

Case No. 23-12472

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**United States Court of Appeals  
for the Eleventh Circuit**

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CITY OF MIAMI,

*Defendant/Appellant,*

v.

GRACE, INC.; ENGAGE MIAMI, INC.;  
SOUTH DADE BRANCH OF THE NAACP;  
MIAMI-DADE BRACH OF THE NAACP;  
CLARICE COOPER; YANELIS VALDES;  
JARED JOHNSON; and ALEXANDER  
CONTRERAS,

*Plaintiffs/Appellees.*

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On Appeal from the United States District Court  
for the Southern District of Florida  
Case No. 1:22-cv-24066-KMM

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**APPELLANT'S INITIAL BRIEF**

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**CERTIFICATE OF INTERESTED PERSONS**  
**AND CORPORATE DISCLOSURE STATEMENT**

Appellant, the City of Miami, furnishes this certificate of interested persons and corporate disclosure statement.

1. Abbott, Carolyn, Plaintiff/Appellee's expert
2. ACLU Foundation of Florida, Inc., Counsel for Plaintiffs/Appellees
3. Alford, John, Defendant/Appellant's expert
4. Bardos, Andy, Counsel for Defendant/Appellant
5. Carollo, Joe, Defendant/Appellant
6. City of Miami, Defendant/Appellant
7. Cody, Steven, Defendant/Appellant's expert
8. Contreras, Alexander, Plaintiff/Appellee
9. Cooper, Clarice, Plaintiff/Appellee
10. Covo, Sabina, Defendant/Appellant
11. De Grandy, Miguel, Defendant/Appellant's expert
12. Dechert LLP, Counsel for Plaintiffs/Appellees
13. Diaz de la Portilla, Alex, Defendant/Appellant
14. Donaldson, Carolyn, Corporate Representative for Plaintiff/Appellee
15. Engage Miami, Inc., Plaintiff/Appellee
16. Ford, Harold, Declarant for Plaintiff/Appellee
17. GrayRobinson, P.A., Counsel for Defendant/Appellant

18. Grace, Inc., Plaintiff/Appellee
19. Greco, John A, Counsel for Defendant/Appellant
20. Hannon, Todd, Corporate Representative for Defendant/Appellant
21. Johnson, Christopher N., Counsel for Defendant/Appellant
22. Johnson, Jared, Plaintiff/Appellee
23. Jones, Kevin R., Counsel for Defendant/Appellant
24. King, Christine, Defendant/Appellant
25. Kirsch, Jocelyn Kirsch, Counsel for Plaintiff/Appellee
26. Levesque, George T., Counsel for Defendant/Appellant
27. McCartan, Cory, Plaintiff/Appellee's expert
28. McNamara, Caroline A., Counsel for Plaintiff/Appellee
29. McNulty, Kerri L., Counsel for Defendant/Appellant
30. Méndez, Victoria, Counsel for Defendant/Appellant
31. Merken, Christopher J., Counsel for Plaintiff/Appellee
32. Miami-Dade Branch of the NAACP, Plaintiff/Appellee
33. Moore, K. Michael, United States District Judge, Southern District of Florida
34. Moy, Bryant J., Plaintiff/Appellee's expert
35. Pelham, Rebecca, Corporate Representative for Plaintiff/Appellee
36. Pierre, Daniella, Corporate Representative for Plaintiff/Appellee

37. Quintana, Marlene, Counsel for Defendant/Appellant
38. Reyes, Manolo, Defendant/Appellant
39. Robinson, Nathaniel, Corporate Representative for Plaintiff/Appellee
40. South Dade Branch of the NAACP, Plaintiff/Appellee
41. Spring, Larry, Corporate Representative for Defendant/Appellant
42. Steiner, Neil A., Counsel for Plaintiff/Appellee
43. Suarez, Francis, Defendant/Appellant
44. Tilley, Daniel T., Counsel for Plaintiff/Appellee
45. Unger, Jason L., Counsel for Defendant/Appellant
46. Valdes, Yanelis, Plaintiff/Appellee
47. Warren, Nicholas L.V., Counsel for Plaintiff/Appellee
48. Wysong, George, Counsel for Defendant/Appellant

**CORPORATE DISCLOSURE STATEMENT AND**  
**CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Federal Rule of Appellate Procedure 26.1, Appellant, the City of Miami certifies that it is not publicly traded and has no parent corporation and that no publicly held corporation owns more than 10% of its stock.

**STATEMENT REGARDING ORAL ARGUMENT**

Because the questions presented in this appeal affect the public interest, and because their resolution turns on complex questions of law arising under the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution, the City of Miami respectfully requests oral argument.

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## **JURISDICTIONAL STATEMENT**

Plaintiffs brought the action below under 28 U.S.C. §§ 1331, 1343, 2201, and 2202, and 42 U.S.C. §§ 1983 and 1988, under the Constitution and laws of the United States. DE 23, ¶ 34.<sup>1</sup> Plaintiffs brought a single claim for racial gerrymandering of the City’s 2022 Redistricting Plan. DE 23.

Following a hearing and a Report and Recommendation of the magistrate judge, *see* DE 52, the district court entered a preliminary injunction on May 23, 2023, prohibiting the use of the City’s 2022 Redistricting Plan in elections until final judgment. DE 60. The district court established a schedule which afforded the City until June 30, 2023 to “enact and file an interim remedial plan.” DE 69.

The City enacted a new redistricting plan, effective June 29, 2023, and filed notice on June 30, 2023. DE 77. After consideration of Plaintiffs objections and filings, *see* DE 82 and 83, and Defendant’s response, *see* DE 80, on July 30, 2023, the district court enjoined the City from using the 2023 Plan and imposing Plaintiffs’ Plan 4, pending the entry of final judgment. DE 94.

The City timely filed its notice of appeal that same day on July 30, 2023. *See* Fed. R. App. P. 4(a)(1)(A). Because this appeal seeks review of an interlocutory order granting an injunction, this Court has jurisdiction. *See* 28 U.S.C. § 1292(a)(1).

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<sup>1</sup> References to the district court Docket are to “DE \*.” References to the Eleventh Circuit Court of Appeals docket are to “APP DE \*.”

## **STATEMENT OF THE ISSUES**

The main question presented in this appeal is whether the district court improperly enjoined the use of the City's 2023 Redistricting Plan and imposed a remedial plan. Underlying that decision is (1) whether the district court should have refrained from interfering in upcoming elections processes under *Purcell v. Gonzalez*, 549 U.S. 1 (2006) (per curiam); (2) whether the underlying merits of Plaintiffs' claims are entirely clearcut in their favor; (3) whether Plaintiffs have unduly delayed bringing their claim, (4) and whether Plaintiffs demonstrated imposing their plan was feasible before the election without significant cost, confusion, or hardship, such that injunctive relief should have been denied.

## **STATEMENT OF THE CASE**

With vote by mail for the City's next General Election starting less than two months away on September 23, on July 30, 2023, the district court cast aside a legislatively-crafted electoral map prepared with public input and ordered the City of Miami to adopt a new map drawn by the Plaintiffs in secret.<sup>2</sup> DE 94, p. 50.

