

RESOLUTION NO. R2022-XXX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ACCEPTING AND ADOPTING THE CERTIFICATE OF THE RESULTS OF THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF COMMISSION SEAT 2, COMMISSION SEAT 4, AND COMMISSION SEAT 6, AND THE RUN-OFF ELECTION HELD ON NOVEMBER 22, 2022; PROVIDING FOR AUTHORIZATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach ("City") held a General Municipal Election on Tuesday, November 8, 2022, for the election of Commission Seat 2, Commission Seat 4, and Commission Seat 6; and

WHEREAS, the Official Certificate of the final results of the November 8, 2022, General Municipal Election has been received from the Miami-Dade County Supervisor of Elections, and is attached as **Exhibit "A"** and incorporated herein; and

WHEREAS, a Run-off election was required for Commission Seat 2, pursuant to Section 4.1 of the City's Charter, which provides that a candidate must receive a majority of the total number of ballots cast in the election in order for the candidate to be duly elected to office; and

WHEREAS, the City held a run-off election on November 22, 2022, for Commission Seat 2; and

WHEREAS, the Canvassing Board of the City of North Miami Beach certified the results of the Run-Off election on November 29, 2022; and

WHEREAS, the Official Certificate of the final results of the November 22, 2022, Run-off Election has been received from the Miami-Dade County Supervisor of Elections, and is attached hereto as **Exhibit "B"** and incorporated herein; and

WHEREAS, the Official Certificates for both the General Municipal Election of November 8, 2022, and the Run-off Election of November 22, 2022 reflect the following:

Jay Chernoff was duly elected to Commission Seat 2,
Fortuna Smukler was duly re-elected to Commission Seat 4, and
Phyllis Smith was duly elected to Commission Seat 6.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Commission of the City of North Miami Beach, Florida, that:

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

Section 2. Acceptation and Adoption. That the City of North Miami Beach City Commission finds, accepts and adopts the results of the General Municipal Election held on November 8, 2022, and the Run-off Election held on November 22, 2022, for the City of North Miami Beach pursuant to the Certificate of Miami-Dade County Supervisor of Elections, attached as Exhibits "A" and "B" and incorporated herein.

Section 3. Certification. It is hereby certified and declared that pursuant to the votes cast in the General Municipal Election held on November 8, 2022, and the Run-off Election held on November 22, 2022, that Jay Chernoff was duly elected to Commission Seat 2, Fortuna Smukler was duly re-elected to Commission Seat 4, and Phyllis Smith was duly elected to Commission Seat 6, for the term which shall commence on Thursday, December 1, 2022.

Section 4. Authorization. That the City Clerk is hereby authorized and directed to perform any and all incidental duties in connection herewith as required by law.

Section 5. Effective Date. This resolution shall take effect immediately upon approval.

APPROVED AND ADOPTED by the City of North Miami Beach City Commission at a regular commission meeting assembled this the **20th day of December, 2022.**

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

ANTHONY F. DEFILLIPO
MAYOR

(CITY SEAL)

APPROVED AS TO FORM, LANGUAGE
& FOR EXECUTION:

HANS OTTINOT
CITY ATTORNEY

SPONSORED BY: Mayor and City Commission