

RESOLUTION NO. R-2012-49

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, PROVIDING FOR BI-ANNUAL ELECTIONS OF THE ASSISTANT MAYOR (OR AS OTHERWISE REFERRED TO AS, "VICE-MAYOR") FROM AMONG THE COUNCIL MEMBERS IN ACCORDANCE WITH SECTION 8 OF THE CITY OF NORTH MIAMI CHARTER, IN LIEU OF THE ROTATION SYSTEM CURRENTLY IN PLACE; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the Mayor and City Council of the City of North Miami ("City"), currently rotate the designation of Assistant Mayor every six (6) months, from a list maintained by the Office of the City Clerk; and

WHEREAS, Section 8 of the City Charter provides, in pertinent part, "[T]he council shall elect an assistant mayor who shall act as mayor during the absence or disability of the mayor. The assistant mayor shall be elected from among the councilmen"; and

WHEREAS, since at least May of 1995, the designation of Assistant Mayor has been referred to as "Vice-Mayor" by previous Mayors and City Council members; and

WHEREAS, the word "vice", as used in this context, has the following meaning: in place of; instead of; and as a prefix, it denotes one who takes the place of [*Black's Law Dictionary* 1597 (8th ed. 2007)]; and

WHEREAS, the use of the word "Vice-Mayor", in lieu of Assistant Mayor, is not in conflict with the intent and purpose of Section 8 of the City Charter; and

WHEREAS, in accordance with the spirit and intent of the City Charter, the Mayor and City Council desire to replace the current rotation system used for assigning the Assistant Mayor, with bi-annual elections, every six (6) months, for assigning and designating the Vice-Mayor.

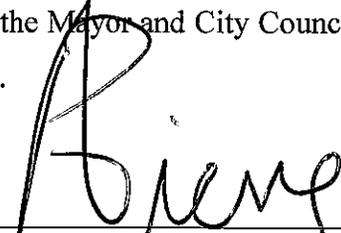
NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Bi-Annual Election of Vice Mayor. The Mayor and City Council of the City of North Miami, Florida, hereby provide for bi-annual elections of the Assistant Mayor (or

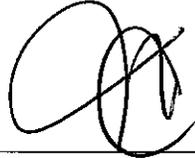
as otherwise referred to as, "Vice-Mayor") from among the Council members in accordance with Section 8 of the City of North Miami Charter, in lieu of the rotation system currently in place.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

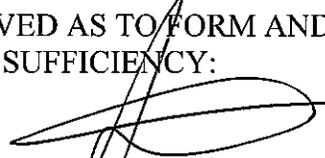
PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 10 day of April, 2012.



ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST: 

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: HONORABLE MAYOR ANDRE D. PIERRE, ESQ.

Moved by: Councilman Galvin

Seconded by: Vice Mayor Marcellus

Vote:

Mayor Andre D. Pierre, Esq.	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Jean R. Marcellus	<u>X</u>	(Yes)	_____	(No)
Councilperson Michael R. Blynn, Esq.	<u>X</u>	(Yes)	_____	(No)
Councilperson Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilperson Marie Erlande Steril	<u>X</u>	(Yes)	_____	(No)