This Court stayed the district court's order and remedied the departure from binding precedent, eliminating the core harm to the City and its residents that *Purcell v. Gonzalez*, 549 U.S. 1 (2006) counseled should be avoided. This Court

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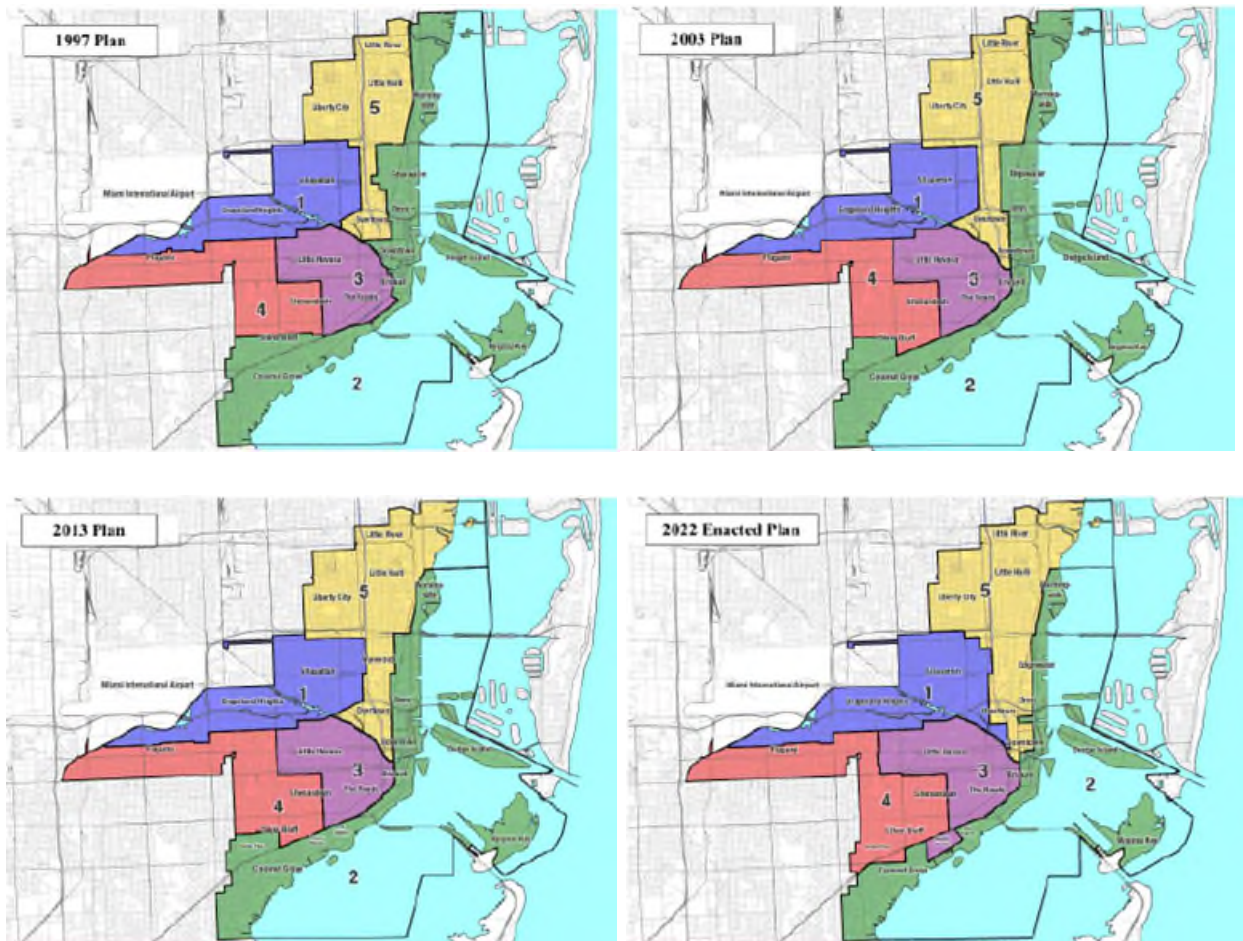
<sup>2</sup> Vote by mail begins 45 days before a general election. § 101.62(3)(a), Fla. Stat. (requiring elections supervisors to send mail ballots to absent uniformed services and overseas voters no later than 45 days before the election). Election day, November 7, 2023, was approximately three months away. See City of Miami Resolution R-23-171.

should decide this matter consistent with its initial decision staying the district court's preliminary injunction.

This case comes to the Court with the pleadings still open, and the constitutionality of the City-drawn maps still yet to be decided, and the district court only having entered a preliminary injunction. There has been no trial on the merits. Importantly, no City of Miami district plan has ever been adjudged to be unconstitutional.

The City first implemented single-member districts in 1997. DE 23 ¶¶ 33-39, 59-64. Prior to that, Commissioners were elected at large. In 1996, when no Black commissioner was elected, a Voting Rights Act lawsuit ensued. DE 24-42; 24-43. Then mayor, now Commissioner Carollo, pushed for single-member districts. DE 24-44. These districts have had substantially the same shape and essentially the same racial demographic make-up since first constituted. DE 24-80 to 83. The shapes of the districts are largely dictated by the municipal borders and are not characterized by irregular shapes and appendages typically associated with a racial gerrymander like those at issue in *Cooper v. Harris*, 581 U.S. 285, 323 (2017) (depicting challenged Districts 1 and 12 in North Carolina's enacted plan).





The United States Census of 2020 (the “2020 Census”) revealed that the City’s districts no longer had substantial equality of population. DE 23, ¶¶ 72-74. Following the 2020 Census, the ideal district size was 88,448. *Id.*, ¶ 72. District 2, the waterfront district, had grown significantly larger than the other four districts and needed to “shed” population to the other four districts. *Id.*, ¶ 75.

The City commenced its redistricting process with its inaugural meeting on November 18, 2021. In that meeting the City provided express directions which were adopted by motion without objection. *See generally* DE 24-11. The City gave directions to maintain the core of existing districts. *Id.*, 24-11, p.17:18-19:2. The City gave directions to draw districts with politically cohesive minorities. *Id.*,

p.19:20-21:15. The City gave directions to draw districts with substantial equality of population, not mathematical equality. *Id.*, p. 21:21-22:4. These directions were memorialized in adopted City of Miami Resolution R-21-485. DE 50-1.

The Commission's instructions to Miguel De Grandy, its map drawing expert, in that official act were to:

- a. Comply with the United States Constitution and the Voting Rights Act;
- b. Maintain the core of existing districts to avoid voter confusion;
- c. Factor in voter cohesion;
- d. Achieve substantial equality of population as opposed to mathematical equality; and
- e. Maintain communities of interest and neighborhoods where feasible.

DE 50-1. Mr. De Grandy testified that these were the directions he followed in drawing the districts.

