ORDINANCE 20-25

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, CALLING FOR A GENERAL MUNICIPAL ELECTION ON NOVEMBER 3, 2020, FOR THE PURPOSE OF ELECTING A MAYOR, A COMMISSIONER FOR SEAT ONE AND A COMMISSIONER FOR SEAT THREE; FURTHER SAID ELECTION SHALL ALSO HAVE, IF NECESSARY, CITY INITIATIVE PETITIONS AND/OR PROPOSED AMENDMENTS TO THE CITY CHARTER; PROVIDING GUIDELINES IN ACCORDANCE WITH FLORIDA STATUTES, THE CITY CHARTER AND CHAPTER 26 TITLED "ELECTIONS" OF THE CITY OF DUNEDIN CODE OF ORDINANCES AND AS OUTLINED IN EXHIBIT A TITLED "AGREEMENT FOR CONDUCTING IN CONJUNCTION MUNICIPAL ELECTION"; PROVIDING AUTHORIZATION FOR THE CITY MANAGER AND THE CITY CLERK TO SIGN THE AGREEMENT; PROVIDING FOR PUBLICATION; AUTHORIZING ELECTION EXPENDITURES; BY PROVIDING FOR READING BY TITLE ONLY; BY PROVIDING FOR 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 titled "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 3, 2020, the qualified electors shall elect a Mayor and two (2) Commissioners, one for seat one (1) and one for seat three (3) to serve for a term of four (4) years; and
- The candidate receiving the highest number of votes for the numbered seat 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 Section 26-73 titled "Method of qualifying" item (c)(3): As a condition precedent to qualifying, the candidates shall be required to file with their petition cards a personal affidavit showing that they are residents of the city, having physically resided therein for a period of at least one year immediately prior to submitting the petition cards and are qualified electors of the city; and

WHEREAS, pursuant to Section 26-74 titled "Time for qualifying": No person may qualify as a candidate prior to the 113th day before the next city election nor later than 12:00 noon, local time, on the 99th day before the said election, except that if the 99th 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 titled "Elections" of the City of Dunedin Code of Ordinances and as outlined in Exhibit A titled "Agreement for Conducting 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 3, 2020, for the purpose of electing a Mayor and two (2) Commissioners, one for seat one (1) and one for seat three (3) to serve for a term of four (4) years.

Section 2. That said election shall also have, if necessary, City initiative petitions and/or proposed amendments to the City Charter

Section 3. That said election shall be held in accordance with Florida Statutes, the City Charter and Chapter 26 titled "Elections" of the City of Dunedin Code of Ordinances and as outlined in Exhibit A titled "Agreement for Conducting in Conjunction Municipal Election".

Section 4. That the City Manager and City Clerk shall be authorized to sign the Agreement between the Pinellas County Supervisor of Elections and the City of Dunedin.

Section 5. 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

- Pursuant to F.S. 99.061(7)(c), the Clerk, as filing officer, performs only a ministerial function in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified (by oath or affirmation) pursuant to

F.S. 92.525 (1)(a). The filing officer may not determine whether the contents of the qualifying papers are accurate.

Section 6: That the new four-year term for the Mayor and Commissioners will commence on the second Monday following the election, which will be a Special Meeting on November 16, 2020.

Section 7: 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 8: This Ordinance shall become effective immediately upon its final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 4th day of June, 2020.

Julie Ward Bujalski
Mayor

ATTEST:

Rebecca C. Schlichter
City Clerk

Passed on First Reading: May 21, 2020

Passed on Second Reading. June 4, 2020

Ordinance 20-25

Exhibit A

Pinellas County Supervisor of Elections

Agreement for Conducting In-Conjunction Municipal Election

City of Dunedin

General Election – November 3, 2020

Pinellas County Supervisor of Elections
13001 Starkey Road, Largo, Florida 33773-1416 • 727 464 6108 • VotePinellas.com

Agreement for Conducting In-Conjunction Municipal Election

City of Dunedin

General Election – November 3, 2020

WHEREAS, the City/Town 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 to the City/Town (ONE Certificate of Election will include all elections held on the same day). The Certificate of Election 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
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.

