



**VILLAGE OF BISCAYNE PARK**  
**Village Commission Agenda Report**

**#Item 11.a**

**REGULAR MEETING**

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**TO:** Honorable Mayor & Members of the  
Biscayne Park Village Commission

**FROM:** Sharon P. Ragoonan, Village Manager

**DATE:** January 10, 2017

**TITLE:** Resolution 2017-02

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**Recommendation:**

Approval of Resolution 2017-02.

**Background**

On December 5, 2011, then Mayor David Coviello formally announced his resignation from the Village Commission effective March 31, 2017. Vice Mayor Coviello's term would have expired November, 2018, leaving 19 months left in his unexpired term.

Village code states that if six months or more remain in the unexpired term, the vacancy needs to be filled by Special Election which must occur within 45 days from the date of the said vacancy, or as soon as it is allowed by the Miami-Dade County Supervisor of Elections. The Department of Elections has advised that the Village Commission must pass legislation calling for the Special Election no less than 60 days prior to the date of the Special Elections. Based on this requirement, and all other related guidelines, the proposed date of the Special Election would be Tuesday, March 21, 2017.

Provided as an attachment is the schedule of all related events, activities and requirements related to the Special Election.

**Resource Impact**

An estimate was provided by the Miami-Dade Department of Elections which includes the costs for Personnel, Polling Locations, Supplies and Services, Trucks and Vehicles, Printing and Advertising, Postage, Ballot Creation, and Administrative Overhead. The total estimate for the Special Election is \$15,591.30.

There would be an additional cost of \$1,500 for required newspaper publications.

This unbudgeted expenditure would be funded from General Contingencies under General Government, specifically the Unbudgeted Expenditures line item which was adopted at \$28,741 in the FY 2016-17 Budget.

**Attachment**

- Resolution 2017-02
- Special Election 2017 Schedule of Meetings, Events and Required Actions

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Prepared by: Maria C. Camara, Village Clerk

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3 **RESOLUTION NO. 2017-02**  
4

5 **A RESOLUTION OF THE VILLAGE COMMISSION**  
6 **OF THE VILLAGE OF BISCAYNE PARK, FLORIDA**  
7 **CALLING A SPECIAL ELECTION IN THE VILLAGE**  
8 **TO BE HELD ON MARCH 21, 2017, FOR THE**  
9 **PURPOSE OF SUBMITTING TO QUALIFIED**  
10 **ELECTORS OF THE VILLAGE OF BISCAYNE PARK**  
11 **THE CANDIDATES TO FILL THE VACANCY**  
12 **CREATED BY THE RESIGNATION OF THE MAYOR;**  
13 **PROVIDING FOR AN EFFECTIVE DATE**  
14

15 WHEREAS, on December 5, 2016, then Mayor David Coviello announced his  
16 resignation from the Village Commission, effective March 31, 2017, leaving nineteen (19)  
17 months left in his unexpired term which would have expired November, 2018; and  
18

19 WHEREAS, Section 2.05 of the Village's Code of Ordinances, entitled "Vacancies;  
20 forfeiture of office; filling of vacancies", subsection (C)(1)(b) states: "If six (6) months or  
21 more remain in the unexpired term, the vacancy shall be filled pursuant to a Special Election  
22 which shall occur within forty five (45) days from the date of said vacancy or as soon as  
23 allowed by the Supervisor of Elections, in no case to exceed ninety (90) days"; and  
24

25 WHEREAS, the Village Commission desires to fill the vacancy by special election held  
26 on March 21, 2017;  
27

28 NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF  
29 THE VILLAGE OF BISCAYNE PARK, FLORIDA:  
30

31 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as  
32 being true and correct and hereby made a specific part of this Resolution upon adoption hereof.  
33

34 **Section 2.** In accordance with the provisions of Section 2.05 of the Village's Code  
35 of Ordinances, a special election is hereby called and shall be held in the Village of Biscayne  
36 Park on March 21, 2017, for the purposes of submitting to the qualified electors of the Village  
37 of Biscayne Park the candidates to fill the vacancy created by the resignation of the Mayor.  
38

39 **Section 3.** Notice of such election shall be published in accordance with Section  
40 100.342, Florida Statutes.  
41

