

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
Rafael A. Paz, City Attorney

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber
Members of the City Commission
Alina T. Hudak, City Manager

FROM: Rafael A. Paz, City Attorney 

DATE: July 20, 2022

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING THE SPECIAL ELECTION DATE FOR FILLING OF COMMISSION GROUP II VACANCY IN EVENT CITY COMMISSION CHOOSES TO FILL SAID VACANCY BY ELECTION, BY AUTHORIZING PURSUANT TO FLORIDA STATUTE SECTION 101.75(3) AND CORRESPONDING FLORIDA STATUTES THE MOVE OF SAID SPECIAL ELECTION DATE TO NOVEMBER 8, 2022 WITH A RUN-OFF ELECTION DATE OF DECEMBER 6, 2022, SPECIFYING QUALIFYING DATES (INCLUDING QUALIFYING VIA PETITION), PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The untimely passing of our friend and colleague City Commissioner Mark Samuelian on June 22, 2022 resulted in a vacancy in City Commission Group II (term expiring November 2025).

Pursuant to City Charter Section 2.07, the City Commission must fill the vacancy either by appointing a person to fill the vacant Group II seat or by calling a City-wide election. This Ordinance has been prepared in the event the City Commission chooses to fill the vacancy by election.

Although per Charter Section 2.07, an election to fill a vacancy "... shall be called to be held within 90 days after the expiration of the subject 30-day period [from date vacancy occurs]...", the Miami-Dade County Elections Department has informed the City Clerk that due to unavailability of voting devices of the County's voting system, it is able only to authorize a City Special Election to be held concurrent with the November 8, 2022 General Election, with a Run-Off date of December 6, 2022.

State law permits a municipality via ordinance to move election dates to a date concurrent with any statewide or countywide election notwithstanding any provision in a municipal charter, should the City Commission decide to call an election to fill the

vacancy. See Fla. Stat. §101.75. The attached Ordinance accomplishes the move of election date for the Special Election to fill the Group II vacancy to November 8, 2022, with a December 6, 2022 Run-Off date, and further establishes applicable qualifying dates, should the City Commission decide to fill the vacancy by election.

FISCAL IMPACT STATEMENT

The Office of the City Clerk has received the attached cost estimates from the Miami-Dade County Elections Department to hold an election to fill the Group II vacancy as part of the November 8, 2022 General Election and the City of Miami Beach Special Election.

Amount(s)/Account(s):

\$24,703.83 – General Election to fill vacancy

\$195,175.60 – Runoff Election, if necessary to fill vacancy

\$18,810.00 - Estimate of Legally Mandated Advertisements
for Election to Fill Vacancy

\$238,689.43 - Maximum Estimated Amount

Account: 011-9322-000312-90-400-592-00-00-00

RAP/ag

ESTIMATE

City of Miami Beach - Piggyback Election - November 8, 2022

Rafael E. Granado, City Clerk
City of Miami Beach
1700 Convention Center Dr., #200
Miami Beach, FL 33139

Estimate N°: MB-PB-11082022
Estimate Date: June 24, 2022

Registered Voters:	50,321	Early Voting Days:
Precincts:	29	Early Voting Sites:
Polling Places:	24	
Permanent Absentee Ballots:	14,935	

Personnel	\$	-
<i>Salaries & Fringe Benefits, Overtime, Poll Workers</i>		
Polling Places		-
<i>Security, Polling Place Rentals</i>		
Supplies and Services		-
<i>Election Supplies, Communication Charges, Absentee Ballots Set Up</i>		
Trucks and Vehicles		-
<i>Truck Rentals, GSA Vehicles</i>		
Printing and Advertising		21,638.03
<i>Absentee, Early Voting & Precinct Ballots, Temporary Polling Place Change Notices, Newspaper Ads</i>		
Postage		-
<i>Absentee Ballots Sent and Business Reply, Temporary Polling Place Change Notices, Letters</i>		
Ballot Creation		820.00
<i>In-House & Outside Contractual Services, Translations - Based on one question</i>		
Administrative Overhead		2,245.80
<i>Indirect Costs, Logic & Accuracy, Post-Election Audits</i>		
	*TOTAL	\$ 24,703.83

* Please note these costs are estimates and are subject to change. This estimate does include the cost of ballot printing; however, if your question(s)/race(s) creates an additional ballot page, the cost will be adjusted accordingly.

For more information, you may contact:

Raimundo Delgado
Manager, Budget and Finance
Miami-Dade Elections Department
2700 NW 87 Avenue
Miami, Florida 33172

Office: 305-499-8424 E-mail: raimundo.delgado@miamidade.gov

ESTIMATE

City of Miami Beach Run Off Election Dec. 6, 2022 - 0 EV Days, 0 EV Sites

Rafael E. Granado, City Clerk
City of Miami Beach
1700 Convention Center Dr., #200
Miami Beach, FL 33139

Estimate N°: MB-RO-12062022
Estimate Date: June 24, 2022

Registered Voters:	50,321	Early Voting Days:	0
Precincts:	29	Early Voting Sites:	0
Polling Places:	24		
Permanent Absentee Ballots:	14,935		

Personnel \$ 103,250.57
Salaries & Fringe Benefits, Overtime, Poll Workers

Polling Places 10,050.00
Security, Polling Place Rentals

Supplies and Services 7,228.00
Election Supplies, Communication Charges, Vote by Mail Ballots Set Up

Trucks and Vehicles 22,310.00
Delivery/Pickup of Voting Equipment, ISD Fleet Vehicles Rental

Printing and Advertising 23,776.61
Vote by Mail, Early Voting & Precinct Ballots, Consumables, Temporary Polling Place Change Notices

Postage 10,157.19
Vote by Mail Sent and Business Reply, Temporary Polling Place Change Notices, Letters

Ballot Creation 660.00
In-House & Outside Contractual Services, Translations - Based on one question

Administrative Overhead 17,743.24
Indirect Costs, Logic & Accuracy, Post-Election Audits

***TOTAL** \$ 195,175.60

* Please note these costs are estimates and are subject to change. This estimate does include the cost of ballot printing; however, if your question(s)/race(s) creates an additional ballot page, the cost will be adjusted accordingly.