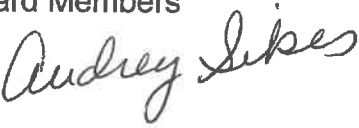


Date: June 5, 2020

MEMORANDUM

To: 2020 Charter Review Board Members
From: City Clerk Audrey Sikes 
Ref: Recommendations Amending the City's Election Process

This document will provide you with a summary of what has transpired relating to the City, the Supervisor of Elections and our elections process.

In correspondence dated April 17, 2019 the Columbia County Supervisor of Elections Office terminated the Interlocal Agreement for election services with the City due to charter issues.

Both entities, inclusive of respective legal counsel, met and discussed all areas of concern for the Supervisor of Elections Office. All sections of concern were addressed to bring the charter into compliance with current practice and the Florida Election Code. As a result, seven questions were crafted to pose to the electors of the City of Lake City during a special called referendum election. With concern of a failed referendum election, resulting in the City being responsible for holding elections as early as August of 2020, the City felt it was in the best interest of the citizens to narrow down the questions to the electorate for the March 2020 referendum ballot. An additional meeting was held with the Supervisor of Elections Office to identify the questions that needed to pass the referendum election in order for a new Interlocal Agreement to be negotiated, with the understanding the remaining questions would be addressed during the 2020 charter review. The seven questions were narrowed down to three and all three of those questions passed the referendum held on March 17, 2020. There are still four remaining areas that must be addressed. Please accept my apologies for not realizing one of the sections is in Section 305 that has already been covered. This section will be provided again in your packet for review and discussion. Please feel free to contact me with any questions you may have regarding these items. Listed below are the remaining areas that must be addressed. The words that are ~~stricken~~ are deletions and words underlined are additions.

Section 305: Judge of Qualifications

The council shall be the judge of the ~~election and~~ qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the city at least one week in advance of the hearing. Decisions made by the council under this section shall be subject to review by the courts.

The question previously crafted for the ballot is as follows:

Should the Charter be amended so that the courts of law are the sole judges of elections?

_____ Yes

_____ No

Section 505 ~~Absentee~~ Vote-by-mail Voting

~~Absentee~~ Vote-by-mail voting shall be permitted in all municipal elections in the same manner as now or hereafter provided for in The Florida Election Code (F.S. ch 97 et seq.)

The question previously crafted for the ballot is as follows:

Should the Charter be amended to conform with the Florida Election Code by replacing the term "absentee" with "vote-by-mail" when voting is concerned?

_____ Yes

_____ No

Section 512 Canvass of return

~~On the day succeeding the election, at twelve o'clock noon the mayor shall call the councilmembers together and they shall receive such returns of election and publicly shall proceed to canvass the votes of the election. They shall compile the votes of the election entirely from the returns of inspectors as signed and filed with the mayor and the city auditor and clerk and in no case shall they change or vary in any manner the number of votes cast for the candidates, as shown by the returns of the inspectors, and the city council shall publicly declare the result.~~

To the extent that the applicable state laws are appropriate to the canvassing of returns for the city elections the city council may, in lieu of the county canvassing board, appoint a city canvassing board to canvass the returns in the municipal elections. The city canvassing board shall be comprised of (3) three citizens appointed by resolution of the city council. The results of the voting at each polling place shall be certified by return in duplicate signed by the city clerk and a majority of the inspectors of the election, a copy of the return being delivered by the city clerk to the mayor both of whom shall transmit such return to a public meeting of the city canvassing board. Notwithstanding the foregoing, with the agreement of the Columbia County Canvassing Board and Columbia County Supervisor of Elections, the city council may, by ordinance assign and abdicate the canvassing responsibilities of the city canvassing board to the Columbia County Canvassing Board in such event, the Columbia County Canvassing Board shall canvass the returns and shall declare the results of the canvass as the results of the election in a manner provided by city ordinance or as otherwise required by law.

The question previously crafted for the ballot is as follows:

Should the City Charter be amended so that the city may allow either the county canvassing board to canvass the returns of the city elections when said elections are held in conjunction with the county and state elections, or appoint a city canvassing board to canvass returns?

_____ Yes

_____ No

Section 513 Oath of Office

Every officer of the city shall, before entering upon the duties of his office, take and subscribe to an oath or affirmation to be filed and kept in the office of the city auditor and clerk; which oath shall be in the form prescribed for state officers by the Constitution of the state.

The question previously crafted for the ballot is as follows:

Should the City Charter be amended to reflect that the city clerk, as custodian of official records of the city, rather than the city auditor, file and keep in their office the oath or affirmation of every officer of the city?

☐ Yes

☐ No