

ORDINANCE 14-10

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, CALLING FOR A GENERAL MUNICIPAL ELECTION ON NOVEMBER 4, 2014, FOR THE PURPOSE OF ELECTING A MAYOR, A COMMISSIONER FOR SEAT ONE(1), A COMMISSIONER FOR SEAT TWO (2) AND A COMMISSIONER FOR SEAT FOUR (4), THE ELECTED COMMISSIONERS FOR SEATS TWO (2) AND FOUR (4) SHALL SERVE FOR A TERM OF FOUR (4) YEARS;THE ELECTED MAYOR AND COMMISSIONER FOR SEAT ONE (1) SHALL SERVE FOR A TERM OF TWO (2) YEARS; PROVIDING FOR GUIDELINES IN ACCORDANCE WITH FLORIDA STATUTES, THE DUNEDIN CITY CHARTER AND CITY OF DUNEDIN CODE OF ORDINANCES, CHAPTER 26 (ELECTIONS) AND AS ADDITIONALLY OUTLINED IN EXHIBIT A (AGREEMENT FOR CONDUCTING THE NOVEMBER 4, 2014 IN CONJUNCTION MUNICIPAL ELECTION); PROVIDING AUTHORIZATION FOR THE CITY MANAGER TO SIGN THE AGREEMENT;PROVIDING FOR PUBLICATION;PROVIDING AUTHORIZATION OF ELECTION EXPENDITURES; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; AND BY PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the City of Dunedin City Charter, Section 5.04 (Election Ordinance), the City Commission shall, by City Ordinance define and describe to the voter and candidates qualifications, rules and methods of conducting elections within the City of Dunedin; and

WHEREAS, pursuant to the City Charter, Section 5.03 (Elections), on November 4, 2014, the qualified electors shall elect a Commissioner for Seat Two (2) and a Commissioner for Seat Four (4) to serve for a term of four (4) years; and

WHEREAS, pursuant to the City Charter, Section 3.06 (Vacancies; Forfeiture of Office; Filling of Vacancies) on November 4, 2014, the qualified electors shall elect a Mayor and a Commissioner for Seat One (1) to serve for a term of two (2) years; and

WHEREAS, pursuant to the City Charter, Section 5.03 (Elections):

- The candidate receiving the highest number of votes for the Mayor and the Commissioner's numbered seats shall be declared elected, if otherwise qualified.
- The candidates so elected shall assume their offices at a Special City Commission meeting on the second Monday following the election.

WHEREAS, pursuant to the City Charter, Section 3.03 (Qualifications), any elector of the City who is a resident of the City, having physically resided therein for a period of at least one (1) year immediately prior to the time of qualifying and who has met the requirements of Article V of the City Charter shall be eligible to hold the office of Mayor or Commissioner. Except as otherwise provided herein, the City Commission shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office; and

WHEREAS, pursuant to Chapter 26 (Elections) of the City of Dunedin Code of Ordinances, Section 26-74 (Time for qualifying): No person may qualify as a candidate prior to the 155th day before the next city election nor later than 12:00 noon, local time, on the 141st day before the said election, except that if the 141st day falls on a day that is a Saturday, Sunday or City holiday, the qualifying period shall be extended to the next city business day; and

WHEREAS, said election shall be held in accordance with Florida Statutes, the City Charter and Chapter 26 (Elections) of the City of Dunedin Code of Ordinances and as outlined in Exhibit A (Agreement for Conducting November 4, 2014 in Conjunction Municipal Election), now therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That an election shall be held in the City of Dunedin, Florida on November 4, 2014, for the purpose of electing a Commissioner for Seat Two (2) and a Commissioner for Seat Four (4) to serve a term of four (4) years; and a Mayor and a Commissioner for Seat One (1) to serve for a term of two (2) years.

Section 2. That said election shall be held in accordance with Florida Statutes, the City Charter and Chapter 26 (Elections) of the City of Dunedin Code of Ordinances and as outlined in Exhibit A (Agreement for Conducting November 4, 2014 in Conjunction Municipal Election).

Section 3. That the City Manager shall be authorized to sign the Agreement between the Pinellas County Supervisor of Elections and the City of Dunedin.

Section 4. That the City Clerk shall be authorized:

- To procure such voting equipment, ballots, tally sheets, list of registered voters, certificates and such other similar items as shall be necessary for the conducting and holding of such election.
- To expend such monies as may be necessary in order to prepare for and conduct said election.
- To accept Campaign Treasurer's Reports and review such reports to verify information for completeness and allow amendments as provided by law.

