

## COMPLAINT

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom it is brought.

### 1. PERSON BRINGING COMPLAINT:

Name: Stephanie Kienzle Work Phone: (305) 335-2093  
Address: 7535 SW 26 Court Home Phone: (305) 335-2093  
City: Davie County: Broward State: FL Zip Code: 33314

### 2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

If you intend to name more than one individual or entity, please file multiple complaints. A person can be an individual, political committee, political party, electioneering communication organization, club, corporation, partnership, company, association, or other type of organization.

Name of individual or entity: Andrise Bernard, Clerk, City of North Miami Beach

Address: 17011 NE 19 Avenue Phone: (305) 787-6001

City: North Miami Beach County: Miami-Dade State: FL Zip Code: 33162

If individual is a candidate, list the office or position sought: North Miami Beach City Clerk

Have you filed this complaint with the State Attorney's Office? (check one)  Yes  No

Are you alleging a violation of Section 104.271(2), F.S.? (check one)  Yes  No

Are you alleging a violation of Section 104.2715, F.S.? (check one)  Yes  No

### 3. ALLEGED VIOLATION(S):

Please attach a **concise** narrative statement in which you list the provisions of the Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate provisions of Chapter 104 and Chapter 106, Florida Statutes. Please include the following items as part of your attached statement:

- The facts and actions that you believe support the violations you allege;
- The names/telephone numbers of persons whom you believe may be witnesses to the facts;
- A copy or picture of any political advertisement(s) you mention in your statement;
- A copy of each document you mention in your statement;
- An explanation of why you believe information you reference from websites is relevant; and
- Any other evidence supporting your allegations.

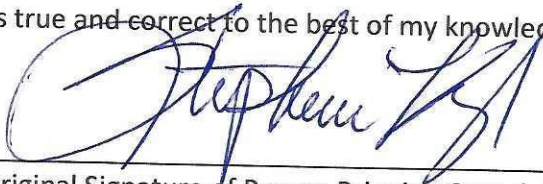
SEE REVERSE SIDE OF DOCUMENT FOR ADDITIONAL INFORMATION

*Any person who files a complaint while **knowing** that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.*

4. **OATH:**

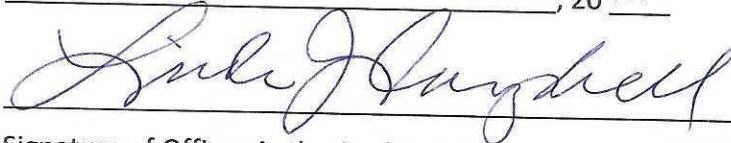
STATE OF FLORIDA  
COUNTY OF Broward

I swear or affirm that the above information is true and correct to the best of my knowledge.



Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 23<sup>rd</sup> day of  
May, 20 21



Signature of Officer Authorized to Administer Oaths of Notary Public



(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known  Or Produced Identification

Type of Identification Produced \_\_\_\_\_

5. **IMPROPERLY COMPLETED COMPLAINT FORMS MAY BE RETURNED:**

- You **MUST** submit this completed complaint form in order to file a complaint.
- You **MUST** complete **ALL FOUR** of the above sections of this form. **DO NOT** leave any blanks.
- You **MUST** submit the **ORIGINAL** complaint form. Copied/faxed/emailed forms are returned.
- Each complaint can only be filed against **ONE PERSON** or **ENTITY**. If you wish to file against multiple parties, you **MUST** submit a complaint form for each party you wish to file against.
- **DO NOT** submit multiple complaint forms with one set of attachments applying to multiple complaints. You **MUST** attach copies of attachments to each complaint to which they apply.
- **MAKE SURE** the alleged violation(s) of Chapters 104 or 106 occurred within the last 2 years.
- **MAKE SURE** your complaint is sworn and there is no defect to the notarization in Section 4.

Alleged Violations:

North Miami Beach City Clerk Andrise Bernard was the Supervisor of Elections (SOE) for the City's November 3, 2020 Municipal Election.

Candidate Michael Joseph was running for re-election as a North Miami Beach Commissioner in the November 3, 2020 Municipal election.

Candidate Michael Joseph filed multiple Campaign Treasurer's Reports late, which I have documented in the attached emails to City Clerk Andrise Bernard beginning October 19, 2020.

Since October 19, 2019, I have made multiple public records requests for a "copy of the letter to Mr. Michael Joseph notifying him of the fines due to his late filings of Campaign Treasurer's Reports.

In at least one telephone conference with Ms. Bernard, she advised me she is "working on" preparing the letters to Mr. Joseph, as well as other candidates, advising them of their late filings of Campaign Treasurer's Reports and the fines due thereon.

As recently as May 16, 2021, I again emailed Ms. Bernard asking for the response to my public records request, and she continues to ignore me.

As Supervisor of Elections for a Municipal Election, Ms. Bernard is responsible for the fining of candidates for the late filings of their Campaign Treasurer's Reports.

As the City Clerk for the City of North Miami Beach, Ms. Bernard is responsible for the fulfillment of public records requests.

Ms. Bernard has not performed her duties either as Supervisor of Elections or as the City Clerk.



Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

**Michael Joseph/Campaign Treasurer's Reports**

16 messages

Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

To: Andrise\_Bernard &lt;andrise.bernard@citynmb.com&gt;

Cc: "Scott, Esmond" &lt;esmond.scott@citynmb.com&gt;, Daniel Espino &lt;DEspino@wsh-law.com&gt;, "Arrojo, Jose (COE)" &lt;jose.arrojo@miamidade.gov&gt;, "Defillipo, Anthony" &lt;anthony.defillipo@citynmb.com&gt;

Mon, Oct 19, 2020 at 2:06 PM

Dear Madam Clerk,

As you know, I have been keeping track of Michael Joseph's untimely filings of his Campaign Treasurer's Reports. It has come to my attention that he has been late on numerous occasions, as follows:

1. The G01 was due (or to be postmarked by) 9/4/20. The postmark on his envelope was dated 9/15/20. Accordingly, he was seven (7) days late and must be fined a total of **\$5,650.00** (\$50.00 for the first three days late and \$500.00 each day thereafter, according to the attached 2020 Municipal Election Candidate Handbook).
2. The G02 was due (or to be postmarked by) 9/18/20. According to your website, you did not receive this report until 10/8/20\*, or 20 days late. Accordingly, he must be fined a total of **\$8,650.00** for this report.
3. The G03 was due (or to be postmarked by) 10/2/20. According to your website, this report was received on 10/8/20\*, or 6 days late. Accordingly, he must be fined a total of **\$1,650.00** for this report.
4. The G04 was due (or to be postmarked by) 10/9/20. It has not yet been received by you, and is now 10 days late. Accordingly, he is to be fined **\$3,650.00** so far for this report.
5. The G05 was due 10/16/20, and is not yet received. Accordingly, he is now 3 days late and should be fined **\$150.00** so far for this report.

As of this date, candidate Michael Joseph is to be fined a grand total of **\$19,750.00**, to be paid out of his **personal funds**, and not his campaign funds.

\*If the postmarked envelopes you received reflect a different date than the date posted on your website, please provide copies of same so that I may update my records and recalculate the above totals.

Madam Clerk, I realize you are not responsible for the timely filings of the candidates' Campaign Treasurer's reports, but you are tasked with imposing fines for late filings.

By the same token, as a member of the public, I have taken on the responsibility for holding candidates accountable for their compliance with State, County, and Municipal laws regarding elections.

I want to thank you for your service to the residents of North Miami Beach.

Regards,  
Stephanie Kienzle

2020 Candidate Handbook.pdf  
236K

Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

To: Barbara Kramer &lt;barbaralkramer@gmail.com&gt;

Mon, Oct 19, 2020 at 2:06 PM

FYI.

[Quoted text hidden]

2020 Candidate Handbook.pdf  
236K

Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

To: Michael Pizzi &lt;mpizzi@pizzilaw.com&gt;

Mon, Oct 19, 2020 at 2:06 PM

----- Forwarded message -----

From: **Stephanie Kienzle** <stephanie.kienzle@gmail.com>

Date: Mon, Oct 19, 2020 at 2:06 PM

Subject: Michael Joseph/Campaign Treasurer's Reports

To: Andrise\_Bernard &lt;andrise.bernard@citynmb.com&gt;

Cc: Scott, Esmond &lt;esmond.scott@citynmb.com&gt;, Daniel Espino &lt;DEspino@wsh-law.com&gt;, Arrojo, Jose (COE) &lt;jose.arrojo@miamidade.gov&gt;, Defillipo, Anthony &lt;anthony.defillipo@citynmb.com&gt;

[Quoted text hidden]

2020 Candidate Handbook.pdf  
236K

Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

To: Andrise\_Bernard &lt;andrise.bernard@citynmb.com&gt;

Cc: "Scott, Esmond" &lt;esmond.scott@citynmb.com&gt;, Daniel Espino &lt;DEspino@wsh-law.com&gt;, "Defillipo, Anthony" &lt;anthony.defillipo@citynmb.com&gt;

Sun, Nov 1, 2020 at 6:18 PM

Dear Madam Clerk,

Please consider this my public records request for copies of all envelopes mailed to your office from Michael Joseph containing his Campaign Treasurer's Reports filed for this 2020 Election. If any of his returns were delivered by hand, please provide the date stamp receipt from your office for same.

Thank you in advance.

Stephanie Kienzle

[Quoted text hidden]

Bernard, Andrise &lt;Andrise.Bernard@citynmb.com&gt;

To: Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

Cc: "Scott, Esmond" &lt;Esmond.Scott@citynmb.com&gt;, Daniel Espino &lt;DEspino@wsh-law.com&gt;, "Defillipo, Anthony" &lt;Anthony.Defillipo@citynmb.com&gt;

Mon, Nov 2, 2020 at 3:07 PM

Good Afternoon Ms. Kienzle,

Please allow this email to confirm receipt of your below Public Records Request. You will be contacted via email when the records are available, as well as the respective costs for duplication and labor, if any.

Sincerely,

**Andrise Bernard** | CMC, City Clerk

City of North Miami Beach

Office of the City Clerk

T (305) 787-6001

F (305) 787-6026



17011 NE 19th Avenue, North Miami Beach, FL 33162

From: Stephanie Kienzle <stephanie.kienzle@gmail.com>

Sent: Sunday, November 1, 2020 6:19 PM

To: Bernard, Andrise <Andrise.Bernard@citynmb.com>

Cc: Scott, Esmond <Esmond.Scott@citynmb.com>; Daniel Espino <DEspino@wsh-law.com>; Defillipo, Anthony <Anthony.Defillipo@citynmb.com>

Subject: Re: Michael Joseph/Campaign Treasurer's Reports

[EXTERNAL] This email originated from outside the organization.  
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Madam Clerk,

Please consider this my public records request for copies of all envelopes mailed to your office from Michael Joseph containing his Campaign Treasurer's Reports filed for this 2020 Election. If any of his returns were delivered by hand, please provide the date stamp receipt from your office for same.