On March 24, 2022, the City of Miami enacted a new 5-seat commission district map in light of the census that required reapportionment (City of Miami Resolution 22-131, the "2022 Plan"). *Id.*, ¶ 5. Plaintiffs, a combination of individuals and organizations, filed their initial Complaint on December 15, 2022. DE 1. On February 10, 2022, Plaintiffs filed their First Amended Complaint and their Expedited Motion for Preliminary Injunction, eleven months after the City had enacted the 2022 Plan. DE 23. Below, Plaintiffs argued that the 2022 Plan gerrymandered districts, "packing certain districts with as many Hispanic and Black residents as possible," DE 23, ¶ 2, but this is inaccurate. On the contrary, far from racially sorting people, the 2022 Plan maintained districts that were in place for 25 years. DE 24-80 to 83; DE 82-12, p. 16. Plaintiffs ignore the fact that the

City of Miami is 70% Hispanic, and it is impossible to draw a map without at least three super majority Hispanic Districts. DE 82-2. p. 9:3-8. Underscoring this reality is the fact that all four remedial maps proposed by the Plaintiffs also contained super majority Hispanic districts. DE 82-12, p. 16. The 2022 Plan reduced the racial percentage concentration in the Hispanic-majority and the Black-majority districts of Hispanic and Black residents, respectively, all in compliance with legal precedent.<sup>3</sup> DE 24-31, p. 23. Section 2 of the Voting Rights Act requires the City to draw a majority Black District 5, and the 2022 Plan *reduced* the percentage of Black voting age population until it comprised only a bare 50.3% of the District. *Id.* DE 36 pp.4-5. Thus, the City did not pack minorities into District 5: it created an exceptionally narrowly-tailored Black majority-minority VRA district. In every plan proposed by the City and Plaintiffs alike, Hispanics make up the largest portion of population in every other district other than District 5. DE 82-12, p. 14-16. That such districts occur simply reflects the reality of drawing districts when the remaining portion of the City is 75% Hispanic. *Id.*

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<sup>3</sup> District 4 started with a Hispanic voting age population (“HVAP”) of 91.6 % and a Hispanic Citizen voting age population (“HCVAP”) of 90.1% (DE 23 ¶ 76), and ended with a HVAP of 89.5 % and a HCVAP of 88.2% (*Id.* ¶ 340). District 3 started with a HVAP of 88.5% and a HCVAP of 86.81% (*Id.*, ¶ 76), and ended with a HVAP of 88.3 % and a HCVAP of 86.9% (*Id.* ¶ 326). District 1 in the enacted redistricting plan has a HVAP of 89.5% and a HCVAP 84.8%. (*Id.* ¶ 289). This too is less than before redistricting, when the percentages were 91% and 86.8%. *See Id.* ¶ 76.

Notwithstanding this undisputed data, the district court adopted a Report and Recommendation (“R&R”) and preliminarily enjoined the City’s 2022 Plan. DE 52 and 60. Critically, the R&R did not find either packing of minorities or ethnicities, or dilution of any group’s influence. DE 52, p.8. It merely found that Plaintiffs had a likelihood of prevailing on their claim that the 2022 Plan unconstitutionally racially gerrymandered the City to preserve “three Hispanic districts, one Black district, and one Anglo district,” and it took issue with certain minor, statistically insignificant changes to the district borders. DE 60, p.16. The R&R focused heavily on commissioners’ public discussions of race in a vacuum, failing to consider the reality of the City’s demographics. DE 52, p. 12-40. The R&R also recognized that the *Purcell* principle<sup>4</sup> may be applicable based on the proximity of the November election but nevertheless recommended a preliminary injunction based upon a finding of racial sorting. DE 52, p.99. Notably at that stage, Plaintiffs never presented a plan or argued the district map could be drawn any differently.

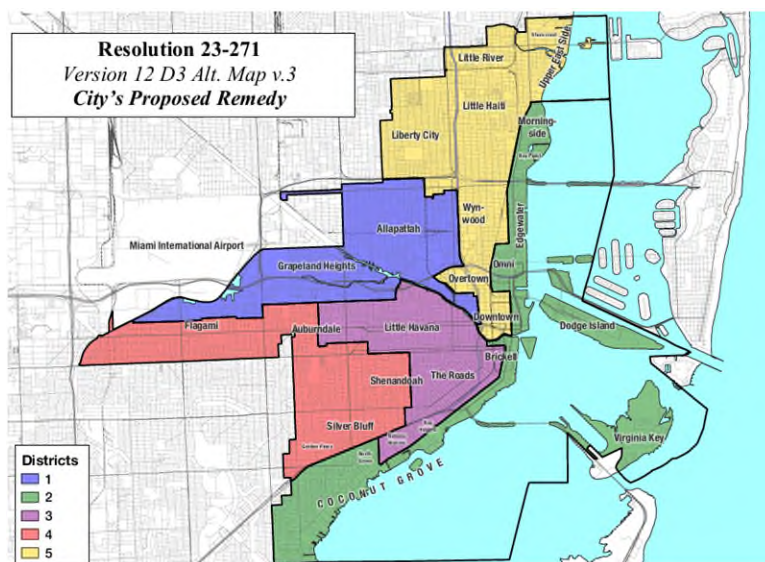
Though the district court enjoined the City’s 2022 Plan on May 23, 2023, it did not implement an alternative plan, but instead ordered the City to submit an interim remedial plan. The City repeatedly urged that there would not be enough time to implement a plan before the November 2023 election without implicating the *Purcell* principle, DE 55, pp.21-22; DE 59, pp.5-6, but the district court

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<sup>4</sup> “[F]ederal district courts ordinarily should not enjoin state election laws in the period close to an election.” *Purcell v. Gonzalez*, 549 U.S. 1 (2006).

rejected that argument. DE 60.

The City initially appealed the preliminary injunction. DE 63. But on June 14, 2023, before any briefing on appeal, the City passed City of Miami Resolution R-23-271 (“2023 Plan”) and filed the new redistricting plan with the Court. DE 77. This rendered the City’s appeal moot<sup>5</sup> because the 2023 Plan was not intended as an interim remedial plan, but fully replaced the 2022 Plan.<sup>6</sup> *Id.*



