



TOWN OF HIGHLAND BEACH

AGENDA MEMORANDUM

MEETING TYPE: Town Commission

MEETING DATE 03/07/2023

SUBMITTED BY: Lanelda Gaskins, Office of the Town Clerk

SUBJECT: Canvassing Boards

SUMMARY:

At the November 16, 2021, meeting, Town Commission discussed the Canvassing Board Members and decided to maintain the Highland Beach Canvassing Board as defined in the Town's Charter.

Also, at the January 31, 2023 Special Meeting, Town Commission requested Town staff provide information about the duties of the Town's Canvassing Board and the alternative option available to the Town. This item is before Town Commission to educate you about the responsibilities of the Canvassing Board and an alternative option.

Currently, the Town maintain its own Canvassing Board in accordance with Section 1.06(7) – "Town Commission Created; Election; Terms; Town Clerk; Qualifications of Electors; General Election Law" of the Charter. The Canvassing Board Members consist of the Town Clerk or designee of the town clerk, the Palm Beach County Supervisor of Elections (SOE) or designee of that office, and one Commissioner appointed by the Town Commission (who is not running for election), which is designated by a resolution.

The Canvassing Board has several responsibilities, whether it is the county canvassing board or the municipal canvassing board. The duties are as follows:

- ❖ At least one member of the Canvassing Board must attend the Logic and Accuracy Test (all electronic or electromechanical voting systems shall be tested prior to an election)
 - ❖ A member of the Canvassing Board must be present at all times ballots are being processed; that is when ballots are being opened, duplicated, and tabulated.
 - ❖ A majority of the Canvassing Board must be present during canvassing of the ballots (making determinations/voting about signature issues on vote-by-mail ballot envelopes, making determination about voter intent, reviewing ballots which have been duplicated). If there is a tie vote, the third member of the Board must be present to break the tie.
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- ❖ The Canvassing Board must be present at the Supervisor of Elections Voting Equipment Center until all ballots have been collected and canvassed on Election Night.
- ❖ A majority of the Canvassing Board must certify the results of the election, three signatures is preferred. The Supervisor and SOE staff will ascertain the results and provide them to the Canvassing Board for certification. During a stand-alone election, certification may occur after 5:00 p.m. on the second day after the election once the ballots have been canvassed. In conjunction with a county-wide election, certificate may occur anywhere from the 3rd to the 12th day after the election
- ❖ At least three members must be present for a recount, if necessary.
- ❖ A majority of the Canvassing Board must be present at all times during the post-election audit. The SOE will complete the Audit process.

Additional duties of the Town Clerk during this process are:

- ❖ Ensure all Canvassing Board members complete the Signature Verification Training and send certificates to the County SOE prior to the first Canvassing Board Pre-Election meeting.
- ❖ Prepare a Canvassing Board meeting schedule and distribute to the members.
- ❖ Prepare and post the Notice of Logic & Accuracy (L&A) Testing on website and at town hall.
- ❖ The names of the canvassing board members and alternates to be posted on website and at town hall.
- ❖ Provide County SOE with L&A Notice as soon as possible.
- ❖ Prepare Canvassing Board Meeting Agendas and Minutes

Should the Town continue to maintain its own Municipal Canvassing Board beyond year 2024, the Palm Beach County Supervisor of Election may elect not to serve as a Canvassing Board member for the Town.

As an alternative, the County Canvassing Board is an option. According to Florida Statute 102.141(1), the County Canvassing Board is composed of the supervisor of election; a county court judge, who shall act as the chair; and the chair of the board of county commissioners. In addition, alternate canvassing board members must be appointed in the event county canvassing board is unable to serve or is an option in the election being canvassed or is an active participant in the campaign or candidacy of any candidate who has option in the election being canvassed, such member shall be replaced according to the statute. As mentioned above, the responsibilities of a Municipal Canvassing Board and County Canvassing Board are the same.

Please note: When a municipal election runs concurrent with county-wide election, the Division of Election has determined that only the County Canvassing Board can certify the election results.

If the Town decide to designate the County Canvassing Board, this Board will only be responsible for canvassing activities during the election cycle. The Town Clerk will remain as the Filing Officer and individuals interested in running for the offices of the Mayor, Vice-Mayor or Commissioner will continue to file their paperwork with the Town Clerk. Also, the Town Clerk will remain as the Supervisor for Highland Beach elections.

The Town's insurance carrier, Brown and Brown, has confirmed Canvassing Board members who are employees of the town are covered under the insurance plan.

FISCAL IMPACT:

\$20,000 (estimate)

ATTACHMENTS:

Division of Election Reference Guide 0020 – Canvassing Board Membership and Activities

Municipal Canvassing Board and Designation of County Canvassing Board Data

2023 Highland Beach Canvassing Board Schedule

November 16, 2021 Town Commission agenda memorandum and supporting docs.

November 16, 2021 Town Commission meeting minutes

RECOMMENDATION:

At the discretion of the Town Commission.