Section 5: That the new four-year term for elected Commissioners for Seats Two (2) and Four (4) and the new two year term for the elected Mayor and Commissioner of Seat One (1) will commence on the second Monday following the election, which will be a Special Meeting on November 17, 2014.

Section 6: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

Section 7: This Ordinance shall become effective immediately upon its final passage and adoption.

adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 15th day of May, 2014.



Dave Eggers
Mayor

ATTEST:



Denise M. Schlegel
City Clerk

Passed on First Reading: _____ May 1, 2014

Published: _____ May 2, 2014

Passed on Second Reading: _____ May 15, 2014

**AGREEMENT FOR CONDUCTING
IN CONJUNCTION GENERAL ELECTION/MUNICIPAL ELECTIONS**

NOVEMBER 4, 2014

CITY OF DUNEDIN

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WHEREAS, the City/Town of **Dunedin** has requested the assistance of the Office of the County Supervisor of Elections (Supervisor) in conducting its General Election; and

WHEREAS, the Supervisor is agreeable to providing such assistance to the City/Town subject to the following conditions, considerations and agreements arrived at between the parties;

IT IS HEREBY AGREED AS FOLLOWS:

GENERAL PROVISIONS

The election is to be conducted under any applicable ordinances of the City/Town and all sections of Chapters 97-106, Florida Statutes (the State Election Code). It is understood that the Supervisor is in charge of the election, and that the County Canvassing Board is responsible for canvassing the election (no cost to the City/Town). The City/Town may have a designated representative in the canvassing board room. This designee may only serve in an "observer" capacity and may not participate in the canvassing of the election. The County Canvassing Board will determine whether a recount is required and advise the City/Town. The County Canvassing Board will certify the election results and will provide a certificate of election and a conduct of election report to the City/Town (ONE certificate of election and conduct of election report will include all elections held on the same day). These documents will be provided to the City/Town after the County Canvassing Board certifies the official election results.

The Post-Election Audit may not begin until the Canvassing Board has certified the official election results. The City/Town is responsible for the costs associated with conducting an annexation election (mapping annexation areas, reassigning addresses, and mailing new voter registration cards).

The City/Town is responsible for the costs associated with any legal action or contest of election arising from its election. The City/Town, the Supervisor of Elections and the County Canvassing Board agree that the County Attorney's Office will represent the Supervisor of Elections and County Canvassing Board in any legal action concerning the canvass or certification of the election.

JUN 03 2014
OFFICE OF THE CITY CLERK

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It is understood that the provisions of this contract are based on current state law, and if any changes in election law should occur during the period of this agreement, those changes will supersede the terms of this contract where applicable.

The City/Town will provide the Supervisor with the current City/Town definition/boundaries (which includes ALL current annexations) no later than 5:00 p.m., August 19, 2014. It is the responsibility of the City/Town to ensure the Supervisor has the current definition/boundary information so all eligible voters can participate in the City/Town's election. The City/Town agrees that NO changes to the City/Town definition/boundaries will be made effective between 5:00 p.m., August 19, 2014, and Midnight, November 4, 2014.

This contract must be signed by the City/Town and received by the Supervisor no later than the **ballot language deadline of 5 p.m., August 19, 2014.**

The Supervisor will certify to the City/Town the number of registered voters for this election approximately 10 days prior to the election.

SPECIFIC PROVISIONS (City of Dunedin)

CITY/TOWN CLERK:	Denise Schlegel
OFFICE PHONE:	(727) 298-3034
FAX:	(727) 298-3505
ELECTION DAY CELL PHONE:	(727) 423-5316
ADDRESS:	750 Milwaukee Ave (Zip 34698) P.O. Box 1348 Dunedin, FL 34697-1348
ELECTION TITLE:	General Election
ELECTION DATE:	November 4, 2014
VOTER REGISTRATION DEADLINE:	October 6, 2014

(The City/Town Clerk MUST be available from 6 a.m. to 7:30 p.m. on Election Day)

BALLOT INFORMATION (Julie Marcus 464-6641)

- o Final Ballot Language is due no later than **5:00 p.m., August 19, 2014** and must include all opposed candidate oaths and resolutions and/or ordinances with ballot questions.
- o All ballot language must comply with Florida Statutes [101.161(1)] and the Uniform Ballot Rule (1S-2.032).

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- Using the Ballot Language Submittal Forms – Complete required information. Include information and Candidate Oaths for ONLY qualified opposed candidates in ballot order, and all Charter Amendments/Referendum Questions with SIGNED/APPROVED Ordinances/Resolutions including numbering for ballot order.
- Scan and Email ballot language to Julie Marcus at jmarcus@votepinellas.com by the final ballot language deadline.

