

ORDINANCE NO. 2006-11-92

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO THE YEAR 2006 GENERAL ELECTION OF THE CITY COUNCIL SEATS 2, 3, 4 AND 6; SCHEDULING THE DAY, PLACE AND TIME OF THE ELECTION; PROVIDING FOR RUNOFF ELECTION IF NECESSARY; PROVIDING FOR QUALIFICATION OF CANDIDATES; PROVIDING FOR CLOSE OF ELECTION BOOKS; APPROVING THE OFFICIAL BALLOT FORM; PROVIDING FOR NOTIFICATION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 5, Article V, of the City Of Miami Gardens' Charter provides that a general election shall be held in each even-numbered year, on the day of the first state primary election, or if none is held in any such year, on the first Tuesday, following the second Monday in September, and

WHEREAS, Section 8.5(5), Article VIII, of the City of Miami Gardens' Charter provides for the transition and the initial election of the City Council, which states "the even numbered seat for Council members shall be elected to terms expiring in November 2006, or election of his/her successor. A State-wide Election will take place on September 5, 2006, and

WHEREAS, Section 2.5 (C)(2) provides for the filling of a vacancy, which occurred on the passing of Councilwoman Audrey J. King, September 2005. That vacancy was filled by a nomination of the Mayor made within 30 calendar days following the occurrence. The Charter provided that the nominee shall fill the vacancy until the next regularly scheduled Miami-Dade County-wide election at which time an election shall be held to fill the vacancy for the balance of the term. A County-wide Election will take place on September 5, 2006, and

WHEREAS, state law requires election books to close thirty (30) days prior to the election, in which case would occur August 7, 2006,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. ELECTION: The 2006 General Election for the City of Miami Gardens will be held on Tuesday, September 5, 2006. On that date, a Council member for seat 3 will be elected to serve a two (2) year unexpired term; two (2) Council members representing residential areas seats 2 and 4, will be elected to serve four (4) year terms, and a Council member representing At-large Seat 6, will be elected to serve a four (4) year term.

SECTION 3. RUNOFF ELECTION. The 2006 Runoff Election, if necessary for the City of Miami Gardens will be held on Tuesday, November 7, 2006.

SECTION 4. QUALIFYING: The qualifying period for this election shall open Wednesday, July 5, 2006, at 9:00 a.m., and close precisely at 4:00 p.m., on Tuesday, July 18, 2006. Candidates shall qualify at the Office of the City Clerk, 1515 NW 167th Street, Building 5, Suite 200.

SECTION 5. POLLING PLACES: Voting shall be conducted at locations listed on Exhibit "A". All polls shall open precisely at 7:00 a.m., and close precisely at 7:00 p.m.

SECTION 6. OFFICIAL BALLOT: The official ballot for the 2006 general election is in substantial form as the Ballot annexed to this ordinance as Exhibit "B".

SECTION 7. VOTER REGISTRATION: The election books shall close Monday, August 7, 2006.

SECTION 8. NOTIFICATION: The City Clerk shall publish notice of such general election once a week for four consecutive weeks next preceding the general election in a newspaper of general circulation in Miami Gardens. The notice shall contain the date, time, and place of the general election and identify the Council Seats to be voted for.

SECTION 8. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

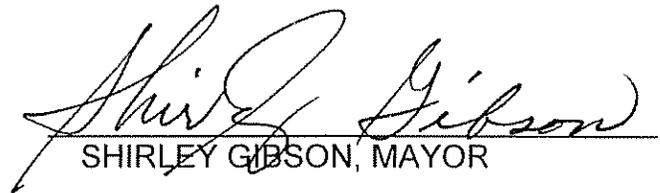
SECTION 10. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 11. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 12. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 10TH DAY OF MAY, 2006.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 24th DAY OF May, 2006.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: Ronetta Taylor, City Clerk

MOVED BY: Vice Mayor Braynon
SECONDED BY: Councilman Harvard

VOTE: 7-0

Mayor Shirley Gibson	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Vice Mayor Oscar Braynon, II	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman Aaron Campbell Jr.	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman Ulysses Harvard	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilwoman Sharon Pritchett	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilwoman Barbara Watson	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)

Exhibit "B"

ELECTION BALLOT
CITY OF MIAMI GARDENS GENERAL ELECTION
SEPTEMBER 5, 2006

Electors shall cast one vote for each available seat, with a maximum of one vote per candidate.

COUNCIL RESIDENTIAL AREA SEAT TWO (2) AND AT-LARGE SEAT SIX (6)

(Vote for one candidate in each category)

Council member Residential Area Seat (2) two:

(Candidate Names)

At-large Seat six (6):

(Candidate Names)

COUNCIL RESIDENTIAL AREA SEAT THREE (3) AND AT-LARGE SEAT SIX (6)
(Remainder Term ending November 2008)

(Vote for one candidate in each category)

Council member Residential Area Seat three (3):

(Candidate Names)

At-large Seat six (6):

(Candidate Names)

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COUNCIL RESIDENTIAL AREA SEAT FOUR (4) AND AT LARGE SEAT SIX (6)

(Vote for one candidate in each category)

Council member Residential Area Seat four (4):

(Candidate Names)

At-large Seat six (6):

(Candidate Names)

COUNCIL SEAT SIX (6)

(Vote for one candidate)

Council member for the At-large Seat six (6).