Thank you in advance.

Stephanie Kienzle

On Mon, Oct 19, 2020 at 2:06 PM Stephanie Kienzle <stephanie.kienzle@gmail.com> wrote:

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1. The G01 was due (or to be postmarked by) 9/4/20. The postmark on his envelope was dated 9/15/20. Accordingly, he was seven (7) days late and must be fined a total of **\$5,650.00** (\$50.00 for the first three days late and \$500.00 each day thereafter, according to the attached 2020 Municipal Election Candidate Handbook).
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Madam Clerk, I realize you are not responsible for the timely filings of the candidates' Campaign Treasurer's reports, but you are tasked with imposing fines for late filings.

By the same token, as a member of the public, I have taken on the responsibility for holding candidates accountable for their compliance with State, County, and Municipal laws regarding elections.

I want to thank you for your service to the residents of North Miami Beach.

Regards,  
Stephanie Kienzle

PLEASE NOTE: The City of North Miami Beach is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mail sent and received is captured by our servers and kept as public record.

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Stephanie Kienzle <stephanie.kienzle@gmail.com>

To: "Bernard, Andrise" <Andrise.Bernard@citynmb.com>

Cc: "Scott, Esmond" <Esmond.Scott@citynmb.com>, Daniel Espino <DEspino@wsh-law.com>, "Defillipo, Anthony" <Anthony.Defillipo@citynmb.com>

Tue, Nov 17, 2020 at 9:28 AM

Dear Madam Clerk,

On November 2, 2020 you confirmed receipt of my request and said that I would be notified when ready. Please let me know what's taking so long to simply make copies of 15 envelopes. Surely this is not a Herculean task, nor should there be much labor involved. It could literally be done in five minutes. What's the hold up?

Stephanie Kienzle  
[Quoted text hidden]

Stephanie Kienzle <stephanie.kienzle@gmail.com>

To: "Bernard, Andrise" <Andrise.Bernard@citynmb.com>, "Arrojo, Jose (COE)" <jose.arrojo@miamidade.gov>

Cc: "Scott, Esmond" <Esmond.Scott@citynmb.com>, Daniel Espino <DEspino@wsh-law.com>, "Defillipo, Anthony" <Anthony.Defillipo@citynmb.com>

Sat, Nov 21, 2020 at 1:52 PM

Dear Madam Clerk,

Please give me an update on this public records request from November 1, 2020. I find it extremely hard to believe that this simple request would take three weeks to fulfill. By copy of this email, I am asking Jose Arrojo, the Director of the Miami Dade County Commission on Ethics and Public Trust to intervene in this matter in the hopes that I will receive a response to my request.

Sincerely,  
Stephanie Kienzle  
[Quoted text hidden]

Bernard, Andrise <Andrise.Bernard@citynmb.com>

To: "Arrojo, Jose (COE)" <jose.arrojo@miamidade.gov>, Stephanie Kienzle <stephanie.kienzle@gmail.com>

Cc: "Scott, Esmond" <Esmond.Scott@citynmb.com>, Daniel Espino <DEspino@wsh-law.com>, "Defillipo, Anthony" <Anthony.Defillipo@citynmb.com>

Sat, Nov 21, 2020 at 2:18 PM

Dear Ms. Kienzle,

This request will be handled this coming week. Thank you.

Get Outlook for Android

From: Stephanie Kienzle <stephanie.kienzle@gmail.com>

Sent: Saturday, November 21, 2020 1:52:50 PM

To: Bernard, Andrise <Andrise.Bernard@citynmb.com>; Arrojo, Jose (COE) <jose.arrojo@miamidade.gov>

[Quoted text hidden]

[Quoted text hidden]

Stephanie Kienzle <stephanie.kienzle@gmail.com>

To: KAY SULLY <kayansphone@gmail.com>

Sat, Nov 21, 2020 at 3:55 PM

FYI.  
[Quoted text hidden]

Rosenthal, Roxanne J. <Roxanne.Rosenthal@citynmb.com>

To: "stephanie.kienzle@gmail.com" <stephanie.kienzle@gmail.com>

Cc: "Bernard, Andrise" <Andrise.Bernard@citynmb.com>

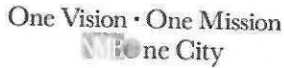
Mon, Nov 23, 2020 at 4:05 PM

Good afternoon, Ms. Kienzle:

Please find attached the requested records in reference to your below Public Records Request. If you have any questions, please contact the Office of the City Clerk.

Sincerely,

Roxanne X 2001



Roxanne Rosenthal | Assistant City Clerk  
City of North Miami Beach, Office of the City Clerk  
T (305) 787-6001 X 2001  
F (305) 787-6026  
Roxanne.rosenthal@citynmb.com

17011 NE 19<sup>th</sup> Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:  
  

**NMB GOING GREEN! Unless it's absolutely necessary, please do not print this e-mail or attachments. Thank you.**

**From:** Bernard, Andrise <Andrise.Bernard@citynmb.com>  
**Sent:** Monday, November 23, 2020 12:36 PM  
**To:** Rosenthal,Roxanne J. <Roxanne.Rosenthal@citynmb.com>  
**Subject:** FW: Michael Joseph/Campaign Treasurer's Reports

Hello Roxanne,

Please see the Public Records Request below dated November 1, 2020 and respond. Thank you for your assistance with this matter.