BALLOT LAYOUT/PRINTING (Marc Gillette 464-4958)

- The Supervisor is responsible for creating the ballot (ballot layout will comply with Florida Statutes and the Uniform Ballot Rule).
- The City/Town is responsible for approving the City/Town's portion of the ballot.
- Precinct ballots will be printed by the Supervisor. The Supervisor will bill the City/Town 22 cents per ballot card (includes shipping charges) if the City/Town's portion of the ballot creates an additional ballot card.
- Provisional Ballots (minimum of 25 ballots per precinct) will be printed by the Supervisor. The Supervisor will bill the City/Town 22 cents per ballot card if the City/Town's portion of the ballot creates an additional ballot card.
- If the City/Town requires a ballot change after ballots are printed, the City/Town is responsible for additional costs.

CANDIDATE AUDIO RECORDING (Nicole Sokolowski/David Wise 464-4958)

- The deadline for candidates to record their names and office titles for the audio ballot is **5:00 p.m., August 26, 2014**. It is the responsibility of the City/Town to notify City/Town candidates of this deadline. Candidates must call (727) 453-3293; a voice message will prompt the candidate to record his/her name as indicated on the Candidate Oath and the office for which the candidate is running.

MAIL /ABSENTEE BALLOTS (Martin Munro 464-6788)

- The Supervisor will bill the City/Town 22 cents per ballot card, if the City/Town's portion of the ballot creates an additional ballot card, used in the initial mailing.
- The Supervisor will bill the City/Town 40 cents per ballot card, if the City/Town's portion of the ballot creates an additional ballot card, used in daily mailings.

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- The City/Town will be billed for additional postage if the City/Town's portion of the ballot creates an additional ballot card.
- The deadline for mailing military/overseas mail/absentee ballots is September 20, 2014. [F.S. 101.62(4)(a)]. **Tentative Mailing Schedule for military/overseas ballots: The week of September 15, 2014, no later than September 20, 2014.**
- **Domestic ballots must be mailed no earlier than September 30, 2014 and no later than October 7, 2014 [F.S. 101.62(4)(b)].**
- After the initial mailings, ballots will be mailed daily as requests are received up to the fourth day prior to the election.
- Duplicate and Test Ballots will be printed by the Supervisor; the Supervisor will bill the City/Town 40 cents per ballot card if the City/Town's portion of the ballot creates an additional ballot card.

LEGAL NOTICES (Nancy Whitlock 464-7493)

- The Supervisor is responsible for publishing the canvassing board meeting schedule.
- The Supervisor is responsible for creating the Sample Ballot and publishing it in a newspaper of general circulation. The City/Town is responsible for the advertising costs associated with publishing their portion of the sample ballot ad. The Supervisor will bill the City/Town for the City/Town's portion of the sample ballot ad.
- The Supervisor is responsible for mailing any necessary polling place change notices, one per household, and publishing the list in a newspaper of general circulation.
- If the City/Town is conducting a special election or special referendum election, the City/Town is responsible for any additional notices required by Florida law. The City/Town is responsible for any notices required in its charter or by ordinance.

TESTING BALLOT COUNTING EQUIPMENT (Marc Gillette 464-4958)

- The canvassing board will certify test results of the ballot counting equipment and the Supervisor will file the election parameters with the Division of Elections. The Supervisor will publish the canvassing board meeting schedule. The canvassing board meeting schedule is:

