

VILLAGE OF EL PORTAL FLORIDA

RESOLUTION NO.: 2020 - 02

A RESOLUTION OF THE VILLAGE COUNCIL OF EL PORTAL FLORIDA, CALLING A SPECIAL ELECTION AND RUNOFF ELECTION, IF NECESSARY, TO FILL THE VACANCY IN COUNCIL SEAT 3 FOR THE UNEXPIRED TERM; AUTHORIZING THE MIAMI-DADE COUNTY CANVASSING BOARD TO SERVE AS CANVASSING BOARD FOR THE SPECIAL ELECTION; APPROVING AN AGREEMENT WITH THE MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO CONDUCT THE ELECTION AND TO PROVIDE POLL WORKERS; ELECTING NOT TO PROVIDE FOR EARLY VOTING; PROVIDING FOR SERVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 19, 2019, Governor Ron Desantis suspended Councilman Harold Mathis, Jr. from Village Council Seat 3; and

WHEREAS, pursuant to Section 2.05(c)(2) of the Village Charter, a vacancy shall be filled by Special Election no sooner than thirty (30) days or more than ninety (90) days following the vacancy; and

WHEREAS, pursuant to Florida Statute, Section 100.75, the Miami-Dade Supervisor of Elections has informed the Village that the earliest dates the Special Election and Run-Off can be held in the Village is April 7, 2020 and April 21, 2020, respectively; and

WHEREAS, the Village Council has selected April 7, 2020 as the date for the Special Election and April 21, 2020 as the date for the Runoff Election, if necessary; and

WHEREAS, the Village must designate a canvassing board to canvass the results of the Special Election; and

WHEREAS, the Village must enter into an agreement with the Miami-Dade County Supervisor of Elections to conduct the Special Election, which will include providing poll workers.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL FLORIDA:

Section 1. **Recitals.** The above Recitals are true and correct and incorporated herein by reference.

Section 2. The Village hereby calls a Special Election to occur on April 7, 2020 and a Runoff Election to occur on April 21, 2020, if necessary, to fill the vacancy in Seat 3 with the candidate elected to serve the unexpired term of Seat 3.

Section 3. The Village Council hereby establishes the qualifying period for the Special Election as commencing on noon, Friday, February 21, 2020 and ending at noon, Friday, February 28, 2020.

Section 4. The Village Clerk will request that the Miami-Dade County Supervisor of provide the Village with its proposed agreement to provide the Village with poll workers for the Special Election and Run-Off Election, if necessary.

Section 5. The Miami-Dade County Canvassing Board is hereby authorized to act as Canvassing Board for the Village of El Portal for the Special Election on April 7, 2020 and a Runoff Election, if necessary, on April 21, 2020.

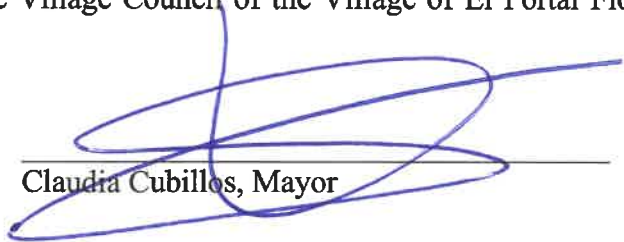
Section 6. The Village hereby elects not to provide for early voting for the Special Election and the Runoff Election, if necessary.

Section 7. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 8. That all resolutions made in conflict with this Resolution are hereby repealed.

Section 9. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Village Council of the Village of El Portal Florida, this 28 day of January 2020.



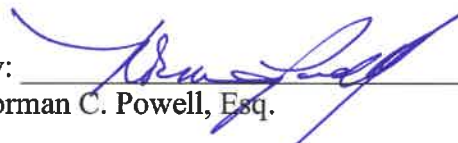
Claudia Cubillos, Mayor

ATTEST: 

Yenise Jacobi, Village Clerk

Approved as to form and legal sufficiency:
Interim Village Attorney

Law Office of Norman C. Powell

By: 

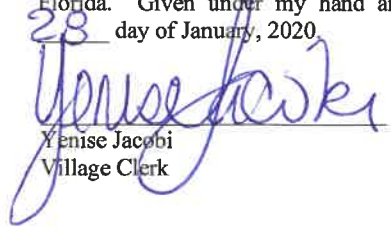
Norman C. Powell, Esq.

Vote: mot: Urbom 2nd: Roman

Councilperson : Urbom (Yes) ___ (No)
Councilperson Roman: (Yes) ___ (No)
Vice Mayor Nickerson.: (Yes) (No) Absent
Mayor Cubillos: (Yes) ___ (No)



I, Yenise Jacobi, Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2020 - 02 adopted on January 28, 2020, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this 28 day of January, 2020.



Yenise Jacobi
Village Clerk