida, at the polling places designated in Exhibit No. 1, attached and incorporated, on Tuesday, April 14, 2009, from 7:00 a.m. until 7:00 p.m., for the purpose of electing candidates for the Offices of City Commissioners for Groups II and III of the City of Coral Gables, each to be voted upon at the General Biennial Election, which is to be held, as provided in Article II (City Commissioners); Section 8 of the City Charter, wherein the candidate for each group (City Commissioners), who receives the greatest number of votes for the prospective office for which he or she is a candidate, in which case he or she shall be elected to said office.

SECTION 2. A General Biennial Election is directed to be held in the City of Coral Gables, Florida at the polling places designated in said Exhibit No. 1, from 7:00 a.m. until 7:00 p.m., on Tuesday, April 14, 2009, for the purpose of electing two Commissioners of the City of Coral Gables.

SECTION 3. The candidate who shall receive the greatest number of votes for Group II and Group III, shall serve as Commissioners of the City of Coral Gables for a period of four (4) years from 12:00 noon, after the canvass of the vote and the declaration of the result of said General Biennial Election. The candidates who shall receive the greatest number of votes in Group Numbers Two (II) and Three (III) shall serve as Commissioners of the City of Coral Gables, each for a period of four (4) years from 12:00 o'clock noon, of the third day after the canvass of the vote and the declaration of the result of said General Biennial Election.

SECTION 4. The Precinct Election Clerks and Inspectors to serve at said polling places on said date shall be designated by the Supervisor of Elections of Miami-Dade County, Florida, for such purposes in accordance with the General Laws of the State.

SECTION 5. The elections shall be held at the voting places in the precincts designated on said Exhibit No. 1, or as may be designated by the Supervisor of Elections of Miami-Dade County, in conformity with the provisions of the General Laws of the State. A description of the registration books and records which pertain to election precincts wholly or partly within the City and which the City is adopting and desires to use for holding such elections is as follows: All registration cards, books, records and certificates pertaining to electors of the City and established and maintained as official by the Supervisor of Elections of Miami-Dade County, in conformity with the provisions of the General Laws of the State, are adopted and declared to be, and shall hereafter be recognized and accepted as, official registration cards, books, records and certificates of the City.

SECTION 6. The ballots to be used in said elections shall be so prepared that the names of the qualified candidates will appear on said ballots in alphabetical order according to surname for each Group provided, however, that the ballots and their preparation shall comply with the Laws of the State of Florida, with respect to absentee ballots, and to the use of mechanical voting machines or the computer Election System ("CES")

SECTION 7. (a) In compliance with the Laws of the State of Florida, the City Clerk is authorized and directed to publish notice of the adoption of the herein Resolution and of the provisions hereof, at least thirty (30) days prior to when the aforesaid election is to be held, in a newspaper of general circulation in the City of Coral Gables, Florida, once in the fifth (5) week and once in the third (3) week in which the election is held, which notice shall be substantially as set forth in the following form:

NOTICE OF GENERAL BIENNIAL ELECTION
IN THE CITY OF CORAL GABLES, FLORIDA
FOR
TWO COMMISSIONERS
OF THE CITY OF CORAL GABLES, FLORIDA
TO BE HELD ON
TUESDAY, APRIL 14, 2009
PURSUANT TO RESOLUTION NO. 2009-__

A General Biennial Election will be held on Tuesday, April 14, 2009, from 7:00 a.m. until 7:00 p.m., in the City of Coral Gables, Florida, at the polling places in the several election precincts designated by the Board of County Commissioners of Miami-Dade

County, Florida, at which election the qualified electors participating therein will vote for the election of candidates for two City Commissioners of the City of Coral Gables, Florida, each to be voted on at the General Biennial Election, which is to be held on Tuesday, April 14, 2009.

(b) The Precinct Election Clerks and Inspectors to serve at said polling places on said dates shall be those designated by the Supervisor of Elections of Miami-Dade County for such purpose, in accordance with the General Laws of the State. The registration books and records for the registration of persons qualified to vote in said elections shall be those maintained by the Supervisor of Elections of Miami-Dade County.

(c) The official ballot shall be in substantially the following form, to wit:

GENERAL BIENNIAL OFFICIAL BALLOT
FOR
ELECTING TWO COMMISSIONERS
OF THE CITY OF CORAL GABLES, FLORIDA
TO BE HELD ON APRIL 14, 2009
PRECINCT NO. _____

GROUP TWO (II)
COMMISSIONER

Vote for one (1) only:

/ / _____ (Names of Candidates)

GROUP THREE (III)
FOR COMMISSIONER

Vote for one (1) only:

/ / _____ (Names of Candidates)

(d) In the event a General Biennial Election is required to be held on Tuesday, April 14, 2009, the official ballot to be used for such General Biennial Election shall be in substantially the same form as above, except that the heading of the ballot shall be in substantially the following form, to wit:

OFFICIAL BALLOT

GENERAL BIENNIAL ELECTION
FOR
ELECTING TWO COMMISSIONERS
OF THE CITY OF CORAL GABLES, FLORIDA
TO BE HELD APRIL 14, 2009
PRECINCT NO. _____

SECTION 8. Walter J. Foeman, the City Clerk of the City of Coral Gables, Florida, or his duly appointed successor, is designated and appointed as the official representative of the Commission of the City of Coral Gables, Florida, in all transactions with the Supervisor of Elections of Miami-Dade County, in relation to matters pertaining to the use of the registration books for the holding of the General Biennial Election.

SECTION 9. The City Clerk shall cause to be prepared absentee ballots for the use of absentee electors entitled to cast such ballots in said elections.

SECTION 10. All qualified electors of said City shall be permitted to vote in said General Biennial Election, and the Supervisor of Elections of Miami-Dade County is requested, authorized, and directed to furnish, at the cost and expense of the City of Coral Gables, a list of all qualified electors residing in the City of Coral Gables, as shown by the registration books and records of the Office of said Supervisor of Elections, and duly certify the same for delivery to and for use by the election officials designated to serve at the respective polling places in said election precincts.

SECTION 11. The City Clerk is authorized and directed to cause a certified copy of this Resolution to be delivered to the Supervisor of Elections of Miami-Dade County pursuant to applicable law.

SECTION 12. This Resolution shall become effective immediately upon its passage and adoption herein.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF JANUARY, A.D., 2009.
(Moved: Anderson / Seconded: Cabrera)
(Yeas: Anderson, Cabrera, Kerdyk, Withers, Slesnick)
(Unanimous: 5-0 Vote)
(Agenda Item: J-3)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY