

CRC RESOLUTION NO. 2014-04

A RESOLUTION OF THE CITY OF DORAL CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF DORAL, FLORIDA, TO PROVIDE FOR THE ELIMINATION OF RUNOFF ELECTIONS AND THE DATE FOR COMMENCEMENT OF TERMS FOR ELECTED OFFICIALS; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE CITY COUNCIL AT A SPECIAL REFERENDUM ELECTION TO BE HELD WITHIN THE TIME FRAME AS PROVIDED IN THE CITY CHARTER; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE CITY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Doral Charter Review Commission has the authority to submit proposals to amend the City of Doral Charter; and

WHEREAS, the City of Doral Charter mandates that the Charter Review Commission, no later than April 1st following the year of their appointment, present to the City of Doral electorate its recommendations for amendments to the City Charter; and

WHEREAS, the Charter of the City of Doral, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the City Council to the electorate no earlier than sixty (60) nor more than one hundred twenty (120) days after the Charter Review Commission's submittal of the amendments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DORAL CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of the City of Doral, Florida, the City Council is hereby directed to place on the ballot for presentation to the electorate, at a

special referendum election to be held no less than sixty (60) nor more than one hundred twenty (120) days from the date of this Resolution, the subject of which is proposed to provide for the elimination of runoff elections and the date for the commencement of terms of office for elected officials, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

**ELIMINATION OF RUNOFF ELECTIONS AND
COMMENCEMENT OF ELECTED OFFICIALS' TERMS**

Currently the Charter authorizes runoff elections in the event a candidate does not receive fifty percent plus one of the votes cast in an election, and terms commence the day after a general election. Shall the Charter be amended to eliminate runoff elections; to provide for election of candidates who receive the highest number of votes; and to provide the term of office shall commence at the first City Council meeting following election certification?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of the City of Doral, Florida.

SECTION 4: That the City Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

The foregoing resolution was offered by member Mazzola who moved its adoption. The motion was seconded by Vice Chair Reisman and upon being put to a vote, the vote was as follows:

Chair Jesse A. Jones	Yes
Vice Chair Jerome Reisman	Yes
Christian L. Mazzola	Yes
Raymond G. Bush, Jr.	Absent (Excused)
Eduardo Gomez	No

PASSED and ADOPTED this 13th day of March, 2014


JESSE A. JONES, CHAIR

ATTEST:


BARBARA HERRERA, CITY CLERK

DNT:dnt

ARTICLE V. ELECTIONS

Section 5.01. Elections

(d) *General Election.* The ballot for the general election shall contain the names of all qualified candidates ~~for Mayor, if the Mayor's term is expiring, and for each of the two Council Seats which are to be filled as a result of two Council members' terms expiring,~~ and shall instruct electors to cast one vote for each elected office that is on the ballot. ~~Mayor, if applicable, and one vote for each Seat.~~ The candidate receiving the highest number of votes for each elected office shall be elected to the office for which the candidate qualified. In the event of a tie, the names of the candidates receiving the same number of votes shall be placed on separate pieces of paper and placed in a sealed container. After all names of the candidates receiving the same number of votes are placed in the container, the City Clerk shall pull one slip of paper out of the container. The name on the slip of paper that is pulled out of the container shall be the winning candidate. ~~If any candidate for Mayor receives a number of votes greater than 50% of the total number of ballots cast, such candidate shall be the duly elected Mayor, and no run-off election for Mayor shall be required. If any candidate(s) for a Seat receive(s) a number of votes greater than 50% of the total number of ballots cast for that Seat, such candidate(s) shall be duly elected to the Council, and no run-off election for that Seat(s) shall be required.~~

~~(i) *Commencement of terms.* The term of office of any elected official will commence on the day following the general election, or if a run-off election is necessary for the office of Mayor or for any Seat open at that time, on the day following the run-off election.~~

(i) *Commencement of terms.* The members of the City Council who are elected in elections held in November of any year, shall assume office on the first regular or special City Council meeting following certification of their election results. Once all newly elected officials have taken office the Council shall organize in accordance with the provisions of this Charter and shall then proceed to select the Vice Mayor as designated in this Charter.