



# MIAMI BEACH

OFFICE OF THE CITY MANAGER  
NO. LTC # 091-2009

LETTER TO COMMISSION

RECEIVED  
2009 APR -3 AM 11:55  
CITY CLERK'S OFFICE

TO: Mayor Matti H. Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: April 3, 2009

SUBJECT: **NOVEMBER 2009 RUN-OFF ELECTION**

On March 9, 2009, via LTC 066-2009, (see Attachment "A"), a letter from Mr. Lester Sola, Supervisor of Elections, Miami-Dade County Elections Department, was transmitted to the Mayor and City Commission notifying the city clerk that because of the new optical scan voting system, the Elections Department is strongly urging each municipality to conduct the general election and run-off election a minimum of three (3) weeks apart. Pursuant to the City Charter, the Miami Beach run-off period is two (2) weeks.

At the City Commission meeting of March 18, 2009, a referral to the Neighborhood/Community Affairs Committee (NCAC) was approved and Mr. Sola was invited to attend the Committee meeting to answer any questions the Committee may have regarding extending the run-off period. The item is scheduled to be heard at the NCAC meeting of April 15<sup>th</sup>, (see Attachment "B").

The municipalities of Miami Beach, Hialeah and Miami, hold elections on the same election schedule. The city clerk's from these cities have been in communications regarding this matter. On April 2, the Miami-Dade County Elections Department made a presentation to the City of Miami Commission. During testimony to the Miami City Commission, Miami-Dade County Elections representative indicated that "we can make the [November] 17<sup>th</sup> [two week run-off] work".

Robert Parcher, City Clerk, received an email on April 2, from Ms. Tara Smith, Chief Deputy Supervisor of Elections, indicating that "all three run-off election [Miami Beach, Hialeah, and Miami] will now be held on November 17<sup>th</sup> [two (2) week run-off period].

In Mr. Sola's February 11<sup>th</sup> letter, (Attachment "A"), he indicates that the new optical scan voting system "requires much more preparation time" to give the Elections Department time that is required to properly prepare for an election and to give voters the opportunity to take advantage of absentee voting. He also indicates that we share a common goal to ensure that your elections are thorough, complete, and accurate.

With the recent change in direction by MDC Elections there still remains the concerns initially expressed by MDC Elections regarding absentee voting, and ensuring that the elections are thorough, complete and accurate. With this in mind it is recommended that the Neighborhood/Community Affairs Committee get this commitment at their April 15<sup>th</sup> meeting.

  
JMG/REP

Cc: Jose Smith, City Attorney  
Hilda Fernandez, Assistant City Manager  
Tim Hemstreet, Assistant City Manager  
Robert Middaugh, Assistant City Manager

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ATTACHMENT "A"

RECEIVED

2009 MAR -9 PM 4:09

CITY CLERK'S OFFICE



MIAMI BEACH

OFFICE OF THE CITY MANAGER  
NO. LTC # 066-2009

LETTER TO COMMISSION

TO: Mayor Matti H. Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

A handwritten signature in black ink, appearing to be "JMG".

DATE: March 9, 2009

SUBJECT: **NOVEMBER 2009 RUNOFF ELECTION**

On February 11, 2009, Mr. Lester Sola, Supervisor of Elections, Miami-Dade County Elections Department, notified the City Clerk that because of the new optical scan voting system, the Elections Department is strongly urging each municipality to conduct the general election and run-off election a minimum of three (3) weeks apart. Attached for your perusal is a copy of Mr. Sola's letter.

A referral to the Neighborhood/Community Affairs Committee will be placed on the March 18, 2009 Commission Agenda and Mr. Sola will be invited to attend the Committee meeting to answer any questions.

  
JMG/REP

Cc: Jose Smith, City Attorney  
Hilda Fernandez, Assistant City Manager  
Tim Hemstreet, Assistant City Manager  
Robert Middaugh, Assistant City Manager

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RECEIVED

2009 FEB 17 PM 12:32

CITY CLERK'S OFFICE

Elections  
2710 NW 87th Avenue  
Miami, Florida 33172  
T: 305-499-VOTE F: 305-499-8547  
TTY: 305-499-8480

miamidade.gov

February 11, 2009

Robert Parcher  
City of Miami Beach  
1700 Convention Center Dr., Suite 200  
Miami Beach, FL 33139

Dear Mr. Parcher:

With the 2008 election year behind us, the Elections Department is looking to refine our procedures based on the new optical scan voting system. What we have learned this past year is that this system requires much more preparation time than what was previously required. This, in turn, requires that your municipality reevaluate when you hold your run-off elections. In order to give this Department the time that is required to properly prepare for every election and in addition, give your voters the opportunity to take advantage of absentee voting, I strongly urge you to conduct your general and run-off elections a minimum of three weeks apart. As you know, there are many steps involved in preparing for a municipal election. This includes:

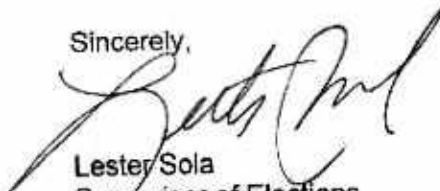
- Updating voter registration records
- Coding, proofing and testing two different voting systems (optical scan and electronic)
- Ordering, printing, processing and mailing absentee ballots
- Giving adequate time to voters to receive and return their absentee ballots
- Hiring and training personnel for early voting sites, if applicable, and for Election Day
- Delivering paper ballots and supplies to early voting sites and polling locations
- Resetting, reprogramming, and retesting all election equipment
- Preparing for the state-mandated Logic and Accuracy Test (L&A) and Post Election Audit

It is a tremendous challenge for this Department to perform all of the procedures stated above in the timeframe that currently exists between your general and runoff elections. The greatest concern is in regards to absentee voting. The short time period between elections may prevent voters from taking advantage of absentee voting and/or being able to successfully return the ballot to our office by the deadline.

I know we share a common goal to ensure that your elections are thorough, complete, and accurate. With this in mind, I hope you take this recommendation into consideration and allow a minimum of three weeks between your general and run-off elections. I would like to remind you that F.S. 100.3605 stipulates that municipalities have the authority to change the date of their elections, a right that many municipalities have exercised in the past.

Should you have any questions or require additional information, please feel free to contact me directly or Tara Smith, Chief Deputy Supervisor of Elections, at 305-499-8509.

Sincerely,

  
Lester Sola  
Supervisor of Elections  
Miami-Dade Elections Department

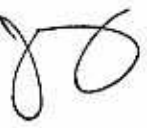


# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager 

DATE: March 18, 2009

SUBJECT: **REFERRAL TO THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE - DISCUSSION REGARDING CONDUCTING THE GENERAL ELECTION AND RUN-OFF ELECTION A MINIMUM OF THREE (3) WEEKS APART.**

### RECOMMENDATION

Refer the item.

### BACKGROUND

Pursuant to the City Charter Section 2.01, "..... A candidate must receive a majority of the votes cast to be deemed elected. If no candidate receives a majority of the votes cast, there will be a runoff election between the two candidates in each group receiving the highest number of votes; should a tie result, the outcome shall be determined by lot. This runoff election shall occur two weeks from the date of general election."

In a special election held on November 4, 2003, 4,057 voters or 66.41% voted in favor of amending City Charter Section 2.01 to change the run-off election date from one (1) week after the general election to two (2) weeks after the general election.

### ANALYSIS

Mr. Lester Sola, Supervisor of Elections, Miami-Dade County Elections Department, is strongly urging each municipality to conduct the general election and run-off election a minimum of three (3) weeks apart. In his February 11, 2009 letter to the City Clerk, see Attachment "A", Mr. Sola explains the reasoning for this change.

He also states in his letter that pursuant to F.S. 100.3605, municipalities have the authority to change the date of their elections.

Following the current election timeframe, the November 2009 general election would be held on Tuesday, November 3<sup>rd</sup> and the run-off election, if one is required, would be held on Tuesday, November 17<sup>th</sup>. Should the additional week be added, allowing for a three (3) week run-off period, the run-off election would be held on Tuesday, November 24<sup>th</sup> which is the week of Thanksgiving, November 26<sup>th</sup>.

Agenda Item     C4D      
Date     3-18-09

**CONCLUSION**

It is requested that this issue be added to the next available Neighborhoods/Community Affairs Committee meeting for discussion and to provide direction. Mr. Sola will be invited to attend the meeting to answer any questions the Committee may have.

JMG/REP  
Attachments (1)

*T:\AGENDA\2009\March 18\Consent\c4 referral extend runoff election.CM.doc*



RECEIVED

2009 FEB 17 PM 12:32

CITY CLERK'S OFFICE

Elections  
 2700 NW 87th Avenue  
 Miami, Florida 33172  
 T 305-499-VOTE F 305-499-8547  
 TTY: 305-499-8480

miamidade.gov

February 11, 2009

Robert Parcher  
 City of Miami Beach  
 1700 Convention Center Dr., Suite 200  
 Miami Beach, FL 33139

Dear Mr. Parcher:

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- Updating voter registration records
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Should you have any questions or require additional information, please feel free to contact me directly or Tara Smith, Chief Deputy Supervisor of Elections, at 305-499-8509.

Sincerely,

Lester Sola  
 Supervisor of Elections  
 Miami-Dade Elections Department