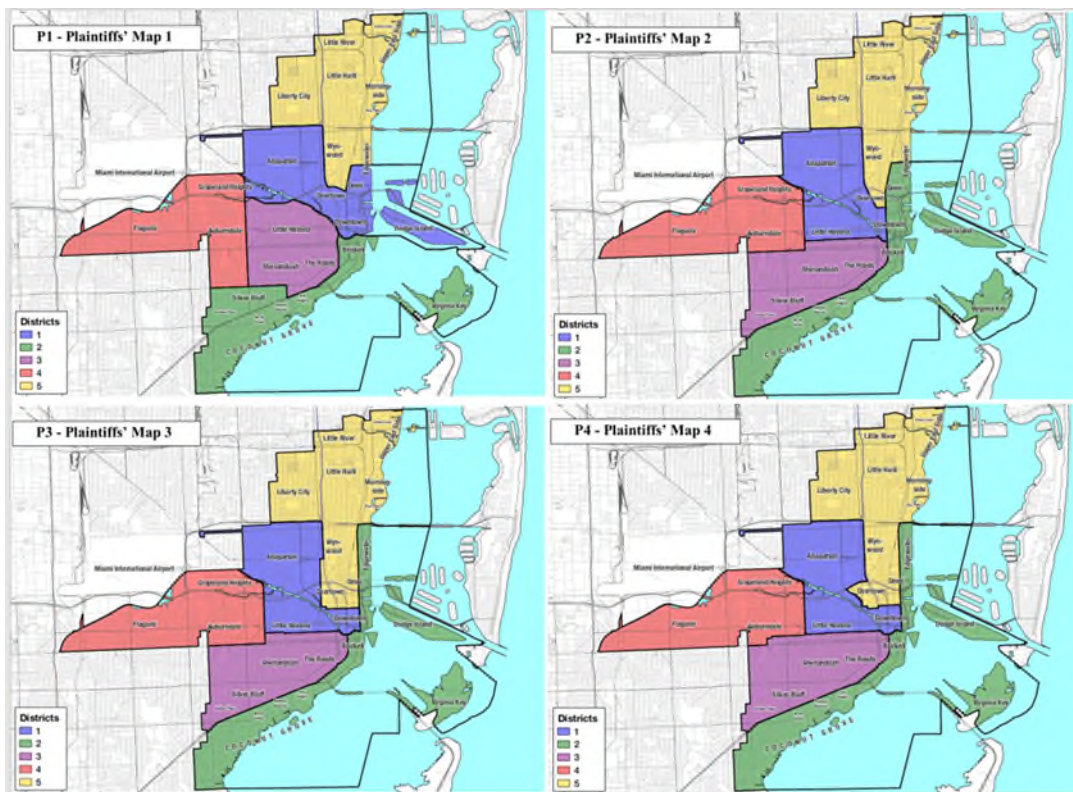
In lieu of an interim remedial plan, the 2023 Plan was an entirely new plan to address the district court’s concerns and minimize disruption in the districts by maintaining the core of existing districts. Proposals, including proposals from Plaintiffs, were discussed at a publicly-noticed commission meeting before the 2023 Plan’s passage. One of the proposals was revised and adopted on June 14,

<sup>5</sup> The City dismissed its appeal of the order enjoining the 2022 Plan. *See* DE 88.

<sup>6</sup> The preliminary injunction did not restrict the City’s lawmaking power, and at the time this appeal was filed, Plaintiffs had not amended their pleadings to assert new claims or allege any infirmities with respect to the 2023 Plan.

2023, subject to the ten-day veto period and the City’s mandatory review processes, and was certified by the Clerk on June 29, 2023. DE 77, pp.7-8. The plan was filed with the district court the next day. DE 77. While Plaintiffs claim it is “inexplicable” that the City did not file the 2023 Plan earlier, this ignores the foregoing legislative process, of which they are well aware. Notably, the Plaintiffs urged the Mayor to veto the 2023 Plan during this legislative process. DE 82-10.

Plaintiffs objected to the 2023 Plan on Friday, July 7, 2023, attaching four alternative plans including, for the first time, their proposed Map 4<sup>7</sup> that, as this Court would later observe, looked “a lot like the City’s March 2022 redistricting plan the district court enjoined.” APP DE 25, p.5; DE 83.



<sup>7</sup> Plan 4 was not publicly released until July 7, 2023 when it was filed with the court, almost three weeks after the City had adopted its plan.

All five plans have a coastal District 2 that is a plurality district with no racial majority.<sup>8</sup> *Compare* DE 82-24 to 82-34–82-37. Plaintiffs’ Maps 2, 3, and 4 have a greater White Voting Aged Population (WVAP) in District 2 than the 2023 Plan. *Compare* DE 82-12 p.15 to 16. All the plans have a VRA-protected Black District 5. DE 82-12. Plaintiffs previously accused the City of “packing” Black voters into District 5 by looking at Black Citizen Voting Age Population (BCVAP), but Plaintiffs and the City both seem to agree on the size of that District. *Compare* DE 82-12 p.15 to 16. Plaintiffs’ Plan 3’s BCVAP was 56.5% and Plan 4’s BCVAP is 55.8% compared to the 2023 Plan’s 57.4%. *Compare* DE 82-12 p.15 to 16. The City’s consultant had explained how the districts were drawn and that Plaintiffs were attempting to redraw the City for political purposes, not to address race. DE 82-2 p. 8:3-16:13. Plaintiffs packed the most conservative voters in the western part of the City in the Flagami area, making it a 95% Hispanic district, and removed those voters from District 1 by pushing it further East, with the obvious intent of making it a more liberal seat on the Commission. *Id.* 9:9-10:22. The City promptly responded to Plaintiffs’ Objections on July 12,

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<sup>8</sup> “Anglo” district is a misnomer; District 2 has no racial majority. Plaintiffs said they did not “designate” an Anglo access district (DE 82-2 p.6), but they created one in each plan, preserving the Whitest community in Miami, Coconut Grove, inviolate. They claimed not to “pack Hispanics” into three districts, but they did just that. DE 82-12 p.16.

























































































