Sincerely,

Andrise

[Quoted text hidden]  
[Quoted text hidden]

14 attachments

-  Michael Joseph - envelope G01.pdf  
32K
-  Michael Joseph - envelope G02.pdf  
41K
-  Michael Joseph - envelope G03.pdf  
38K
-  Michael Joseph - envelope G04.pdf  
40K
-  Michael Joseph - envelope G05.pdf  
38K
-  Michael Joseph - envelope G07.pdf  
43K
-  Michael Joseph - envelope M02.pdf  
30K
-  Michael Joseph - envelope M03.pdf  
32K
-  Michael Joseph - envelope M04.pdf  
29K
-  Michael Joseph - envelope M05.pdf  
30K
-  Michael Joseph - envelope M06.pdf  
30K
-  Michael Joseph - envelope M08.pdf  
35K
-  Michael Joseph - handdelivered G06.pdf  
79K
-  Michael Joseph - handdelivered M07.pdf  
83K

Stephanie Kienzle <stephanie.kienzle@gmail.com>  
To: "Rosenthal,Roxanne J." <Roxanne.Rosenthal@citynmb.com>  
Cc: "Bernard, Andrise" <Andrise.Bernard@citynmb.com>

Tue, Nov 24, 2020 at 9:13 PM

Thank you for this information. According to the NMB 2020 Candidate Handbook, there doesn't seem to be any due dates listed for Campaign Treasurer's Reports prior to M8. Do you have a schedule for reports M1 through M7?

Thanks,  
Stephanie  
[Quoted text hidden]

---

Stephanie Kienzle <stephanie.kienzle@gmail.com>  
To: "Rosenthal,Roxanne J." <Roxanne.Rosenthal@citynmb.com>  
Cc: "Bernard, Andrise" <Andrise.Bernard@citynmb.com>

Wed, Jan 20, 2021 at 4:22 PM

Dear Ms. Rosenthal,

The courtesy of a response to my below November 24, 2020 email would be appreciated.

Regards,  
Stephanie Kienzle  
[Quoted text hidden]

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Stephanie Kienzle <stephanie.kienzle@gmail.com>  
To: "Rosenthal,Roxanne J." <Roxanne.Rosenthal@citynmb.com>, "Arrojo, Jose (COE)" <jose.arrojo@miamidadade.gov>  
Cc: "Bernard, Andrise" <Andrise.Bernard@citynmb.com>

Fri, Jan 29, 2021 at 9:20 PM

Dear Ms. Rosenthal and Clerk Bernard,

Frankly, I am shocked that you have ignored my request since November 24, 2020. This is beyond unacceptable. Once again, I am requesting a copy of the due date schedule for Campaign Treasurer's Reports M1 through M7 for the 2020 municipal election.

The courtesy of a response to my request would be appreciated so that I do not have to take further action.

Regards,  
Stephanie Kienzle

cc: Director Jose Arrojo, Miami-Dade Commission on Ethics and Public Trust  
[Quoted text hidden]

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Stephanie Kienzle <stephanie.kienzle@gmail.com>  
To: "Rosenthal,Roxanne J." <Roxanne.Rosenthal@citynmb.com>, "Arrojo, Jose (COE)" <jose.arrojo@miamidadade.gov>  
Cc: "Bernard, Andrise" <Andrise.Bernard@citynmb.com>

Wed, Feb 24, 2021 at 10:04 PM

Dear Madam Clerk,

It has been a month since my below email to you. Is there any reason why you are refusing to provide me with the due date schedule for Campaign Treasurer's Reports M1 through M7 for the 2020 municipal election? The courtesy of a response to my question would be appreciated.

Stephanie Kienzle

[Quoted text hidden]

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Bernard, Andrise <Andrise.Bernard@citynmb.com>  
To: Stephanie Kienzle <stephanie.kienzle@gmail.com>  
Cc: "Rosenthal,Roxanne J." <Roxanne.Rosenthal@citynmb.com>, "Arrojo, Jose (COE)" <jose.arrojo@miamidadade.gov>

Thu, Feb 25, 2021 at 3:16 PM



Good Afternoon Ms. Kienzle,

Please see the excerpt taken from the Florida Statutes 106.07

Except as provided in paragraphs (a) and (b), reports shall be filed on the 10th day following the end of each calendar month from the time the campaign treasurer is appointed, except that, if the 10th day following the end of a calendar month occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day that is not a Saturday, Sunday, or legal holiday

Sincerely,

**Andrise Bernard** | CMC, City Clerk

City of North Miami Beach

Office of the City Clerk

T (305) 787-6001

F (305) 787-6026

One Vision • One Mission  
NMB One City



17011 NE 19<sup>th</sup> Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:

[Quoted text hidden]  
[Quoted text hidden]

**Stephanie Kienzle** <stephanie.kienzle@gmail.com>  
To: "Bernard, Andrise" <Andrise.Bernard@citynmb.com>  
Cc: "Rosenthal, Roxanne J." <Roxanne.Rosenthal@citynmb.com>, "Arrojo, Jose (COE)" <jose.arrojo@miamidade.gov>

Thu, Feb 25, 2021 at 4:22 PM

Thank you for the clarification.

Stephanie  
[Quoted text hidden]



2020

MUNICIPAL ELECTION  
CANDIDATE HANDBOOK

Provided by the Office of the City Clerk  
City of North Miami Beach, Florida

Andrise Bernard, CMC, City Clerk



August 2020

Dear Candidate:

Thank you for your interest in becoming a candidate for the City of North Miami Beach Mayor/Commission (Group/Seats 1, 3, 5, and 7).

Enclosed please find important information about the Tuesday, November 3, 2020 City of North Miami Beach General Election.

This packet is provided for your information and is intended to assist you in the election process. In this document you will find information for the filing of Campaign Treasurer's Reports, common reporting forms, qualifying documents and pertinent election information. Please be advised that the blue, underlined text will lead you to the respective form or website page. This Candidate Handbook will also be available on the City of North Miami Beach website at <https://www.citynmb.com/324/Municipal-Elections>

While we attempt to provide accurate information, you are legally responsible to ensure that your actions comply with applicable laws and regulations. We encourage you to familiarize yourself with all the election laws and requirements.

Should you require additional assistance, please contact us at 305-787-6001 or via email at [Andrise.Bernard@citynmb.com](mailto:Andrise.Bernard@citynmb.com)

Sincerely,

*Andrise Bernard*

Andrise Bernard, CMC, City Clerk

# Table of Contents

## **City of North Miami Beach Election Information:**

General Information

Qualifying Information

Treasurer's Reports

Penalties for Violations of the Florida Election Code

## **Below are Important Links:**

[Ordinance 2012-36 \(D\) - Political Signs](#)

NMB Charter Article I. [Creation, Form of Government, Etc.](#)

NMB Charter Article II. [Mayor, Vice Mayor, City Commission](#)

NMB Chapter VII. [Elections](#)

[Dates to Remember](#)

[Vote-by-Mail Ballot Request Form](#)

[Poll Watcher Information](#)

## **Florida Election Laws:**

[2019 Chapter 99 Candidates](#)

[2019 Chapter 105 Nonpartisan Elections](#)

[2019 Chapter 106 Campaign Financing](#)

[Florida Candidate & Campaign Treasurer Handbook](#)

## **Florida Commission on Ethics:**

[2020 Guide to the Sunshine Amendment &](#)


[Code of Ethics for Public Officers and Employees](#)

[Miami-Dade County Commission on Ethics and Public Trust](#)

[Florida Division of Elections](#)

# City of North Miami Beach

## 2020 Candidate Handbook



### General Information

A General Election will be held on **Tuesday, November 3, 2020**. The members of the City Commission shall be elected from groups numbered 2, 4, and 6 for Four (4) year terms and 1, 3, 5, and 7 for Two (2) year terms. The groups shall be elected citywide by the qualified electors of the City of North Miami Beach. Commencing with the 2015 election and at each general election each four (4) years thereafter, the members of the City Commission running groups 1, 3, 5 and 7 shall be elected for four (4) year terms. The annual salary for the Mayor is \$3,600, and the annual salary for each Commission Member is \$3,000.

Each candidate must be a qualified elector of the City of North Miami Beach at the time of filing for the position; not have been convicted in this or any other State of any offense involving moral turpitude within the preceding five (5) years; not have been adjudicated insane or incompetent by a court of competent jurisdiction with adjudication stands unrevoked; and be a bona fide resident of the City of North Miami Beach for one year prior to qualifying, and express an intent to remain permanently a bona fide resident of the City the entire term of office for which she or he is a candidate.

### How to Begin Your Campaign:

- Read all of the enclosed materials
- Appoint a Campaign Treasurer who must be a registered voter of the State of Florida. You may appoint Deputy Treasurers at any time. Note: A candidate may be her/his own Treasurer or Deputy Treasurer.
- Complete Form DS-DE9 "Appointment of Campaign Treasurer and Designation of Campaign Depository: and return the original form to the Office of the City Clerk at 17011 N.E. 19<sup>th</sup> Avenue, North Miami Beach, FL 33162
- Open a campaign account at a bank authorized to do business in the State of Florida. This account must be separate from any personal or business accounts. The bank should provide you with deposit slips and checks indicating it is a campaign account.
- Complete Form DS-DE 84 "Statement of Candidate" and return the original form to the Office of the City Clerk at 17011 N.E. 19<sup>th</sup> Avenue, North Miami Beach, FL 33162 within ten (10) days. Upon filing of this form, the candidate may begin to collect and spend monies for the campaign.

# City of North Miami Beach 2020 Candidate Handbook

## Qualifying Information

Candidates may file their paperwork anytime from the start of qualifying on Monday, August 17th through Friday, August 21st from 8:00 a.m. to 5:00 p.m. and on Saturday, August 22nd from 8:00 a.m. to Before 12 Noon.