Agreement for Conducting In-Conjunction Municipal Election

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 11, 2020. 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 11, 2020, and Midnight, November 3, 2020.

This contract must be signed by the City/Town and received by the Supervisor no later than the **ballot language deadline of 5:00 p.m., August 11, 2020.**

Upon request, the Supervisor may provide to the City/Town with the number of registered voters for this election.

ELECTION INFORMATION

Election Title:	**2020 General Election**
Election Date:	**November 3, 2020**
Voter Registration Deadline:	**October 5, 2020**

SPECIAL PROVISIONS

City/Town Clerk:	**Rebecca Schlichter**
***Election Day Cell Phone:**	**(920) 299-6878**
Alternate Phone:	**(727) 298-3034**
Email:	**RSchlichter@ dunedinfl.net**
Mailing Address:	**PO Box 1348, Dunedin, FL 34697**

***The City/Town Clerk MUST be available from 5:00 a.m. to 9:00 p.m. on Election Day.**

TRANSLATION (Spanish – Section 203, Voting Rights Act) (Dustin Chase – 464-4988)

a. Pinellas County is a jurisdiction covered by Section 203 of the Voting Rights Act and must provide language assistance (Spanish). ALL municipalities within Pinellas County are also covered by Section 203 of the Voting Rights Act.

b. Full compliance is a requirement for all jurisdictions (County and Municipal). This means that all information directed to voters or otherwise concerning voting-connected activities must be provided in both English and Spanish. This includes, but is not limited to, voter registration, legal advertisements and/or other notices, forms, voting instructions and procedures at the polls or otherwise, polling place signage, any printed voter information guides or website information concerning elections, communication assistance

c. at the polls and election offices and communication with the jurisdiction's minority language community. The obligations and requirements apply to all elections conducted by the City/Town

d. Questions concerning your legal obligations/requirements to comply with Section 203, Voting Rights Act should be directed to your legal counsel.

BALLOT INFORMATION (Wendy Grimes – 464-4987)

a. Final Ballot Language is due no later than **5:00 p.m., August 11, 2020** and must include all qualified opposed candidates and resolutions and/or ordinances with ballot questions.

b. All ballot language must comply with Florida Statutes 101 161(1) and the Uniform Ballot Rule (1S-2.032).

c. 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

d. Scan and email ballot language to Wendy Grimes at **wgrimes@votepinellas.com** by the final ballot language deadline.

BALLOT LAYOUT/PRINTING (David Wise – 464-4958)

a. The Supervisor is responsible for creating the ballot (ballot layout will comply with Florida Statutes and the Uniform Ballot Rule).

b. The City/Town is responsible for approving the City/Town's portion of ballot.

c. Precinct ballots will be printed by the Supervisor. The Supervisor will bill the City/Town 23 cents per ballot card (includes shipping charges) if the City/Town's portion of the ballot creates an additional ballot card.

d Provisional Ballots (minimum of 25 ballots per precinct) will be printed by the Supervisor. The Supervisor will bill the City/Town 23 cents per ballot card if the City/Town's portion of the ballot creates an additional ballot card.

e. 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., June 26, 2020**. 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 BALLOTS (Alex Pena-Rosado – 464-6788)

a. The Supervisor will bill the City/Town 23 cents per ballot card, if the City/Town's portion of the ballot creates an additional ballot card, used in the initial mailing.

b. The Supervisor will bill the City/Town 23 cents per ballot card, if the City/Town's portion of the ballot creates an additional ballot card, used in daily mailings.

c. If placement of the City/Town's municipal contests/questions on the ballot causes an additional ballot card to be created, the Supervisor will bill the City/Town for the cost of that additional card and postage for mailing that ballot.

d. **The deadline for mailing military/overseas mail ballots is September 19, 2020 [F.S. 101.62(4)(a)]. Tentative Mailing Schedule for military/overseas ballots: The week of September 14, 2020, no later than September 19, 2020**

e **Domestic ballots must be mailed no earlier than September 24, 2020 and no later than October 1, 2020 [F.S. 101.62(4)(b)].**

f. After the initial mailings, ballots will be mailed daily up to the eighth day prior to the election The deadline to request a ballot be mailed is **5:00 p.m., October 24, 2020**, ten days prior to the election [F S. 101 62]

g. Duplicate and test ballots will be printed by the Supervisor; the Supervisor will bill the City/Town 36 cents per ballot card if the City/Town's portion of the ballot creates an additional ballot card.