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DATE	MEETING TIME	ACTIVITY
October 15, 2014	9:00 a.m.	Pre-election test of precinct and early voting ballot scanning equipment and mail/absentee and provisional ballot scanning equipment [F.S. 101.5612]
October 22, 2014	9:00 a.m.	Second test of mail/absentee and provisional ballot scanning equipment [F.S. 101.5612]; Canvass mail/absentee ballots (No earlier than 15 days prior to election) [F.S. 101.68(2)]
October 23 - November 2, 2014	9:00 a.m.	Canvass mail/absentee ballots [F.S. 101.68(2)] <i>(Meeting If Necessary)</i>
November 3, 2014	9:00 a.m.	Canvass mail/absentee ballots [F.S. 101.68(2)]; Early voting and mail/absentee processing [F.S. 102.141(4)(a)]
November 4, 2014	9:00 a.m.	Canvass mail/absentee ballots [F.S. 101.68(2)]
	7:00 p.m.	Election Day processing
		Release unofficial results (does not include provisional ballots and 10-day overseas mail/absentee ballots)
	7:30 p.m.	Deadline to begin reporting early voting and mail/absentee ballots results to State [F.S. 102.141]
November 5 - 7, 2014	9:00 a.m.	Canvass provisional ballots [F.S. 101.048] <i>(Meeting If Necessary)</i>
November 8, 2014	9:00a.m.	Deadline to file Unofficial Election Returns with State (does not include 10-day overseas mail/absentee ballots) [F.S. 102.141(5)] (No later than Noon of the 4th day after election) <i>(Meeting If Necessary)</i>
November 9 - 12, 2014	9:00a.m.	<i>(Meeting If Necessary)</i>
November 13, 2014	9:00a.m.	Deadline to file 2nd Unofficial Election Returns with State (if necessary) [F.S. 102.141(7)(c)] (No later than 3 p.m. of the 9th day after election) <i>(Meeting If Necessary)</i>
November 14, 2014	9:00a.m.	Deadline for Receipt of 10-day overseas mail/absentee ballots [Rule 1S-2.013; F.S. 101.6952] (No later than 10 days from the date of the election) <i>(Meeting If Necessary)</i>
November 15, 2014	9:00a.m.	<i>(Meeting If Necessary)</i>
November 16, 2014	9:00a.m.	Deadline to file Official Election Returns and Conduct of Election Report with State [F.S. 102.112(2)] (Noon on the 12th day after election) [F.S. 102.141] <i>(Meeting If Necessary)</i>
November 17 - 19, 2014	9:00 a.m.	<i>(Meeting If Necessary)</i>

- o All Canvassing Board Meetings will take place at: Election Service Center, 13001 Starkey Road, Largo

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EARLY VOTING (Martin Munro 464-6788)

- Early Voting will be October 20, 2014 – November 2, 2014

Early Voting Locations, F.S. 101.657(1)(a)

Election Office - County Courthouse
315 Court St., Room 117
Clearwater, FL 33756-5190

Election Service Center
13001 Starkey Rd.
Largo, FL 33773-1416

Election Office – County Building
501 First Ave. N.
St. Petersburg, FL 33701-3726

Days/Times of Operation

Monday – Friday: 7 a.m. – 7 p.m.

Saturday and Sunday: 7 a.m. – 7 p.m.

- Early Voting ballots will be printed by the Supervisor; the Supervisor will bill the City/Town 40 cents per ballot card if the City/Town's portion of the ballot creates an additional ballot card.

MAIL /ABSENTEE BALLOT DROP-OFF LOCATIONS (Julie Marcus 464-5710)

- The Supervisor will provide mail/absentee ballot drop-off locations. For locations, dates and times please refer to Exhibit A.

POLL WATCHERS (Julie Marcus 464-6641)

- Early Voting poll watcher designations for municipal candidates/committees must be submitted to the City/Town PRIOR TO NOON **October 6, 2014** [F.S. 101.131(2)]. The City/Town must submit poll watcher designations to the Supervisor PRIOR TO 5 P.M. **October 6, 2014.**
- Precinct poll watcher designations for Election Day for municipal candidates/committees must be submitted to the City/Town PRIOR TO NOON **October 21, 2014** [F.S. 101.131(2)]. The City/Town must submit poll watcher designations to the Supervisor PRIOR TO 5 P.M. **October 21, 2014.**

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- The City/Town shall provide to each designated poll watcher for a municipal candidate/committee, no later than 7 days prior to the beginning of early voting and Election Day, a poll watcher identification badge that identifies the poll watcher by name. Each poll watcher must wear his or her identification badge while in the early voting area or polling room. [FS 101.131(5)].

OVER-THE-COUNTER BALLOT PICKUP (Martin Munro 464-6788)

- In-office ballot pickup will be available in each of the Supervisor of Elections locations during the following dates and times:
 - September 22 – October 19: 8 a.m. – 5 p.m. (closed weekends and holidays)
 - October 20 – November 2: 7 a.m. – 7 p.m. (Saturdays and Sundays 7 a.m. – 7 p.m.)
 - November 3: 8 a.m. – 5 p.m.
 - November 4: 7 a.m. – 7 p.m. (only permitted in cases of emergency, F.S. 101.62(4)(c).5)
 - The Supervisor will bill the City/Town 40 cents per ballot card if the City/Town's portion of the ballot creates an additional ballot card.

VOTING EQUIPMENT AND SUPPLIES (Ken Lanphar 464-6788)

- The Supervisor will contract with a moving company to transport the voting equipment and supplies to and from polling locations.
- Supplies not transported by the moving company will be picked up by the precinct clerks after Clerks' Class at the Election Service Center.