**\*\* PLEASE NOTE - Due to the current state of emergency and the guidance limiting person-to-person contact to prevent the spread of the COVID-19 virus, an emergency rule relating to candidate qualifying was filed. Read Rule No. 1SER20-1 for more information. \*\***

The following will be necessary for the filing of a candidacy:

- Form DS-DE9 "Appointment of Campaign Treasurer and Designation of Campaign Depository" - **if not already filed**
- Form DS-DE 84 "Statement of Candidate" - **if not already filed**
- Qualifying Fee: (*Must be payable to the City of NMB from a campaign account.*)  
Commission Seat (2-7) \$150.00 \* Mayor's Seat (1) \$180.00 \*
- Loyalty Oath (Sections 876.05-876.10, 99.012, Florida Statutes)/Oath of Candidate (Section 99.021, Florida Statute)
- Fingerprinting at the North Miami Beach Police Department - Ordinance 2010-27
- Form 1, Statement of Financial Interests 2019
- Affidavit of Candidate Residency Requirement
- Proof of Residency (one year prior to qualifying: FPL, Mortgage Deed, Lease, etc.)
- Florida Voter's Information Card
- Florida Driver's License
- Miami Dade County Voluntary Statement of Fair Campaign Practices. (Optional)

\* Includes a State of Florida 1.0% Assessment Fee (Elections Commission Trust Fund/Elections Campaign Financing Trust Fund). This election assessment fee is not deposited in the City of North Miami Beach general fund. This fee is forwarded to the Department of State, Division of Elections, and is deposited in the following manner: two thirds of the amount is deposited in the State of Florida Elections Commission Trust Fund and one third is transferred to the State of Florida Election Campaign Financing Trust Fund.

# City of North Miami Beach 2020 Candidate Handbook

## Treasurer's Reports

Florida's campaign finance laws require candidates to file periodic reports of their campaign financial activities. All reports must be original, postmarked no later than the specified deadline and hand-delivered or mailed to the Office of the City Clerk. The following is a schedule for the 2020 Municipal Election:

Form	Reporting Period	Code	Due Date
DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	8/01/20 - 8/13/20	M8	8/21/20
DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	8/14/20 - 8/28/20	G1	9/04/20 * (60 <sup>th</sup> day)
DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	8/29/20 - 9/11/20	G2	9/18/20 * (46 <sup>th</sup> day)
DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	9/12/20 - 9/25/20	G3	10/02/20 * (32 <sup>nd</sup> day)
DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	9/26/20 - 10/2/20	G4	10/09/20 * (25 <sup>th</sup> day)
DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	10/3/20 - 10/09/20	G5	10/16/20 * (18 <sup>th</sup> day)
DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	10/10/20 - 10/16/20	G6	10/23/20 * (11 <sup>th</sup> day)
DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	10/17/20 - 10/29/20	G7	10/30/20 * (4 <sup>th</sup> day)
**DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) - FINAL REPORT	10/30/20 - 2/1/21	TR	2/01/21

\* Per Florida Statutes Title IX, Chapter 106, and City of NMB Code Section 7-8 Candidate Forms.  
 \*\*Candidates who are elected or eliminated in the General Election must close their campaign account and submit a final report by February 1, 2021. (90 days following the Election.)

# City of North Miami Beach 2020 Candidate Handbook

## 2020 Run Off Election Calendar of Candidate Reporting Dates

DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) or DS-DE 87 (Waiver)	10/30/20 - 11/12/20	RUN OFF	11/13/20  * (4 <sup>th</sup> day)
*DS-DE 12 (Summary), DS-DE 13 (Contributions) and DS-DE 14 (Expenditures) - FINAL REPORT	11/13/20 - 2/10/21	TR	2/11/21  * (90 <sup>th</sup> day after Run off)

\* Per Florida Statutes Title IX, Chapter 106.

### Penalties for Violations of the Florida Election Code

Pursuant to Florida election laws, any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first three (3) days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports due immediately preceding each primary or general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a candidate's termination report, the fine shall be \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

All fines must be paid from the candidate's personal funds - not campaign funds.

Additional information is available at the Florida Department of State's web site:  
<https://www.dos.myflorida.com/elections/>



Michael Joseph Campaign  
P.O. Box No. 613635  
North Miami Beach, FL 33201

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15 SEP 2020 PM 1 L

Hasler FIRST CLASS MAIL  
09/04/2020  
US POSTAGE \$000.50

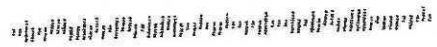


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011D10658569

CITY CLERK'S OFFICE  
20 SEP 17 AM 11:00

City Clerk  
City of North Miami Beach  
17011 NE 19th Ave.  
North Miami Beach, FL 33162

33162-310099



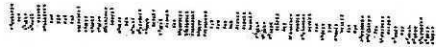
Michael Joseph Campaign  
P.O. Box No. 613635  
North Miami Beach, FL 33261

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30 SEP 2020 PM 2:11  
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ZIP 33137  
011D10658569

City Clerk  
City of North Miami Beach  
17011 NE 19th Ave.  
North Miami Beach, FL 33162

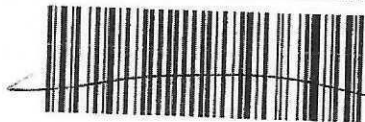
CITY CLERK'S OFFICE  
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Michael Joseph  
PO Box 613635  
North Miami Beach, FL 33261

**CERTIFIED MAIL**



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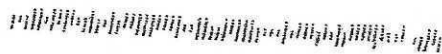
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City Clerk  
City of North Miami Beach  
17011 NE 19<sup>th</sup> Avenue  
North Miami Beach, FL 33162

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CITY CLERK'S OFFICE  
17011 NE 19th Ave