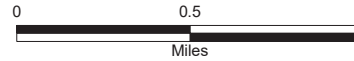




# Miami Commission Districts Adopted June 14, 2023



## Legend

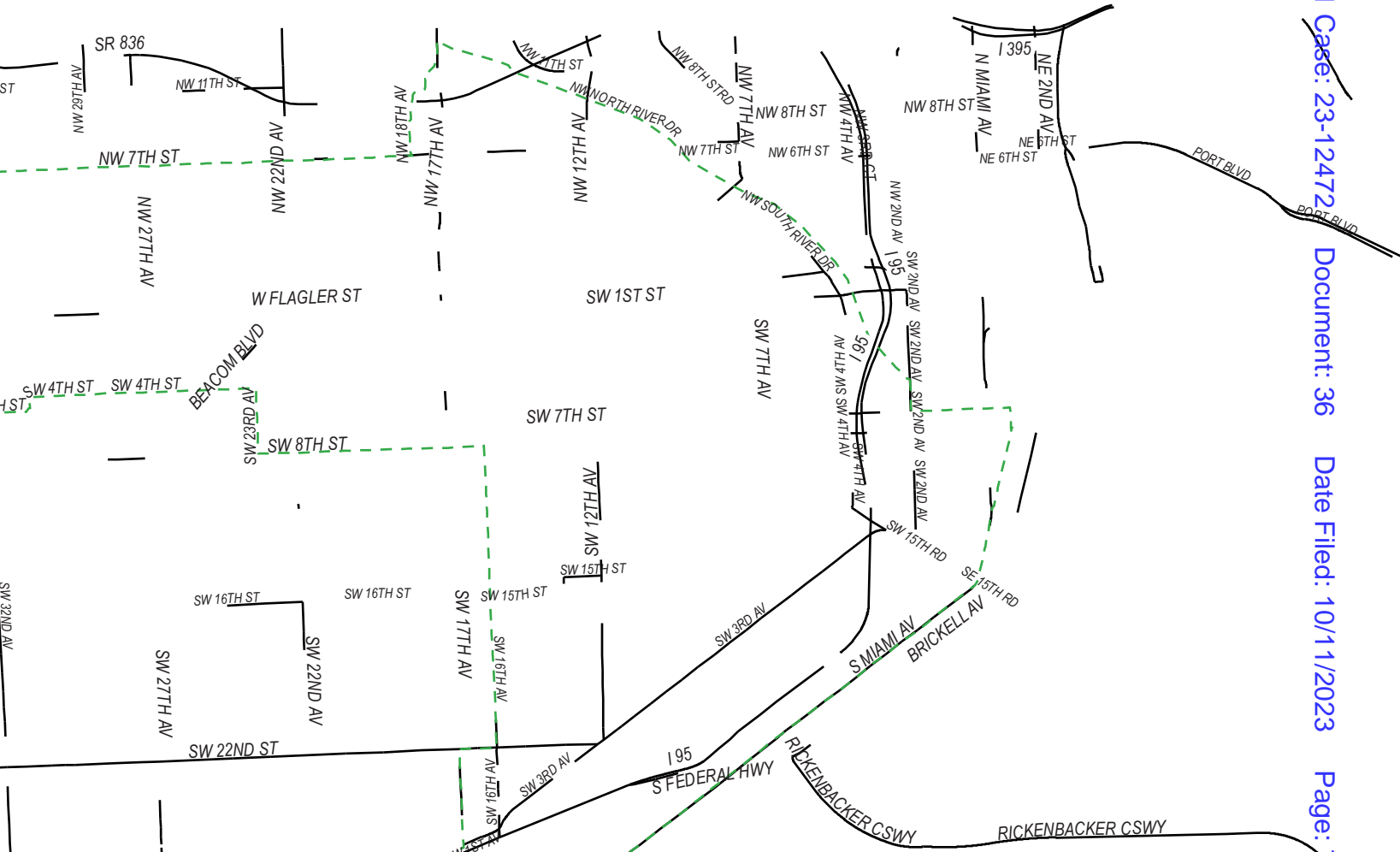


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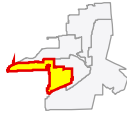


# City of Miami Commission Districts Adopted June 14, 2023

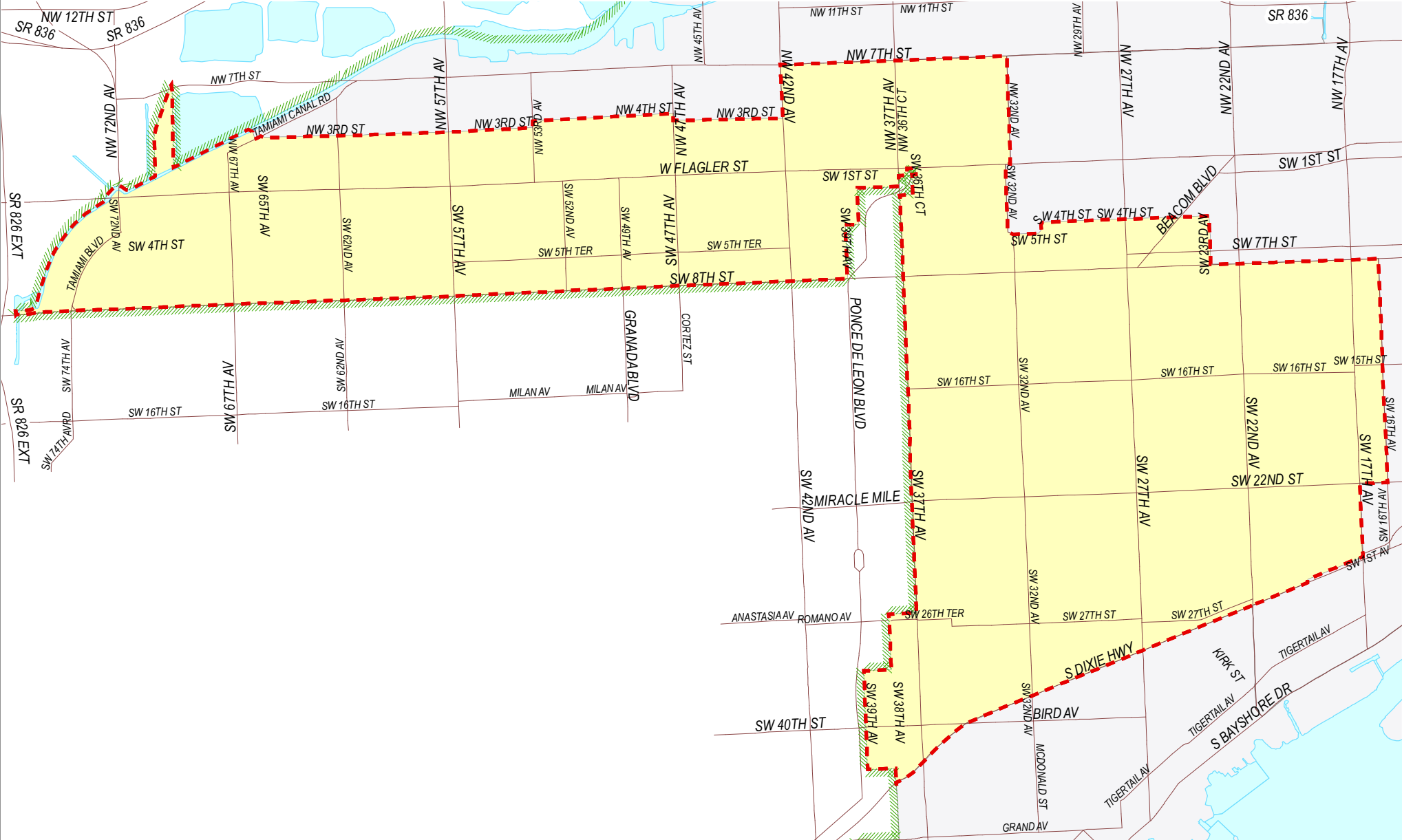
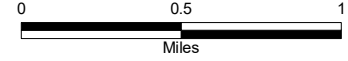
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Commission District: **4**

**4**



## Legend



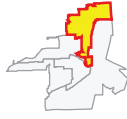




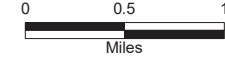
# City of Miami Commission Districts Adopted June 14, 2023

Commission District:

**5**



## Legend



**City of Miami**  
**Resolution R-23-0171**

**City of Miami****Resolution R-23-0171**

City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com

**Legislation****File Number: 13692****Final Action Date: 4/13/2023**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PROVIDING FOR A GENERAL MUNICIPAL ELECTION ON NOVEMBER 7, 2023, FOR THE PURPOSE OF ELECTING THREE COMMISSIONERS; FURTHER PROVIDING FOR A RUN-OFF ELECTION, IF REQUIRED, ON NOVEMBER 21, 2023; PROVIDING FOR THE REGISTRATION OF PERSONS QUALIFIED TO VOTE IN BOTH ELECTIONS; DESCRIBING PERSONS QUALIFIED TO VOTE IN BOTH ELECTIONS; DESCRIBING THE REGISTRATION BOOKS AND RECORDS MAINTAINED UNDER THE PROVISIONS OF THE GENERAL LAWS OF FLORIDA AND CHAPTER 16 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, WHICH THE CITY OF MIAMI HAS ADOPTED FOR USE IN GENERAL MUNICIPAL AND RUN-OFF ELECTIONS; DESIGNATING AND APPOINTING THE CITY CLERK AS THE OFFICIAL REPRESENTATIVE OF THE CITY COMMISSION WITH RESPECT TO THE USE OF SUCH REGISTRATION BOOKS AND RECORDS; DIRECTING THE CITY CLERK TO GIVE NOTICE BY PUBLICATION OF THE ADOPTION OF THIS RESOLUTION AND THE PROVISIONS HEREOF; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, Section 7 of the Charter of the City of Miami, Florida ("City Charter") provides:

A general municipal election for the mayor and city commissioners shall be held on the first Tuesday after the first Monday in November in odd-numbered years. A runoff election for the mayor and city commissioners shall be held on the third Tuesday after the first Monday in November in odd-numbered years; and

WHEREAS, pursuant to Section 7 of the City Charter, the 2023 General Municipal Election is mandated to be scheduled on November 7, 2023, and the Run-Off Election is mandated to be scheduled two (2) weeks afterward on November 21, 2023;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. Pursuant to Section 7 of the City Charter and the Florida Election Code, the City Commission directs a general municipal election in the City of Miami, Florida ("City") at the polling places designated in Exhibit No. 1, attached and incorporated, on Tuesday, November 7, 2023, from 7:00 A.M. until 7:00 P.M., to elect the following officers of the City: three District Commissioners who are to be elected from Districts 1, 2, and 4.

