

RESOLUTION NO. 2012-3544

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS CALLING FOR THE HOLDING OF A SPECIAL ELECTION FOR THE CITY ON TUESDAY, AUGUST 14, 2012; SPECIFYING THE PURPOSE OF THE SPECIAL ELECTION; PROVIDING AUTHORIZATIONS AND DIRECTIONS TO THE CITY CLERK; EFFECTIVE DATE.

WHEREAS, the City Council has been notified of the resignation of Councilman Daniel Espino from his Group II seat effective on May 14, 2012; and,

WHEREAS, a Special Election is required to elect a successor Councilmember to serve out the balance of Councilman Espino's term of office; and,

WHEREAS, at the regular City Council meeting of May 14, 2012 the City Council approved the calling of a Special Election to fill the City Council vacancy created by the resignation of Councilman Espino; and,

WHEREAS, in accordance with the City Charter, the person elected in the Special Election will fill Councilman Espino's seat on the City Council for the balance of his current Group II term; and,

WHEREAS, since the City is currently scheduled to conduct a Special Election for the consideration of two Charter Amendments, the City has been advised that it may also conduct the City Council Vacancy Election on the ballot of the Miami-Dade County Primary Election scheduled for August 14, 2012:

WHEREAS, the City Clerk, as provided in City Charter Sections 3.03 and 8.02, as Supervisor of Elections for the City is charged with the responsibilities of preparing the ballot and conducting all City elections; and,

WHEREAS, all City elections are conducted in accordance with City Ordinance Section 11.01 which provides:

'11.01 STATE ELECTION CODE ADOPTED FOR MUNICIPAL ELECTIONS.

All General and Special Elections held in the City shall be held and conducted in accordance with the provisions of state law as nearly as practicable where state law is applicable to municipalities by reasonable construction, except as provided by the City Charter, this Chapter, or other Ordinance of the City. The City Council shall perform all acts in relation to such General and Special Election which by the state law is made the duty of the County Commission; and,

WHEREAS, the City Clerk has been advised by the Miami-Dade County Elections Department that the City may conduct a Special Election on Tuesday, August 14, 2012, so long as an appropriate Resolution calling the Special Election to fill the City's vacant Group II City Council seat, and all other required information and documentation, are submitted to the Elections Department prior to May 25, 2012; and,

WHEREAS, the City Council of the City of Miami Springs has determined that it is both proper and appropriate to conduct a Special City Election to fill the City's vacant City Council seat, which will be placed upon the ballot of the Miami-Dade County Primary Election to be conducted on August 14, 2012, for consideration by the electors of the City:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That a City Special Election shall be called for and conducted on August 14, 2012.

Section 2: That the purpose of the Special City Election is to fill the City's vacant Group II City Council seat, previously held by Councilman Daniel Espino, in the Miami-Dade County Primary Election to be conducted on Tuesday, August 14, 2012.

Section 3: That the Miami-Dade County Elections Department is hereby requested to schedule a Miami Springs Special Election to fill the City's Group II vacant City Council seat on the ballot of the Miami-Dade County Primary Election to be conducted on Tuesday, August 14, 2012.

Section 4: That the City Clerk is hereby directed to advertise the Special City Council Group II Vacancy Election, as required by law, and to conduct qualification of candidates for this Special Election between May 29, 2012 and noon on June 8, 2012.

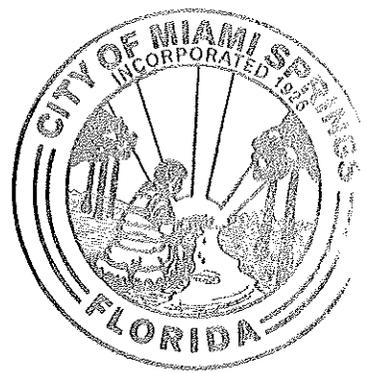
Section 5: That the City Clerk, as the Supervisor of Elections for the City, is hereby authorized and directed to forward this Resolution to the Miami-Dade County Elections Department to insure that the Special City Election to fill the vacant Group II City Council seat of Councilman Daniel Espino is properly placed on the Miami-Dade County Primary Election Ballot of August 14, 2012, to conduct the Special City Election in accordance with all the requirements of law, and to cooperate with and assist the Miami-Dade County Elections Department in the conduct of this Election.

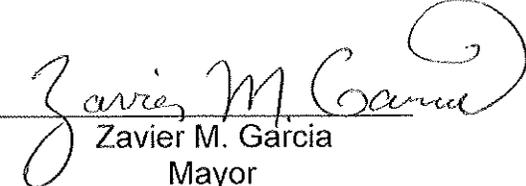
Section 6: That the provisions of this Resolution shall be effective immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida,
this 14th day of May, 2012.

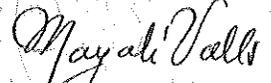
The motion to adopt the foregoing resolution was offered by
Vice Mayor Lob, seconded by Councilman Best, and on roll
call the following vote ensued:

Vice Mayor Lob	"aye"
Councilman Best	"aye"
Councilman Espino	"aye"
Councilwoman Ator	"aye"
Mayor Garcia	"aye"




Zavier M. Garcia
Mayor

ATTEST:


Magali Valls, CMC
City Clerk

APPROVED AS TO LEGALITY AND FORM:


Jan K. Seiden, City Attorney