3316233100 0032



Michael Joseph, Esq.  
4770 Biscayne Blvd., Ste. 1400  
Miami, Florida 33137



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MIAMI FL 330

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10/16/2020

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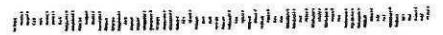


ZIP 33137  
011D10858569

City Clerk  
City of North Miami Beach  
17011 NE 19th Avenue  
North Miami Beach, FL 33162

TO: CITY CLERK  
CITY OF NORTH MIAMI BEACH  
17011 NE 19th Avenue  
North Miami Beach, FL 33162

33162-310099



39152-910099

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IN THE  
UNITED STATES

City Clerk  
City of North Miami Beach  
17011 NE 19th Avenue  
North Miami Beach, Florida 33162

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10/30/2020

MIAMI FL 330



GENERATED WITH

Michael Joseph, Esq.  
4770 Biscayne Blvd, Ste. 1400  
Miami, Florida 33137

Michael Joseph  
P.O. Box No. 613635  
North Miami Beach, FL 333261

CITY CLERK'S OFFICE  
20 MAR 18 AM 11:26

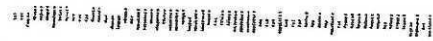
Office of the City Clerk  
City of North Miami Beach  
17011 NE 19th Ave.  
North Miami Beach, FL 33162

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FL 331  
12 MAR 20  
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03/09/2020  
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ZIP 33137  
011D10659599

9918N-910089



Michael Joseph  
P.O. Box 613635  
North Miami Beach, FL 33261

MIAMI  
FL 331  
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04/08/2020  
US POSTAGE \$000.50<sup>2</sup>  
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CITY CLERK'S OFFICE  
20 APR 15 AM 10:54

Office of the City Clerk  
City of North Miami Beach  
17011 NE 19th Ave.  
North Miami Beach, FL 33162

33162-31069

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Michael Joseph  
P.O. Box 613635  
North Miami Beach, FL 33261

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First Class Mail  
05/08/2020  
US POSTAGE \$000.50<sup>00</sup>

ZIP 33137  
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CITY CLERK'S OFFICE  
20 MAY 15 AM 10:39

City Clerk  
City of North Miami Beach  
17011 NE 19th Ave.  
North Miami Beach, FL 33162



Michael Joseph  
P.O. Box No. 613635  
North Miami Beach, FL 33261

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FL 331  
11 JUN 20  
PM 5 L

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06/09/2020  
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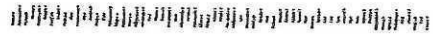


ZIP 33137  
011D10658569

CITY CLERK'S OFFICE  
20 JUN 15 AM 11:18

City Clerk  
City of North Miami Beach  
17011 NE 19th Ave.  
North Miami Beach, FL 33162

33162-310099



Michael Joseph  
P.O. Box No. 613635  
North Miami Beach, FL 33261

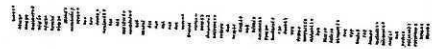
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FL 33131  
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10:48 AM

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07/09/2020  
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ZIP 33137  
011D10658569

CITY CLERK'S OFFICE  
20 JUL 16 AM 11:31

City Clerk  
City of North Miami Beach  
17011 NE 19th Ave.  
North Miami Beach, FL 33162

33162-310099



Michael Joseph Campaign  
P.O. Box No. 613635  
North Miami Beach, FL 33261

Hasler FIRST CLASS MAIL  
08/21/2020  
US POSTAGE \$000.50<sup>0</sup>  
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ZIP 33137  
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City Clerk  
City of North Miami Beach  
17011 NE 19th Ave.  
North Miami Beach, FL 33162

CITY CLERK'S OFFICE  
20 AUG 27 AM 10:58

3315233100 0032



## CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Michael Joseph  
 Name  
 (2) P.O. Box No. 613635  
 Address (number and street)  
North Miami Beach, FL 33261  
 City, State, Zip Code

**OFFICE USE ONLY**

CITY CLERK'S OFFICE  
 '20 OCT 23 PM 3:57

Check here if address has changed

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):

- Candidate Office Sought: Commissioner, Group 7
- Political Committee (PC)
- Electioneering Communications Org. (ECO)
- Party Executive Committee (PTY)
- Independent Expenditure (IE) (also covers an individual making electioneering communications)
- Check here if PC or ECO has disbanded
- Check here if PTY has disbanded
- Check here if no other IE or EC reports will be filed

### (5) Report Identifiers

Cover Period: From 10 / 10 / 2020 To 10 / 16 / 2020 Report Type: G6

Original  Amendment  Special Election Report

**(6) Contributions This Report**

Cash & Checks	\$	5,750.00
Loans	\$	_____
<b>Total Monetary</b>	<b>\$</b>	<b>5,750.00</b>
In-Kind	\$	1,000.00

**(7) Expenditures This Report**

Monetary Expenditures	\$	9,457.54
Transfers to Office Account	\$	_____
<b>Total Monetary</b>	<b>\$</b>	<b>9,457.54</b>

**(8) Other Distributions**  
 \$ \_\_\_\_\_

**(9) TOTAL Monetary Contributions To Date**  
 \$ \_\_\_\_\_, 73, 925.50

**(10) TOTAL Monetary Expenditures To Date**  
 \$ \_\_\_\_\_, 47, 520.17

### (11) Certification

**It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)**

I certify that I have examined this report and it is true, correct, and complete:

(Type name) Michael Joseph  
 Individual (only for IE or electioneering comm.)  Treasurer  Deputy Treasurer

**X** \_\_\_\_\_  
 Signature

(Type name) Michael Joseph  
 Candidate  Chairperson (only for PC and PTY)

**X** \_\_\_\_\_  
 Signature

## CAMPAIGN TREASURER'S REPORT SUMMARY

CITY CLERK'S OFFICE  
150 N. MIAMI BEACH BLVD  
MIAMI, FL 33132

(1) Michael Joseph  
Name

OFFICE USE ONLY

(2) P.O. Box No. 613635  
Address (number and street)  
North Miami Beach, FL 33261  
City, State, Zip Code

Check here if address has changed

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):

- Candidate Office Sought: Commissioner, Group 7
- Political Committee (PC)
- Electioneering Communications Org. (ECO)
- Party Executive Committee (PTY)
- Independent Expenditure (IE) (also covers an individual making electioneering communications)
- Check here if PC or ECO has disbanded
- Check here if PTY has disbanded
- Check here if no other IE or EC reports will be filed

### (5) Report Identifiers

Cover Period: From 07 / 01 / 2020 To 07 / 31 / 2020 Report Type: M7

- Original  Amendment  Special Election Report

### (6) Contributions This Report

Cash & Checks \$        ,   11   ,   988   .   50  

Loans \$        ,        ,        .       

Total Monetary \$        ,   11   ,   988   .   50  

In-Kind \$        ,        ,        .       

### (7) Expenditures This Report

Monetary Expenditures \$        ,        ,   10   .   50  

Transfers to Office Account \$        ,        ,        .       

Total Monetary \$        ,        ,   10   .   50  

### (8) Other Distributions

\$        ,        ,        .       

### (9) TOTAL Monetary Contributions To Date

\$        ,   57   ,   210   .   50  

### (10) TOTAL Monetary Expenditures To Date

\$        ,        ,   10   .   50  

### (11) Certification

**It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)**

I certify that I have examined this report and it is true, correct, and complete:

(Type name) Michael Joseph  
 Individual (only for IE or electioneering comm.)  Treasurer  Deputy Treasurer

X   
Signature

(Type name) Michael Joseph  
 Candidate  Chairperson (only for PC and PTY)

X   
Signature



Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

---

**Status of public records requests**

1 message

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**Stephanie Kienzle** <stephanie.kienzle@gmail.com>  
To: Andrise\_Bernard <andrise.bernard@citynmb.com>  
Cc: Michael Pizzi <mpizzi@pizzilaw.com>

Sun, May 2, 2021 at 8:49 AM

Dear Madam Clerk,

Please advise the status my following public records requests:

- February 1, 2021: A copy of the letter to Mr. Michael Joseph notifying him of the fines due to his late filings of Campaign Treasurer's Reports.
- March 21, 2021: Pursuant to Chapter VII, Section 7-11(a), of the City of North Miami Beach Code of Ordinances, please provide me with "The **affidavit required** under Section 18 of the Charter as set out in Part I of this Code [which] shall charge the elected official or officials with specific acts or omissions which would constitute either malfeasance, nonfeasance, misfeasance, drunkenness, conviction of a crime, breach of trust, incompetence, or general conduct unbecoming an officer or officers of the City, with such particularity as to enable the officer or officers so charged to understand the charge being made against him or them.

An inordinate amount of time has passed since I first made these requests. I expect to receive these documents within the next few days or you will have left me with no choice but to pursue my legal remedies. A copy of this letter is being sent to my attorney, Michael A. Pizzi, Jr., for his reference should that need arise.

Thank you in advance for your assistance.

Stephanie Kienzle



Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

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**Status of public records requests**

---

Stephanie Kienzle &lt;stephanie.kienzle@gmail.com&gt;

Sun, May 16, 2021 at 2:44 PM

To: Andrise\_Bernard &lt;andrise.bernard@citynmb.com&gt;

Cc: "Arrojo, Jose (COE)" &lt;jose.arrojo@miamidade.gov&gt;, "Defillipo, Anthony" &lt;anthony.defillipo@citynmb.com&gt;

Dear Madam Clerk,

On February 1, 2021, I requested from you a copy of the letter to Mr. Michael Joseph notifying him of the fines due to his late filings of Campaign Treasurer's Reports. I have yet to receive a response.

On March 21, 2021, I requested from you a copy of "The **affidavit required** under Section 18 of the Charter as set out in Part I of this Code [which] shall charge the elected official or officials with specific acts or omissions which would constitute either malfeasance, nonfeasance, misfeasance, drunkenness, conviction of a crime, breach of trust, incompetence, or general conduct unbecoming an officer or officers of the City, with such particularity as to enable the officer or officers so charged to understand the charge being made against him or them." I have yet to receive a response.

I am not sure what is going on in the City of North Miami Beach with respect to the fulfillment of Public Records Requests, but the response time and non-fulfillment of requests are unacceptable.

Madam Clerk, I have been more than patient, but my patience has reached its limit. I am expecting immediate responses to all my outstanding public records requests, or you will have given me no choice but to file formal complaints with the appropriate agencies, including the Miami-Dade County Commission on Ethics and Public Trust, the Florida Ethics Commission, the Florida Elections Commission (regarding the fines for late filings), and the First Amendment Foundation of Florida.

Please govern yourself accordingly.

Stephanie Kienzle

[Quoted text hidden]