Section 3. A run-off election, if required, is directed to be held in the City at the polling places designated in Exhibit No. 1, attached and incorporated, on Tuesday, November 21, 2023, from 7:00 A.M. until 7:00 P.M.

Section 4. The candidate qualifying period for the November 2023 General Municipal Election will be scheduled from Friday, September 8, 2023, until Saturday, September 23, 2023, at 6:00 P.M.

Section 5. The precinct clerks and inspectors to serve at said polling places on said dates shall be designated by the Supervisor of Elections of Miami-Dade County ("Supervisor") for such purposes in accordance with the general laws of the State of Florida ("State").

Section 6. Persons who are qualified to vote in said elections and who have not registered under the provisions of the Florida Election Code and Chapter 16 of the Code of the City of Miami, Florida, as amended, or who have transferred their legal residence from one voting precinct to another voting precinct in the City may register at such branch offices as may be approved by the Supervisor and at the Supervisor's office which will be open at the following location and during the following times:

MIAMI-DADE COUNTY ELECTIONS DEPARTMENT  
2700 Northwest 87th Avenue, Miami, Florida  
Monday to Friday, 8:00 A.M. - 5:00 P.M.

In addition to the above, said qualified persons may also register at branch offices and may also use any means as provided by general laws of the State for the purpose of registration in order to vote in the herein described elections during such times and on such dates as may be designated by the Supervisor.

Section 7. The elections shall be held at the polling places in the precincts designated on Exhibit No. 1, attached and incorporated, or as may be designated by the Supervisor in conformity with the provisions of the Florida Election Code. A description of the registration books and records which pertain to election precincts wholly or partly within the City and which the City is adopting and desires to use for holding such elections is all voter information cards, registration books, records, and certificates pertaining to electors of the City and established and maintained as official by the Supervisor in conformity with the provisions of the Florida Election Code, are hereby adopted and declared to be and shall hereafter be recognized and accepted as official voter information cards, registration books, records, and certificates of the City.

Section 8. The ballots to be used in said elections shall be so prepared that the names of the qualified candidates will appear on said ballots in alphabetical order according to surname for each election contest; provided, however, that the ballots and their preparation shall comply with the general election laws of the State. Vote-by-Mail ballots may be used by qualified electors of the City for voting. The form of such ballot shall be in accordance with the requirements prescribed by the general election laws of the State.

Section 9. (a) In compliance with the Florida Election Code, the City Clerk is authorized and directed to publish notice of this Resolution and of the provisions hereof at least twice during the thirty (30) days prior to the beginning of qualifying in a newspaper of general circulation in the City which notice shall be substantially as set forth in the following form:

NOTICE OF GENERAL MUNICIPAL ELECTION  
IN THE CITY OF MIAMI, FLORIDA  
TO BE HELD ON TUESDAY, NOVEMBER 7, 2023  
PURSUANT TO RESOLUTION NO. R-23-XXXX  
FOR THE PURPOSE OF ELECTING THE OFFICES OF  
THREE CITY COMMISSIONERS WHO ARE TO BE ELECTED FROM SINGLE MEMBER  
DISTRICTS 1, 2, AND 4

A general municipal election will be held on Tuesday, November 7, 2023, from 7:00 A.M. until 7:00 P.M. in the City of Miami, Florida, at the polling places in the several election precincts designated by the Miami-Dade County Supervisor of Elections, at which election the qualified electors participating therein will vote for the following municipal officers: three District Commissioners who are to be elected from single member Districts 1, 2, and 4. A run-off election, if required, is to be held on Tuesday, November 21, 2023.

(b) The precinct clerks and inspectors to serve at said polling places on said dates shall be those designated by the Supervisor for such purpose in accordance with the general laws of the State. The registration books and records for the registration of persons qualified to vote in said elections shall be those maintained by the Supervisor.

(c) The official ballot shall be in substantially the following form:

**Official Ballot  
General Municipal Election  
November 7, 2023  
Miami, Florida**

**District Wide**

**Commissioner – District 1**

(Vote for 1)

Names of Candidates (Position Number)

**District Wide**

**Commissioner – District 2**

(Vote for 1)

Names of Candidates (Position Number)

**District Wide**

**Commissioner – District 4**

(Vote for 1)

Names of Candidates (Position Number)

(d) In the event a run-off election is required to be held on Tuesday, November 21, 2023, the official ballot to be used at such run-off election shall be in substantially the same form as above except that the heading of the ballot shall be in substantially the following form:

**Official Ballot  
Run-Off Election  
November 21, 2023  
Miami, Florida**

(e) A run-off election will be held on Tuesday, November 21, 2023, from 7:00 A.M. until 7:00 P.M. in the City at the polling places set forth herein. The precinct clerks and inspectors at said general municipal election shall be those designated by the Supervisor for such purpose. The registration books and records for the registration of persons qualified to vote in said general municipal election shall be those maintained by the Supervisor.

Section 10. Todd B. Hannon, the City Clerk of the City, or his duly appointed successor, is designated and appointed as the official representative of the City Commission in all transactions with the Supervisor in relation to matters pertaining to the use of the registration books for the holding of the herein general municipal election and the herein run-off election.

Section 11. The City Clerk shall cause to be prepared Vote-by-Mail ballots for the use of electors who are unable or unwilling to go to the polls to vote and entitled to cast such ballots in said elections.

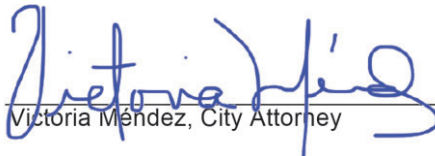
Section 12. All qualified electors of the City shall be permitted to vote in said general municipal election and the Supervisor is requested, authorized, and directed to furnish, at the cost and expense of the City, a list of all qualified electors residing in the City as shown by the registration books and records of the Supervisor and duly certify the same for delivery to and for use by the election officials designated to serve at the respective polling places in said election precincts.

Section 13. The City Clerk is directed, upon the adoption of this Resolution, to transmit a certified copy of this Resolution to the Supervisor.

Section 14. If any section, part of a section, paragraph, clause, phrase, or word of this Resolution is declared invalid, the remaining provisions of this Resolution shall not be affected.

