



MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
November 7, 2007

Mayor David Dermer
Vice-Mayor Jerry Libbin
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Michael Góngora
Commissioner Saul Gross
Commissioner Richard L. Steinberg

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.

Times based on the digital recording in the City Clerk's Office.

- R5A 11:00 a.m. 2nd Rdg, Procedures Governing the Issuance of Bonds.
- R7A Adopt Certificate of Results of the November 6, 2007 Special Election.
- R7B1 Adopt Certificate of Results of the November 6, 2007 General Election.
- R7B2 Elect Commissioner Jerry Libbin as Vice-Mayor, November 7, 2007 - February 29, 2008.
- R7C City of Miami Beach General Election Results & Calling Run-Off Election.

Meeting called to order at 11:22:45 a.m.

REGULAR AGENDA

Legislation concerning results from the City of Miami Beach's November 6, 2007 General and Special Elections.

The actual Election Resolutions to be considered for passage by the City of Miami Beach Commission on November 7, 2007 will be publicly available by 11:00 a.m. on that date.

Note: Either R7B (No Run-off Election needed) or R7C (Run-off Election needed) to be adopted.

R5 - Ordinances

R5A An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Florida, By Amending Article V Therein, Entitled "Finance"; By Creating A New Section 2-278, Entitled "Procedures Governing The Issuance Of Bonds,"; Providing For Repealer; Severability; Codification; And An Effective Date. **11:00 a.m. Second Reading Public Hearing.**

(Requested by Mayor David Dermer/Finance Department)
(First Reading on October 17, 2007)

ACTION: Item opened and continued to November 21, 2007 at 11:00 a.m. Motion approved without objections; Absent: Vice-Mayor Libbin. Lilia Cardillo to place on the Commission Agenda Code. **Patricia Walker to handle.**

Robert Parcher, City Clerk, stated for the record, that this public hearing was advertised that if there was a Run-Off Election the second reading will be held on November 21, 2007 at 11:00 a.m.

Jorge Gonzalez, City Manager, informed that there will be additional items in reference to the New World Symphony and the parking issue, and he suggested these items be heard at the November 21, 2007 Commission Agenda.

Handout or Reference Materials:

1. Ad in The Miami Herald – Ad # 460

R7 - Resolutions

R7A A Resolution Adopting The Certificate Of The Results Of The November 6, 2007 Special Election For The City Of Miami Beach, And Declaring Results Thereof.
(City Attorney's Office)

ACTION: Resolution No. 2007-26701 adopted. Motion made by Commissioner Gross; seconded by Commissioner Bower; Voice vote: 6-0; Absent: Vice-Mayor Libbin. **Legal Department to handle.**

R7B1 A Resolution Adopting The Certificate Of The Results Of The November 6, 2007 General Election For The City Of Miami Beach, And Declaring Candidate Elected.
(City Attorney's Office)

ACTION: Item not reached due to the Run-Off Election.

R7B2 A Resolution Electing Commissioner Jerry Libbin As Vice-Mayor For A Term Commencing On November 7, 2007 And Terminating On February 29, 2008, Or On Such Date When A New Vice-Mayor Is Thereafter Elected.
(City Clerk's Office)

ACTION: Item not reached due to the Run-Off Election.

R7C City Of Miami Beach General Election Results And Calling Run-Off Election.

1. A Resolution Adopting The Certificate Of The Results Of The November 6, 2007 General Election For the City Of Miami Beach.

ACTION: Resolution No. 2007-26702 adopted as amended Motion made by Commissioner Gross; seconded by Commissioner Bower; Voice vote: 6-0; Absent: Vice-Mayor Libbin. **Legal Department to handle.**

Robert Parcher, City Clerk, clarified for the record, that the resolution in the Agenda has been amended due to the automatic recount in the Group V seat.

2. A Resolution Calling For A Run-Off Election To Be Held On November 20, 2007 In The City Of Miami Beach For The Purpose Of Electing A Mayor And City Commissioner In Group VI; Providing For Conduct Of Same By The Miami-Dade County Elections Division; 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 No. 2007-26703 adopted. Motion made by Commissioner Bower; seconded by Commissioner Góngora Voice vote: 6-0; Absent: Vice-Mayor Libbin. **Legal Department to handle.**

3. Designation Of The City Of Miami Beach Canvassing Board For November 20, 2007 Run-Off Election.

(City Attorney's Office)

ACTION: Motion made by Commissioner Bower; seconded by Commissioner Steinberg; Passed without objections; 6-0. Absent: Vice-Mayor Libbin. **Legal Department to handle.**

Jean Olin, Deputy City Attorney, explained that the City of Miami Beach needs to have its own Canvassing Board because Miami-Dade County acted as Canvassing Board for the City's General Election, but they are not acting as Canvassing Board for the Run-Off Election. The Canvassing Board is composed of three individuals: Robert Parcher, City Clerk and County Court Judge Shelley Kravitz who was appointed by Chief Judge of the Circuit Court Joseph P. Farina of the Eleventh Judicial Circuit Court and an elector of the City.

Mayor Dermer asked Jean Olin to have Judge Farina appoint another Judge from outside of Miami Beach to serve on the Canvassing Board. Motion made by Commissioner Bower; seconded by Commissioner Steinberg; passed without objections; 6-0; Absent: Vice-Mayor Libbin.

Commissioner Bower recognized her daughter and grandchildren present in the audience.

Robert Parcher, City Clerk, announced for the record, that there is an automatic recount of the votes for Group V tentatively scheduled at 4:00 p.m. today and the candidates will be notified. There will be an LTC prepared as soon as the time is confirmed by the Elections Department. **Robert Parcher to handle.**

End of Regular Agenda

Meeting adjourned at 11:29:08 p.m.