



Meeting Date: February 18, 2016

Agenda Item: 11-C

Report to Town Council

Topic: Resolution 2016-04, opposing state legislation regarding modification of election dates.

Recommended Motion: Approval of Resolution 2016-04.

Summary: Provided by the Florida League of Cities, with information specific to Ponce Inlet in parenthesis where appropriate.

HB 7059 preempts the authority of cities to set the date for city elections.

The bill requires all municipal elections within a county to be held on the same date as the general election in even numbered years, or on a like date in odd numbered years, or both, as determined by the Supervisor of Elections. This provision is designed to accommodate cities with even and odd numbered year terms.

If all the cities within a county and the Supervisor of Elections agree, an alternative fixed date each year may be set for city elections. These provisions provide extraordinary powers to Supervisors of Elections over city election cycles.

The bill expressly preempts any conflicting charters, ordinances, and general or special laws (this includes preemption of the special law in Volusia County for the Uniform Election System).

The bill provides for an orderly transition in office by extending the terms for affected incumbent city officers.

The bill is effective for city elections occurring after January 1, 2017.

Talking Points:

- Currently, cities have elections at different times of the year on either even or odd numbered years. This proposal preempts the flexibility currently enjoyed by municipalities to set their own elections according to local needs.
- Changes to length of term of office and dates of elections may require municipal charter amendments (the Town of Ponce Inlet currently has 2 year staggered terms, which would have to change this proposed legislation). Charter amendments will require an additional referenda election.
- Consolidating various elections for local office into a general election has the possibility to create a longer ballot and therefore increase the possibility of "under voting", the practice in which a voter does not fill out all questions on a ballot.
- Consolidating elections may have a negative effect on voter turnout and the non-partisan nature of municipal elections.

Requested by: Florida League of Cities

Approved by: Ms. Witt, Town Manager

33 **Section 2.** That a copy of this resolution be sent to Governor Rick Scott, Senator Don Gaetz,
34 President of the Florida Senate and Senator Dorothy L. Hukill, District 8.

35 **Section 3.** This resolution shall be effective immediately upon adoption.

36 It was moved by _____ and seconded by _____ that said
37 Resolution be adopted. A roll call vote of the Town Council on said motion resulted as follows:

38 Mayor Smith, Seat #1 _____

39 Councilmember Perrone, Seat #2 _____

40 Vice-Mayor Hoss, Seat #3 _____

41 Councilmember Milano, Seat #4 _____

42 Councilmember Paritsky, Seat #5 _____

43 Passed this __ day of _____, 2016.

44 Town of Ponce Inlet, Florida

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49 Gary L. Smith, Mayor

49 ATTEST:

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52 _____
53 Jeaneen Witt, CMC
54 Town Manager/Town Clerk