Section 15. This Resolution shall become effective immediately upon its adoption.<sup>1</sup>

APPROVED AS TO FORM AND CORRECTNESS:

  
Victoria Méndez, City Attorney 3/30/2023

<sup>1</sup> This is an administrative act that is not subject to Mayoral veto.

**EXHIBIT NO. 1****Christina White**

Supervisor of Elections

**Precinct List****FOR SELECTED DISTRICT**

Florida Statute 101.71: A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

**DISTRICT: Miami Dist 1**

<u>Prec/PP</u>	<u>Place Name</u>	<u>Office Location</u>	<u>CITY</u>	<u>ZIP</u>
285.1	Melrose Elementary School	3050 NW 35 St	Miami	33142
509.0	The Universal Church of The Kingdom of God	3501 W Flagler St	Miami	33135
509.1	The Universal Church of The Kingdom of God	3501 W Flagler St	Miami	33135
512.1	St. Paul Institutional AME Church	1892 NW 51 Ter	Miami	33142
522.1	Moore Park	765 NW 36 St	Miami	33127
523.0	Ebenezer United Methodist Church	2001 NW 35 St	Miami	33142
526.0	Curtis Park Community House	1901 NW 24 Ave	Miami	33125
526.1	Curtis Park Community House	1901 NW 24 Ave	Miami	33125
527.0	Juan P. Duarte Park	1776 NW 28 St	Miami	33142
528.0	Allapattah Branch Library	1799 NW 35 St	Miami	33142
528.1	Allapattah Branch Library	1799 NW 35 St	Miami	33142
529.0	Jose De Diego Middle School	3100 NW 5 Ave	Miami	33127
530.0	Comstock Elementary School	2420 NW 18 Ave	Miami	33142
531.0	Claude Pepper Community Center II	750 NW 18 Ter	Miami	33136
540.0	Comstock Elementary School	2420 NW 18 Ave	Miami	33142
545.0	Miami Police Benevolent Association	2300 NW 14 St	Miami	33125
545.1	Miami Police Benevolent Association	2300 NW 14 St	Miami	33125
549.0	Kensington Park Elementary School	711 NW 30 Ave	Miami	33125
549.1	Kensington Park Elementary School	711 NW 30 Ave	Miami	33125
550.0	Miami Fire Fighter Benevolent Association	2980 NW S River Dr	Miami	33125
550.1	Miami Fire Fighter Benevolent Association	2980 NW S River Dr	Miami	33125
551.0	Grapeland Park	1550 NW 37 Ave	Miami	33125
551.1	Grapeland Park	1550 NW 37 Ave	Miami	33125
556.0	Residential Plaza	5617 NW 7 St	Miami	33126
556.1	Residential Plaza	5617 NW 7 St	Miami	33126
588.0	Allapattah Branch Library	1799 NW 35 St	Miami	33142
588.1	Allapattah Branch Library	1799 NW 35 St	Miami	33142
588.2	Allapattah Branch Library	1799 NW 35 St	Miami	33142
589.0	Allapattah Branch Library	1799 NW 35 St	Miami	33142
589.1	Allapattah Branch Library	1799 NW 35 St	Miami	33142
589.2	Allapattah Branch Library	1799 NW 35 St	Miami	33142
591.0	Malcolm Ross Senior Center	2800 NW 18 Ave	Miami	33142

### Precinct List

#### FOR SELECTED DISTRICT

Florida Statute 101.71: A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

**DISTRICT: Miami Dist 1**

592.0	Curtis Park Community House	1901 NW 24 Ave	Miami	33125
594.0	Juan P. Duarte Park	1776 NW 28 St	Miami	33142
595.0	Juan P. Duarte Park	1776 NW 28 St	Miami	33142
595.1	Juan P. Duarte Park	1776 NW 28 St	Miami	33142
597.0	Moore Park	765 NW 36 St	Miami	33127
598.0	Moore Park	765 NW 36 St	Miami	33127
656.0	Jack Orr Senior Center	550 NW 5 St	Miami	33128
656.1	Jack Orr Senior Center	550 NW 5 St	Miami	33128
974.0	Charlie DeLucca Park (Kinloch Park)	455 NW 47 Ave	Miami	33126
975.0	Claude Pepper Community Center II	750 NW 18 Ter	Miami	33136
980.0	Comstock Elementary School	2420 NW 18 Ave	Miami	33142
980.1	Comstock Elementary School	2420 NW 18 Ave	Miami	33142
981.0	Allapattah Neighborhood Service Center	1897 NW 20 St	Miami	33142
985.0	Jack Orr Senior Center	550 NW 5 St	Miami	33128
987.0	Curtis Park Community House	1901 NW 24 Ave	Miami	33125
989.0	H U D	1407 NW 7 St	Miami	33125
990.0	H U D	1407 NW 7 St	Miami	33125
991.0	Iglesia Bautista Misionera Renovacion	50 NW 51 Pl	Miami	33126
992.0	Iglesia Bautista Misionera Renovacion	50 NW 51 Pl	Miami	33126

**Total Number of Precincts**

**51**



**Precinct List**  
**FOR SELECTED DISTRICT**

Florida Statute 101.71: A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

**DISTRICT: Miami Dist 2**

<u>Prec/PP</u>	<u>Place Name</u>	<u>Office Location</u>	<u>CITY</u>	<u>ZIP</u>
516.0	Morningside Park	750 NE 55 Ter	Miami	33137
516.1	Morningside Park	750 NE 55 Ter	Miami	33137
532.0	Christ Episcopal Church	3481 Hibiscus St	Miami	33133
534.1	Miami Fire Station #2	1901 N Miami Ave	Miami	33136
534.2	Miami Fire Station #2	1901 N Miami Ave	Miami	33136
534.3	Miami Fire Station #2	1901 N Miami Ave	Miami	33136
534.5	Miami Fire Station #2	1901 N Miami Ave	Miami	33136
534.7	Miami Fire Station #2	1901 N Miami Ave	Miami	33136
536.1	Phillis Wheatley Elementary School	1801 NW 1 PI	Miami	33136
538.0	Temple Israel of Greater Miami	137 NE 19 St	Miami	33132
538.1	Temple Israel of Greater Miami	137 NE 19 St	Miami	33132
538.4	Temple Israel of Greater Miami	137 NE 19 St	Miami	33132
538.5	Temple Israel of Greater Miami	137 NE 19 St	Miami	33132
538.6	Temple Israel of Greater Miami	137 NE 19 St	Miami	33132
541.0	First Presbyterian Church	609 Brickell Ave	Miami	33131
544.0	Trinity Cathedral Hall	464 NE 16 St	Miami	33132
546.0	Miami City Hall	3500 Pan American Dr	Miami	33133
568.0	Simpson Park Recreation Building	55 SW 17 Rd	Miami	33129
569.0	Simpson Park Recreation Building	55 SW 17 Rd	Miami	33129
582.0	Vizcaya Village Garage - Historic Garage	3250 S Miami Ave	Miami	33129
582.2	Vizcaya Village Garage - Historic Garage	3250 S Miami Ave	Miami	33129
582.3	Vizcaya Village Garage - Historic Garage	3250 S Miami Ave	Miami	33129
582.4	Vizcaya Village Garage - Historic Garage	3250 S Miami Ave	Miami	33129
583.0	Miami Fire Station #8	2975 Oak Ave	Miami	33133
584.0	Elizabeth Virrick Park	3255 Plaza St	Miami	33133
585.0	Elizabeth Virrick Park	3255 Plaza St	Miami	33133
586.0	Miami-Dade Water & Sewer Authority	3575 S Le Jeune Rd	Miami	33133
587.0	Plymouth Congregational Church	3400 Devon Rd	Miami	33133
624.0	Knights of Columbus Miami Council 1726	3601 S Miami Ave	Miami	33133
658.0	Trinity Cathedral Hall	464 NE 16 St	Miami	33132
659.0	Trinity Cathedral Hall	464 NE 16 St	Miami	33132
659.1	Trinity Cathedral Hall	464 NE 16 St	Miami	33132

