

MEMORANDUM

Agenda Item No. 11(A)(16)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing that the
County Mayor share best
practices developed and used
by the Miami-Dade Elections
Department to provide election
materials in Spanish and other
foreign languages with certain
county Supervisors of Elections

Resolution No. R-462-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

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)(16)
5-4-21

RESOLUTION NO. _____ R-462-21

RESOLUTION DIRECTING THAT THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE SHARE BEST PRACTICES
DEVELOPED AND USED BY THE MIAMI-DADE ELECTIONS
DEPARTMENT TO PROVIDE ELECTION MATERIALS IN
SPANISH AND OTHER FOREIGN LANGUAGES WITH
CERTAIN COUNTY SUPERVISORS OF ELECTIONS

WHEREAS, in August 2018, various parties filed suit against the Florida Secretary of State and the supervisors of elections in 32 Florida counties relating to an alleged failure of these counties to provide ballots, voter registration forms, and other election materials in Spanish; and

WHEREAS, in that case, which is styled as *Rivera Madera v. Barton*, Case No. 1:18-cv-00152-MW-GRJ (N.D. Fla.), the 32 Florida county defendants were: Alachua, Bay, Brevard, Charlotte, Citrus, Clay, Columbia, Duval, Escambia, Flagler, Hernando, Highlands, Indian River, Jackson, Lake, Leon, Levy, Manatee, Marion, Martin, Monroe, Okaloosa, Okeechobee, Pasco, Putnam, St. Johns, St. Lucie, Santa Rosa, Sarasota, Sumter, Taylor, and Wakulla Counties; and

WHEREAS, after the Florida Secretary of State was dismissed from that case in August 2020, a settlement agreement was reached between the plaintiffs and all county defendants, except for Charlotte County, in February 2021; and

WHEREAS, the supervisors of elections that were parties to the settlement agreement agreed to provide various election-related materials, such as ballots, polling place materials, and vote-by-mail request forms, in Spanish; and

WHEREAS, those supervisors of elections have also agreed to provide assistance to Spanish-speaking voters and provide a Spanish-language translation of the supervisor's website; and

WHEREAS, Miami-Dade County is the largest county in the State of Florida with over 2.7 million residents and 1.5 million registered voters; and

WHEREAS, according to the most recent data from the U.S. Census Bureau, approximately 74.3 percent of the County's 2.7 million residents speak a language other than English; and

WHEREAS, in light of Miami-Dade's multicultural and multilingual demographics, it has been the policy of the Miami-Dade County Supervisor of Elections and the Board of County Commissioners to provide all ballots and election-related materials in three languages (English, Spanish, and Haitian Creole) for many years; and

WHEREAS, during those years, the Miami-Dade Elections Department has refined its operations and developed best practices as it relates to providing election-related materials in multiple languages; and

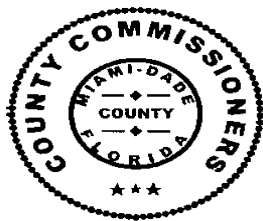
WHEREAS, while not a party to the lawsuit above, this Board believes that it would benefit Spanish-speaking and other-foreign-language-speaking voters across the state for Miami-Dade County to share those best practices developed by Miami-Dade County to providing election-related materials in Spanish and other foreign languages with the counties that were parties to the settlement agreement in *Rivera Madera v. Barton*,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or County Mayor's designee is directed to share the best practices developed and used by the Miami-Dade Elections Department to provide election materials in Spanish and other foreign languages with those county Supervisors of Elections that were parties to a recent settlement in the case of *Rivera Madera v. Barton*, Case No. 1:18-cv-00152-MW-GRJ (N.D. Fla.).

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner **Raquel A. Regalado**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of May, 2021. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MBV

Michael B. Valdes