

From: **Barbara Kramer** <barbaralmkramer@gmail.com>
Date: Fri, Jul 24, 2026 at 2:40 PM
Subject: Re: NMB City Charter Proposed Amendments for November Special Election Ballot
To: Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Joseph Geller <joseph.geller@gmlaw.com>, Williams, Darwin <Darvin.williams@citynmb.com>, Plotkin, Andrew <Andrew.Plotkin@citynmb.com>, Bankole, Sol <Sol.Bankole@citynmb.com>, Bernard, Andrise <Andrise.Bernard@citynmb.com>

Commissioner Smukler,

I couldn't agree with you more. I can't tell you how disappointed and frustrated I am with this entire process.

Not only did I take time away from my home and personal life to volunteer for what I believed was a very important assignment, but I also feel that the tremendous work produced by such a dedicated group of residents has been largely undermined. The fact that I have felt compelled to spend so much time writing multiple emails about this process is, in itself, deeply troubling.

The City Attorney knew as early as May 20 what changes and additions the Charter Review Committee wanted to place before the voters on the November ballot. During the weeks that followed, substantial work could have been completed in drafting and refining the ballot language. Regardless of what occurred during the June 29 Zoom meeting, much of the work should have already been well underway, with only minor revisions and refinements remaining after that meeting.

Take, for example, Question 4 regarding the change in the City's general election date. When compared with the ballot language used in 2016, the current version appears to omit important explanatory language.

2026 Proposed Question 4:

"Changing City General Election Dates from November to May; Providing for Extending Terms, Early Voting. Shall Sections 4.1, 4.2 and 4.4 of the City Charter be amended to change the date of the City general elections from November of even-numbered years to May of odd-numbered years, increasing the terms of Commissioners elected in 2024 and 2026 by six months to conform to the date change; providing for acceptance of election results and commencement of terms; and providing for municipal early voting?"

2016 Ballot Language:

"Shall the City Charter be amended to change the City's General Election date from May of odd-numbered years to November of even-numbered years (commencing with the City's General Election in 2018), change candidate qualifying dates to correspond to November elections, and provide a one-time limited extension of 18 months to the terms of incumbent Councilmembers to implement this change in election date?"

Shouldn't the current language also include the corresponding change to candidate qualifying

dates? That seems like an important piece of information for voters.

I have similar concerns with Question 3:

"Oversight of Major Development Projects and Clarification of Recall Procedure."

How is the average voter expected to understand the practical effect of this amendment based solely on that language? Without additional explanation, many voters will have little understanding of what they are actually being asked to approve.

The same concern applies to Question 5:

"Clarification of Legal Residence Requirements for Candidates to be Equivalent to Domicile."

Wouldn't it be clearer to explain that this amendment is intended to better define the residency qualifications for candidates seeking elected office by clarifying where a candidate must legally reside? That plain-language explanation would provide meaningful context for voters.

I believe these proposed amendments leave far too much open to confusion and interpretation to be placed on the ballot, let alone become part of the City Charter.

I cannot help but point out where we find ourselves today. The Charter Review Committee met a total of eight times, beginning on March 17. After our introductory meeting, we met three times in April and three times in May, with our final meeting on May 20, when the Committee completed its recommendations. Each of those meetings lasted at least three hours, and in some cases even longer. The Committee devoted a significant amount of time and effort to carefully discussing, debating, and developing these recommendations. We did not meet again until a Zoom meeting on June 29.

I specifically recall discussion that one reason additional meetings were not scheduled during that period was Mr. Geller's obligations as a Miami-Dade School Board member attending senior graduation ceremonies. I certainly understand those commitments. However, the Committee's work had already been completed. The drafting of the ballot language could, and in my opinion, should have been well underway during those five-plus weeks, leaving only minor revisions and refinements to be addressed after the June 29 meeting.

What concerns me most is that at no point during our eight meetings do I recall Mr. Geller advising the Committee that meeting the statutory deadline would be impossible or that the work could not reasonably be completed in time for the November ballot. In fact, I personally raised concerns about the timeline and whether there would be sufficient time to complete the process properly. At no time did Mr. Geller indicate that the deadline was unattainable or express concern that the work could not be completed within the required timeframe. Instead, we are now faced with only a matter of hours before these proposed Charter amendments must be delivered to the Miami-Dade Elections Department. That is not how a process of this importance, involving months of volunteer work by dedicated residents, should come to an end.

For that reason, I agree with you. Rather than rushing ballot language that I believe leaves too much room for confusion and interpretation, these proposed Charter amendments should be deferred to a special election. If doing so results in additional legal expenses and the cost of a

special election, those costs should be carefully evaluated in light of how we arrived at this point. The Charter Review Committee devoted months of thoughtful work to these recommendations, and the residents of North Miami Beach deserve ballot questions that are clear, accurate, and fully vetted before they are asked to vote. Taking the time to do it correctly is, in my view, the better course for both the City and its voters.

Lastly, pursuant to Florida's Public Records Law, I respectfully request copies of the billing records reflecting the work performed by Greenspoon Marder and/or Mr. Geller related to these Charter amendments, including the hourly rates charged, the total hours billed, and any invoices or records documenting the services provided from the inception of this project to the present.

Respectfully,
Barbara Kramer