POLLING PLACES (Dawn Grasso 464-6110)

- The Supervisor will select, contract with and compensate polling places.

POLL WORKERS (Wendy Grimes 464-6110)

- The Supervisor will recruit, assign, train, and compensate ALL poll workers. A Deputy Sheriff will deputize the poll deputies.

CANVASSING MAIL / ABSENTEE BALLOTS (Martin Munro 464-6788)

- The Supervisor, in the presence of the County Canvassing Board will open and prepare mail/absentee ballots for tabulation at the Election Service Center. Questionable ballots

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will be presented to the County Canvassing Board for decision. Florida Statute 101.68(2) allows for the canvassing of mail/absentee ballots to begin 15 days prior to the election. The Canvassing Board/testing schedule reflects ALL possible meeting days. The Canvassing Board will modify the schedule as needed based on the number of mail/absentee ballots received. Updates to the canvassing board schedule will be posted to the Supervisor's Web site.

PROVISIONAL BALLOTS (Martin Munro 464-6788)

- The Supervisor will research each provisional ballot to determine the voter's eligibility and will present the provisional ballots to the County Canvassing Board for decision. Voters casting a provisional ballot have two days after Election Day to provide written proof of eligibility to the County Canvassing Board. The deadline for this election is November 6, 2014 at 5 p.m. [Florida Statute 101.048]. All provisional ballots will be canvassed at the Election Service Center.

ELECTION NIGHT PROCEDURE (Julie Marcus 464-5710)

- The Supervisor will have unofficial election results modemed from the polling places to the Election Service Center.
- The Supervisor will have the precinct scanner memory sticks, voted precinct and provisional ballots, and election supplies transported to the Election Service Center.
- Results will be released throughout the night and posted to the Supervisor's Web site (www.voteinellas.com). The Supervisor will provide unofficial results on election night.

AFTER ELECTION DAY (Nancy Whitlock 464-7493)

- Provisional ballots will be canvassed. All ballots accepted by the County Canvassing Board will be processed and added to the election night results to produce Official Election Results. Provisional ballots cannot be rejected until after the deadline for provisional voters to provide written proof of eligibility [F.S. 101.048].
- The County Canvassing Board will certify the election results and will provide a certificate of election and a conduct of election report to the City/Town (ONE certificate of election and conduct of election report will include all elections held on the same day). These

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documents will be provided to the City/Town via email after the County Canvassing Board certifies the official election results.

- The County Canvassing Board will conduct a post-election audit in accordance with F.S. 101.591 and Division of Elections administrative rule 1S-5.026. The Supervisor will post the required post-election audit notices to the Supervisor's Web site and at each elections office. The Supervisor will provide a copy of the notices via email to the City/Town to post at City/Town Hall (and Web site, if applicable). The Supervisor will post the final post-election audit report to the Supervisor's Web site and will provide to the City/Town a copy of the report, via email, to post to the City/Town Web site, if applicable, after the County Canvassing Board completes the audit.
 - Election materials will remain sealed at the Election Service Center for the duration of the public records retention period.
 - The Supervisor of Elections in accordance with Florida Statute 98.0981(2) will report precinct-level results to the Department of State within 30 days after the County Canvassing Board certifies the official election results.

DATA PROCESSING ORDERS (Nicole Sokolowski 464-4958)

- The City/Town may place orders directly with the Data Center staff.
- The City/Town has requested and will be billed for the voter list on CD within 10 days following the Voter Registration Deadline.

VOTER HISTORY (Marc Gillette/David Wise 464-4958):

- When voter history is completed, the City/Town will be provided with the names of those who voted. Information to be provided on CD.

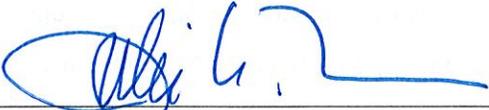
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ELECTION COSTS (Dawn Ricketts 464-6108)

- o There will be a 10-cent election administration fee per registered voter.

By affixing their signatures hereto, the parties acknowledge each to the other that they have full authority to enter into this Contract.

APPROVED:



for
DEBORAH CLARK
Supervisor of Elections
Pinellas County, Florida

Date: 6/2/14

APPROVED:



ROB DISPIRITO
City Manager
City of Dunedin, Florida

Date: May 15, 2014

APPROVED AS TO FORM:



JEWEL WHITE
Sr. Assistant County Attorney

Date: 5-29-14

APPROVED AS TO FORM:



THOMAS J. TRASK
City Attorney

Date: May 15, 2014

ATTEST TO:



DENISE M. SCHLEGEL
City Clerk

Date: May 15, 2014