

# MEMORANDUM

Agenda Item No. 11(A)(12)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** June 16, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution directing County Mayor to (1) provide drive-through drop-off locations at all Early Voting sites during early voting and at four geographically dispersed locations on election day to allow voters to securely and timely return vote-by-mail ballots for the 2020 Primary and General Elections as a result of the coronavirus disease 2019 (COVID-19) pandemic and other declared public health states of emergency that affect elections from legally available funding sources; and (2) provide information on implementation as part of required election reports

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson.



Abigail Price-Williams  
County Attorney

APW/uw



**MEMORANDUM**  
(Revised)

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(12)  
6-16-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO (1) PROVIDE DRIVE-THROUGH DROP-OFF LOCATIONS AT ALL EARLY VOTING SITES DURING EARLY VOTING AND AT FOUR GEOGRAPHICALLY DISPERSED LOCATIONS ON ELECTION DAY TO ALLOW VOTERS TO SECURELY AND TIMELY RETURN VOTE-BY-MAIL BALLOTS FOR THE 2020 PRIMARY AND GENERAL ELECTIONS AS A RESULT OF THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC AND OTHER DECLARED PUBLIC HEALTH STATES OF EMERGENCY THAT AFFECT ELECTIONS FROM LEGALLY AVAILABLE FUNDING SOURCES; AND (2) PROVIDE INFORMATION ON IMPLEMENTATION AS PART OF REQUIRED ELECTION REPORTS

**WHEREAS**, the upcoming August 18, 2020 Primary Election and November 3, 2020 General Election are anticipated to generate significantly higher voter turnout; and

**WHEREAS**, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of coronavirus disease 2019 (COVID-19), and subsequently has extended the state of emergency; and

**WHEREAS**, on March 12, 2020, Mayor Carlos A. Gimenez declared a state of emergency for Miami-Dade County as a result of COVID-19, and subsequently which has extended the state of local emergency; and

**WHEREAS**, it is likely that Miami-Dade County voters and all Florida voters will need to maintain some level of social distancing to stop the spread of COVID-19 during the 2020 Primary and General Elections; and

**WHEREAS**, voters in the State of Florida are eligible to vote by mail, or in person either at an early voting location during the early voting period or at a polling place on election day; and

**WHEREAS**, on May 5, 2020, this Board adopted Resolution No. R-421-20 directing the County Mayor or County Mayors designee, among other things, to send every household with at least one voter who does not have a vote-by-mail request on file a vote-by-mail ballot request form, along with detailed instructions on how to request a vote-by-mail ballot and information on the importance and process for updating the voter's signature on file with elections to allow Miami-Dade voters to maximize citizen participation in the electoral process and provide a safe and orderly procedure for persons seeking to exercise their right to vote; and

**WHEREAS**, voters using a vote-by-mail ballot may cast their votes from their own homes without the need to come into proximity with other individuals who may be carrying the COVID-19 infection; and

**WHEREAS**, each voter who uses a vote-by-mail ballot is one less voter that will have to go to an early voting location or polling place, thus reducing the total volume of voters at those locations; and

**WHEREAS**, Florida law permits voters to return their vote-by-mail ballots by mail or at other locations with limited interaction with other individuals; and

**WHEREAS**, providing secure, drive-through drop-off locations for voters to return their voted vote-by-mail ballots will allow voters to securely and timely cast their votes in the 2020 Primary and General Elections while maintaining appropriate social distancing and decreasing any risk of potentially spreading the COVID-19 virus; and

**WHEREAS**, this Board believes that providing secure, drive-through vote-by-mail drop-off locations throughout Miami-Dade County will both encourage more voter participation in the 2020 Primary and General Elections while at the same time providing the appropriate and necessary safeguards to ensure the accuracy of these important elections; and

**WHEREAS**, this Board believes that establishing a policy that in times of declared public health states of emergency that affect elections, providing secure, drive-through vote-by-mail drop-off locations at early voting sites will provide similar benefits to future elections,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Directs the County Mayor or County Mayor's designee to provide drive-through vote-by-mail ballot drop-off locations at all early voting sites in Miami-Dade County to allow voters to securely and timely deliver their vote-by-mail ballots to the Supervisor of Elections for the 2020 Primary and General Elections and during future declared public health states of emergency that affect elections. The vote-by-mail ballot drop-off locations at early voting sites shall be available to voters during the same days and hours of operation as the early voting sites.

**Section 2.** Directs the County Mayor or County Mayor's designee to provide drive-through vote-by-mail ballot drop-off locations on election day at four sites geographically dispersed across the County to allow voters to securely and timely deliver their vote-by-mail ballots to the Supervisor of Elections for the 2020 Primary and General Elections and during future declared public health states of emergency that affect elections. These sites shall be available to voters during the same hours that polls are open on election day and shall be located as follows: the Stephen P. Clark Center, the Miami-Dade Elections Department, and two additional sites located in the northern and southern areas of Miami-Dade County that are determined by the County Mayor or County Mayor's designee to provide convenient access to all Miami-Dade voters.

**Section 3.** Directs the County Mayor or County Mayor's designee to provide all drive-through vote-by-mail drop-off locations shall be staffed by a designee of the Miami-Dade County

Elections Department who shall take possession of all returned vote-by-mail ballots. The designee of the Miami-Dade County Elections Department shall keep such ballots in a secure, sealed container and transport them to the Elections Department at the end of every collection day.

**Section 4.** Directs the County Mayor or County Mayor’s designee to post the schedule and location for all vote-by-mail ballot drop-off locations on the Elections Department’s website at least 45 days before the Primary and General Elections.

**Section 5.** Directs the County Mayor or the County Mayor’s designee to use all legally available funding sources to accomplish the directives set forth herein and to include information regarding the location and schedule of all drive-through vote-by-mail drop-off locations in the Primary and General Elections reports required by section 12-1, Code of Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Chairwoman Audrey M. Edmonson. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- |                                |                      |
|--------------------------------|----------------------|
| Audrey M. Edmonson, Chairwoman |                      |
| Rebeca Sosa, Vice Chairwoman   |                      |
| Esteban L. Bovo, Jr.           | Daniella Levine Cava |
| Jose “Pepe” Diaz               | Sally A. Heyman      |
| Eileen Higgins                 | Barbara J. Jordan    |
| Joe A. Martinez                | Jean Monestime       |
| Dennis C. Moss                 | Sen. Javier D. Souto |
| Xavier L. Suarez               |                      |

The Chairperson thereupon declared this resolution duly passed and adopted this 16<sup>th</sup> day of June, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency



Oren Rosenthal