

**RESOLUTION NO. 2023 – 4081**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS CERTIFYING AND DECLARING THE OFFICIAL RESULTS OF THE GENERAL AND SPECIAL ELECTIONS OF THE CITY HELD ON APRIL 4, 2023; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 3.06 of the Charter of the City of Miami Springs (the “City”), the City’s General Election was held on April 4, 2023 (the “General Election”) in accordance with law; and

**WHEREAS**, the following offices were open for eligible candidates and slated to be on the General Election ballot: Mayor, Group I, Group II, Group III, and Group IV; and

**WHEREAS**, the qualifying period for the General Election began on 8:00 a.m. on Monday, December 19, 2022 and concluded at 4:00 p.m. on Friday, February 17, 2023 (the “Qualifying Period”); and

**WHEREAS**, at the end of the Qualifying Period, the candidates for the Office of Mayor and Group III qualified for office without opposition, while three candidates qualified for Group I, two candidates qualified for Group II, and two candidates qualified for Group IV; and

**WHEREAS**, Maria Puente Mitchell, as the unopposed candidate for the Office of Mayor, was duly elected to office without the necessity of an election; and

**WHEREAS**, Walter Fajet, as the unopposed candidate for Group III, was duly elected to office without the necessity of an election; and

**WHEREAS**, the City’s registered voters cast votes for the candidates who qualified for City Council Groups I, II, and IV; and

**WHEREAS**, in conjunction with the General Election and pursuant to Resolution No. 2023-4068, a Special Election was held on April 4, 2023 (the “Special Election”) in accordance with law calling for amendments to the City Charter (the “Charter Amendments”); and

**WHEREAS**, the City’s registered voters cast votes in the Special Election for the Charter Amendments; and

**WHEREAS**, the General and Special Elections have been canvassed by the City’s Canvassing Board in accordance with Section 11-02 of the City Code and the Miami-Dade County Supervisor of Elections has tabulated the ballots of registered voters; and

**WHEREAS**, the City Council has received and canvassed the certified election results in accordance with Section 11-03 of the City Code; and

**WHEREAS**, the City Council wishes to certify and declare the official results of the General and Special Elections, as reflected on Exhibit "A" attached hereto and incorporated herein; and

**WHEREAS**, the City Council finds that this Resolution is in the best interest and welfare of the residents of the City.

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

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

**Section 2. Certifying General Election Results.** The City Council hereby certifies and declares the official results of the General Election held on April 4, 2023 as provided for in Exhibit "A," attached hereto and incorporated herein, which results are summarized as follows:

- (a) That Maria Puente Mitchell has been elected to the office of Mayor;
- (b) That Jorge Santin has been elected to the office of City Council in Group I;
- (c) That Jacky Bravo has been elected to the office of City Council in Group II;
- (d) That Walter Fajet has been elected to the office of City Council in Group III; and
- (e) That Victor Vazquez has been elected to the office of City Council in Group IV.

**Section 3. Certifying Special Election Results.** The City Council hereby certifies and declares the official results of the Special Election held on April 4, 2023 as provided for in Exhibit "A," attached hereto and incorporated herein, which results are summarized 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?

608 Yes

**1,188 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?

**1,090 Yes**

637 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?

**891 Yes**

824 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?

**1,253 Yes**

456 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?

**1,021 Yes**

660 No

**Section 4. Implementation.** The City Manager, City Clerk, and City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

**Section 5. Effective Date.** That this Resolution shall be effective immediately upon adoption.

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

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

PASSED AND ADOPTED this 10th day of April, 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 & BIERMAN, P.L.  
CITY ATTORNEY