

**RESOLUTION NO. 2023 – 4077**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, SUPPORTING THE FIVE REFERENDA ON THE CITY’S APRIL 4, 2023 ELECTION RELATED TO CHARTER AMENDMENTS; AND PROVIDING FOR EFFECTIVE DATE.**

**WHEREAS**, on January 23, 2023, the City of Miami Springs (“City”) Council adopted Resolution No. 2023-4068 calling a special election on April 4, 2023 for the purpose of submitting to the electorate of the City five Charter amendments; and

**WHEREAS**, the City Council wishes to express its support for the five referenda questions, which are as follows:

**1. CANDIDATE QUALIFYING PERIOD**

The Charter provides for a sixty day qualification period for candidates to run for Council. It is proposed that the Charter be amended to provide for a 10 business day qualifying period.

Shall the above-described amendment be adopted?

[ ] Yes

[ ] No

**2. PARTIAL TERMS OF OFFICE**

The Charter provides that serving on the Council for a portion of any term counts towards an individual’s term limits. It is proposed that the Charter be amended to provide that an individual appointed or elected to fill a vacancy on the Council for less than half of a term will not be deemed to have served a full term.

Shall the above-described amendment be adopted?

[ ] Yes

[ ] No

**3. PROCESS FOR FILLING VACANCIES**

The Charter provides that Council vacancies are filled by appointment, special election, or both depending on whether 120 days remain before the

next City election or in the unexpired term. It is proposed that the Charter be amended to increase this threshold from 120 days to 180 days.

Shall the above described amendment be adopted?

Yes

No

**4. SPECIAL ELECTIONS TO FILL VACANCIES DUE TO RESIGNATIONS TO RUN FOR ANOTHER OFFICE**

Shall the Charter be amended to require that when the Mayor or a Councilmember resigns prospectively to run for another office and the resignation is effective after a countywide election, the vacancy will be filled by special election at a countywide primary or general election occurring before the effective date of the resignation?

Yes

No

**5. CHARTER NON-SUBSTANTIVE TECHNICAL UPDATES**

Shall the Charter be amended to 1) remove obsolete provisions and 2) reflect non-substantive stylistic and technical changes, along with any amendments needed for conformity, implementation and consistency of Charter amendments?

Yes

No.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** That the above recitals are confirmed, adopted, and incorporated herein and made a part hereof by reference.

**Section 2. Support.** That the City Council supports the five referenda questions on the April 4, 2023 ballot.

**Section 3. Effective Date.** That this Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilman Best who moved its adoption. The motion was seconded by Vice Mayor Lob and upon being put to a vote, the vote was as follows:

Vice Mayor George Lob	<u>YES</u>
Councilman Bob Best	<u>YES</u>
Councilwoman Jacky Bravo	<u>YES</u>
Councilman Dr. Walter Fajet	<u>YES</u>
Mayor Maria Puente Mitchell	<u>YES</u>

PASSED AND ADOPTED this 13th day of March, 2023.


  
\_\_\_\_\_  
MARIA PUENTE MITCHELL  
MAYOR

ATTEST:

  
\_\_\_\_\_  
ERIKA GONZALEZ, MMC  
CITY CLERK



APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

  
\_\_\_\_\_  
WEISS SEROTA HELFMAN COLE & BIERMANN, P.L.  
CITY ATTORNEY