LEGAL NOTICES (Dustin Chase – 464-4988)

a. The Supervisor is responsible for publishing the canvassing board meeting schedule

b. 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 advertisement. The Supervisor will bill the City/Town for the City/Town's portion of the sample ballot advertisement.

c. The Supervisor is responsible for mailing any necessary polling place change notices and publishing the list in a newspaper of general circulation.

d. 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 (David Wise – 464-4958)

The County Canvassing Board will certify test results of the ballot counting equipment and file the election parameters with the Division of Elections. All tests will be performed at the Election Service Center,13001 Starkey Road, Largo

CANVASSING BOARD MEETING SCHEDULE (Dustin Chase – 464-4988)

a. **The Supervisor will publish the Canvassing Board Meeting/Testing Schedule at no cost to the City/Town.**

b. All Canvassing Board Meetings will take place at the Election Service Center, 13001 Starkey Rd , Largo

c. A Canvassing Board Schedule will be emailed to the City/Town Clerk as part of this contract.

   i. The Canvassing Board/testing schedule reflects ALL possible meeting days.

   ii. The Canvassing Board will modify the schedule as needed based on the number of mail ballots received. Updates to the canvassing board schedule will be posted to the Supervisor's website (VotePinellas.com).

EARLY VOTING (Martin Munro – 464-6788)

a Early Voting ballots will be printed by the Supervisor; the Supervisor will bill the City/Town 36 cents per ballot card if the City/Town's portion of the ballot creates an additional ballot card

b. The Supervisor will provide early voting locations Locations, dates and times will be included in each mail ballot kit and posted to the Supervisor's website (VotePinellas.com).

MAIL BALLOT DROP-OFF LOCATIONS (Jeff Mendes – 464-6110)

The Supervisor will provide mail ballot drop-off locations. Locations, dates and times will be included in each mail ballot kit and posted to the Supervisor's website (VotePinellas.com)

POLL WATCHERS (Wendy Grimes – 464-4987)

a Early Voting poll watcher designations for municipal candidates/committees must be submitted to the City/Town **prior to Noon, October 10, 2020** [F.S. 101.131(2)].

b The City/Town must submit Early Voting poll watcher designations to the Supervisor **prior to 5:00 p.m., October 12, 2020**

c. Election Day poll watcher designations for municipal candidates/committees must be submitted to the City/Town **prior to Noon, October 20, 2020** [F.S. 101.131(2)].

d The City/Town must submit Election Day poll watcher designations to the Supervisor **prior to 5:00 p.m., October 20, 2020**

e The City/Town shall provide to each designated municipal poll watcher, 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. [F.S. 101.131(5)]

Agreement for Conducting In-Conjunction Municipal Election

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.

**Dates/times are subject to change*

- ***September 18 – October 23: 8:00 a.m. - 5:00 p.m.** (Closed weekends and holidays)
- ***October 24 – November 1: 7:00 a.m. - 7:00 p.m.**
- ***November 2: 8:00 a.m. - 5:00 p.m.**
- ***November 3: 7:00 a.m. - 7:00 p.m.** [Only permitted in cases of emergency, F.S. 101 62(4)(c) 5]

VOTING EQUIPMENT AND SUPPLIES (Alex Pena-Rosado – 464-6788)

a. The Supervisor will contract with a moving company to transport the voting equipment and supplies to and from polling locations

b Supplies not transported by the moving company will be picked up by the precinct clerks after Clerks' Class at the Election Service Center.

POLL WORKERS (Laurie Fidler – 464-6110)

a The Supervisor will recruit, assign, train, and compensate ALL poll workers

b A Deputy Sheriff will deputize the poll deputies.

c. The Supervisor will bill the City/Town for additional poll workers needed to support voters eligible to vote only in City/Town's election.