**Precinct List**  
**FOR SELECTED DISTRICT**

Florida Statute 101.71: A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

**DISTRICT: Miami Dist 2**

668.0	Simpson Park Recreation Building	55 SW 17 Rd	Miami	33129
982.0	Alfred I. DuPont Building	169 E Flagler St	Miami	33131
983.0	Alfred I. DuPont Building	169 E Flagler	Miami	33131
984.0	Alfred I. DuPont Building	169 E Flagler St	Miami	33131
984.1	Alfred I. DuPont Building	169 E Flagler St	Miami	33131
993.0	Vizcaya Village Garage - Historic Garage	3250 S Miami Ave	Miami	33129
993.1	Vizcaya Village Garage - Historic Garage	3250 S Miami Ave	Miami	33129
995.0	Knights of Columbus Miami Council 1726	3601 S Miami Ave	Miami	33133
996.0	Vizcaya Village Garage - Historic Garage	3250 S Miami Ave	Miami	33129
999.0	Morningside Park	750 NE 55 Ter	Miami	33137
999.2	Morningside Park	750 NE 55 Ter	Miami	33137
999.3	Morningside Park	750 NE 55 Ter	Miami	33137

**Total Number of Precincts**

**44**

**Christina White**

**Precinct List  
 FOR SELECTED DISTRICT**

Florida Statute 101.71: A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

**DISTRICT: Miami Dist 4**

<u>Prec/PP</u>	<u>Place Name</u>	<u>Office Location</u>	<u>CITY</u>	<u>ZIP</u>
465.0	West End Park Community House	6030 SW 2nd St	Miami	33144
510.0	The Universal Church of The Kingdom of God	3501 W Flagler St	Miami	33135
548.1	Miami-Dade County Auditorium	2901 W Flagler St	Miami	33135
552.0	Armando Badia Senior Center	25 Tamiami Blvd	Miami	33144
553.0	Robert King High Community House	7025 W Flagler St	Miami	33144
554.0	Iglesia Bautista Misionera Renovacion	50 NW 51 Pl	Miami	33126
557.0	Sunlight Miami	4585 W Flagler St	Miami	33134
558.0	Charlie DeLucca Park (Kinloch Park)	455 NW 47 Ave	Miami	33126
559.0	Ebenezer Freewill Baptist Church	4111 SW 4 St	Miami	33134
560.0	Kinloch Park Middle School	4340 NW 3 St	Miami	33126
561.0	Iglesia Bautista Resurreccion	2323 SW 27 Ave	Miami	33145
561.1	Iglesia Bautista Resurreccion	2323 SW 27 Ave	Miami	33145
572.0	Shenandoah Elementary School	1023 SW 21 Ave	Miami	33135
573.0	Rene Janero Recreation Center	1800 SW 21 Ave	Miami	33145
574.0	Rene Janero Recreation Center	1800 SW 21 Ave	Miami	33145
575.0	Central Christian Church of Dade County	222 Menores Ave	Coral Gables	33134
576.0	Coral Gate Park Community Center	1415 SW 32 Ave	Miami	33145
577.0	Providence Road/Coral Baptist Church	2732 SW 32 Ave	Miami	33133
577.1	Providence Road/Coral Baptist Church	2732 SW 32 Ave	Miami	33133
578.0	Providence Road/Coral Baptist Church	2732 SW 32 Ave	Miami	33133
578.1	Providence Road/Coral Baptist Church	2732 SW 32 Ave	Miami	33133
579.0	Silver Bluff Elementary School	2609 SW 25 Ave	Miami	33133
583.1	Miami Fire Station #8	2975 Oak Ave	Miami	33133
584.1	Elizabeth Virrick Park	3255 Plaza St	Miami	33133
611.1	Coral Gables Senior High School	450 Bird Rd	Coral Gables	33146
670.1	Miami-Dade County Auditorium	2901 W Flagler St	Miami	33135
670.2	Miami-Dade County Auditorium	2901 W Flagler St	Miami	33135
971.0	Kinloch Park Middle School	4340 NW 3 St	Miami	33126
994.0	Ebenezer Freewill Baptist Church	4111 SW 4 St	Miami	33134

**Total Number of Precincts**

**29**



# City of Miami

## Master Report

City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com

**Enactment Number: R-23-0171**

**File Number:** 13692

**File Type:** Resolution

**Status:** **ADOPTED**

**Revision:**

**Controlling Body:** City Commission

**File Name:** 2023 Municipal Election Dates

**Introduced:** 3/15/2023

**Requesting Dept:** Office of the City Clerk

**Final Action Date:** 4/13/2023

**Title:** A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PROVIDING FOR A GENERAL MUNICIPAL ELECTION ON NOVEMBER 7, 2023, FOR THE PURPOSE OF ELECTING THREE COMMISSIONERS; FURTHER PROVIDING FOR A RUN-OFF ELECTION, IF REQUIRED, ON NOVEMBER 21, 2023; PROVIDING FOR THE REGISTRATION OF PERSONS QUALIFIED TO VOTE IN BOTH ELECTIONS; DESCRIBING PERSONS QUALIFIED TO VOTE IN BOTH ELECTIONS; DESCRIBING THE REGISTRATION BOOKS AND RECORDS MAINTAINED UNDER THE PROVISIONS OF THE GENERAL LAWS OF FLORIDA AND CHAPTER 16 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, WHICH THE CITY OF MIAMI HAS ADOPTED FOR USE IN GENERAL MUNICIPAL AND RUN-OFF ELECTIONS; DESIGNATING AND APPOINTING THE CITY CLERK AS THE OFFICIAL REPRESENTATIVE OF THE CITY COMMISSION WITH RESPECT TO THE USE OF SUCH REGISTRATION BOOKS AND RECORDS; DIRECTING THE CITY CLERK TO GIVE NOTICE BY PUBLICATION OF THE ADOPTION OF THIS RESOLUTION AND THE PROVISIONS HEREOF; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

**Notes:** Pursuant to the resolution, this item became effective immediately upon adoption by the Commission.

### Links:

**Attachments:** 13692 Exhibit No. 1 (PDF)  
13692 Memo to Mayor and Commissioners re 2023 Election (PDF)

### History of Legislative File:

Revision:	Acting Body:	Date:	Action:	Result:
	Victoria Méndez	3/30/2023	Approved Form and Correctness	Completed
	City Commission	4/13/2023	Meeting	Completed
	City Commission	4/13/2023	ADOPTED	Passed
	City Clerk's Office	4/18/2023	Rendered	Completed