42 **Section 4.** Candidate qualifying for Village of Biscayne Park Commissioner shall  
43 commence at noon on February 6, 2017 and end at 5:00 pm on February 21, 2017.  
44

45 **Section 5.** The result of such election shall be determined by the qualified electors  
46 residing in the Village of Biscayne Park for the Commission vacancy. The polls at such  
47 election shall be open from 7:00 am until 7:00 pm on the day of such election.  
48

49 **Section 6.** All qualified electors of the Village of Biscayne Park shall be entitled to  
50 vote for the Commission vacancy election. The Village's registration books shall remain open

1 at the Office of the Miami-Dade County Supervisor of Elections until twenty nine (29) days  
2 prior to the date of such election, at which time the registration books will close in accordance  
3 with the provisions of general election laws.  
4

5 **Section 7.** The form of the ballot for this election shall be in accordance with the  
6 requirements of general election laws.  
7

8 **Section 8.** Absentee paper ballots for this election may be used by qualified  
9 electors of the Village of Biscayne Park for voting on this question. The form of such absentee  
10 ballot shall be in accordance with the requirements prescribed by general election laws.  
11

12 **Section 9.** A sample ballot showing the manner in which the question or proposal  
13 aforesaid will appear at this election shall be published and provided in accordance with the  
14 applicable provisions of general election laws.  
15

16 **Section 10.** This special election shall be held and conducted in accordance with  
17 applicable provisions of the general laws relating to elections and the provisions of the  
18 Village's Code of Ordinances. The Village Mayor, or his designee, the Finance Manager, and  
19 the Village Clerk, are hereby authorized and directed to take all appropriate actions necessary  
20 to carry into effect and accomplish the provisions of this resolution. This election shall be a  
21 nonpartisan election. Election officials in connection with this election shall be appointed in  
22 accordance with the provisions of general election laws.  
23

24 **Section 11.** This election shall be canvassed by the Village Canvassing Board, in  
25 accordance with the provisions of Section 2-33 of the Village's Code of Ordinances.  
26

27 **Section 12.** This Resolution shall become effective upon adoption.  
28

29 PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

30 **The foregoing resolution upon being**  
31 **put to a vote, the vote was as follows:**

32  
33 \_\_\_\_\_  
34 Tracy Truppman, Mayor

35  
36 Attest:

37  
38  
39 \_\_\_\_\_  
40 Maria C. Camara, Village Clerk

41  
42 Approved as to form:

43  
44  
45  
46 \_\_\_\_\_  
47 John J. Hearn, Village Attorney

Mayor Truppman: \_\_\_\_  
Vice Mayor Coviello: \_\_\_\_  
Commissioner Johnson-Sardella: \_\_\_\_  
Commissioner Ross: \_\_\_\_  
Commissioner Tudor: \_\_\_\_

**VILLAGE OF BISCAYNE PARK  
SPECIAL ELECTION - 2017  
SCHEDULE OF MEETING, EVENTS AND REQUIRED ACTIONS**

Date	Description
Tuesday, January 10, 2017	<b>Commission Meeting:</b> Resolution 2017-02 passed calling for the special election and setting the qualifying dates and election date.
Wednesday, January 11, 2017	Submittal of adopted Resolution to the Miami-Dade County Supervisor of Elections.
Sunday, January 22, 2017	Publication of required notice no. 1 of Special Election to fill a vacancy (FS 100.141) in newspaper.
Thursday, January 26, 2017	Publication of required notice no. 2 of Special Election fo fill a vacancy (FS 100.141) in newspaper.
Monday, February 06, 2017	Qualification period begins.
Wednesday, February 08, 2017	<b>Commission Meeting</b>
Wednesday, February 15, 2017	<b>Special Commission Meeting</b> <i>(Tentative date.)</i>
Tuesday, February 21, 2017	Qualification period ends.
Tuesday, March 07, 2017	<b>Commission Meeting</b>
Thursday, March 16, 2017	Publication of ballot format (FS 101.20) in newspaper.
Tuesday, March 21, 2017	<b>SPECIAL ELECTION</b>
Friday, March 31, 2017	Official results received
Tuesday, April 04, 2017	<b>Commission Meeting:</b> Installation of new Commissioner