

## MEMORANDUM

Amended  
Agenda Item No. 11(A)(1)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** September 18, 2012


**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution directing the County  
Mayor to provide pre-paid return  
envelopes for absentee ballots

Resolution No. R-739-12

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr., and Co-Sponsors Vice Chairwoman Audrey M. Edmonson and Commissioner Rebeca Sosa.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/smm



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

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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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor Amended  
Veto \_\_\_\_\_ Agenda Item No. 11(A)(1)  
Override \_\_\_\_\_ 9-18-12

RESOLUTION NO. R-739-12

RESOLUTION DIRECTING THE COUNTY MAYOR OR  
COUNTY MAYOR'S DESIGNEE TO PROVIDE PRE-PAID  
RETURN ENVELOPES FOR ABSENTEE BALLOTS

**WHEREAS**, Miami-Dade County recently has experienced examples of alleged absentee ballot fraud; and

**WHEREAS**, absentee ballot fraud is typically associated with ballot brokers who seek to influence absentee voters by, among other methods, offering to pay the cost of postage for the return of absentee ballots to the Supervisor of Elections; and

**WHEREAS**, providing postage pre-paid return envelopes for absentee ballots will decrease the ability of ballot brokers to illegally influence voters in Miami-Dade County; and

**WHEREAS**, the right to vote is a fundamental right in a democracy and should not be impeded by the payment of any costs such as postage; and

**WHEREAS**, the cost for providing pre-paid return envelopes would not exceed one hundred and seventy thousand dollars (\$170,000.00) in any county-wide election,

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

**Section 1.** It shall be the policy of this Board to provide postage pre-paid return envelopes for all absentee ballots sent out by the Supervisor of Elections. The County Mayor or County Mayor's designee is hereby directed to provide postage pre-paid return envelopes for domestic absentee voters in all county-wide elections in Miami-Dade County commencing with the November 6, 2012 general election.

**Section 2.** In the event that there are insufficient funds in the budget for the Department of Elections, the County Mayor or County Mayor's designee is directed to provide the necessary funding to the Department of Elections for all costs of providing pre-paid return envelopes for domestic absentee ballots through the mid-year budget amendment.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. and the Co-Sponsors are Vice Chairwoman Audrey M. Edmonson and Commissioner Rebeca Sosa. It was offered by Commissioner **Esteban L. Bovo, Jr.**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

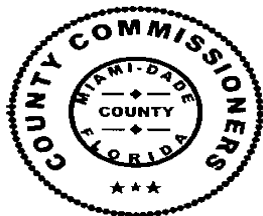
Joe A. Martinez, Chairman		<b>absent</b>	
Audrey M. Edmonson, Vice Chairwoman		<b>aye</b>	
Bruno A. Barreiro	<b>aye</b>	Lynda Bell	<b>absent</b>
Esteban L. Bovo, Jr.	<b>aye</b>	Jose "Pepe" Diaz	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>absent</b>
Rebeca Sosa	<b>aye</b>	Sen. Javier D. Souto	<b>aye</b>
Xavier L. Suarez	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 18<sup>th</sup> day of September, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

Oren Rosenthal