POLLING PLACES (Linda Cahill – 464-6110)

The Supervisor will select, contract with and compensate polling places [F.S. 101.71, 101.715].

CANVASSING MAIL BALLOTS (Alex Pena-Rosado – 464-6788)

The Supervisor, in the presence of the County Canvassing Board will open and prepare mail ballots for tabulation at the Election Service Center Questionable ballots will be presented to the County Canvassing Board for decision. Florida Statute 101.68(2) allows for the canvassing of mail 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 ballots received. Updates to the canvassing board schedule will be posted to the Supervisor's website (VotePinellas.com).

Agreement for Conducting In-Conjunction Municipal Election

PROVISIONAL BALLOTS (Alex Pena-Rosado – 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 **5:00 p.m., August 20, 2020** [F.S. 101.048]. All provisional ballots will be canvassed at the Election Service Center.

ELECTION NIGHT PROCEDURES (Dustin Chase – 464-4988)

a. The Supervisor will have unofficial election results modemed from the polling places to the Election Service Center.
b. The Supervisor will have the precinct scanner memory sticks, voted precinct and provisional ballots, and election supplies transported to the Election Service Center.
c Results will be released throughout the night and posted to the Supervisor's website (VotePinellas com) The Supervisor will provide unofficial results on election night.
d. Campaign Signs – If candidates wish to reuse their campaign signs left at the polls on Election Day, the signs must be collected by campaign staff prior to poll workers removing and disposing of them after the polls close.

AFTER ELECTION DAY (Dustin Chase – 464-4988)

a. 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 ballot voters to provide written proof of eligibility [F.S. 101.048].
b. The County Canvassing Board will certify the election results and will provide a certificate of election to the City/Town (One Certificate of Election will include all elections held on the same day). This document will be provided to the City/Town via email after the County Canvassing Board certifies the official election results.
c The County Canvassing Board will conduct a post-election manual 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 website (VotePinellas.com) and at each election office. The Supervisor will post the final post-election audit report to the Supervisor's website (VotePinellas.com) after the County Canvassing Board completes the audit
d. Election materials will remain sealed at the Election Service Center for ten days after certification of the election. The Municipal Clerk will then be notified to pick up all election materials.
e. The Supervisor of Elections in accordance with F.S. 98.0981(2) will report precinct-level results to the Department of State within 30 days following the election

DATA PROCESSING ORDERS (Nicole Sokolowski – 464-4958)

The City/Town is to place data orders directly with an IT staff member by contacting (727) 464-4958 or SOEIT@VotePinellas com.

Agreement for Conducting In-Conjunction Municipal Election

VOTER HISTORY (David Wise/Nicole Sokolowski – 464-4958)

When voter history is completed, the City/Town may request the names of those who voted by contacting (727) 464-4958 or SOEIT@VotePinellas.com.

ELECTION COSTS (Susan Morse – 464-6108)

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

b The City/Town will be provided an invoice based on election cost estimates Payment must be received no later than **5:00 p.m., June 12, 2020.** After the election, based on actual election costs, the Supervisor will reimburse the City/Town for unused funds or provide the City/Town with an invoice for additional costs incurred.

c. In the event the election is canceled or otherwise not conducted, the City/Town is responsible for any and all costs associated with preparations and/or conduct of this election.

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

APPROVED:

SUPERVISOR OF ELECTIONS

Supervisor of Elections, Pinellas County, Florida

Dated:_____

APPROVED:

CITY/TOWN MANAGER

Print Name: Jennifer K. Bramley

Dated. June 4, 2020

APPROVED AS TO FORM:

OFFICE OF THE COUNTY ATTORNEY

Print Name:_____

Dated:_____

REVIEWED AND APPROVED:

CITY/TOWN ATTORNEY

Print Name: Thomas J. Trask

Dated: June 4, 2020

ATTEST TO:

MUNICIPAL CLERK

Print Name: Rebecca C. Schlichter

Dated: June 4, 2020