



MEMORANDUM

TO: Honorable Mayor and Board of Commissioners
VIA: Robin Gomez, City Manager
FROM: Clara VanBlargan, City Clerk
DATE: January 3, 2024
RE: Ordinance 2024-01, Calling the March 19, 2024 Municipal Election – 2nd Reading & Public Hearing

Background

The Board of Commissioners approved Ordinance 2024-01 after first reading and public hearing on Wednesday, January 10, 2024.

The Board of Commissioners adopted, after a second reading and public hearing, Ordinance 2023-24 at its regular meeting on December 13, 2023 placing a charter amendment on the March 19, 2024 Municipal Election Ballot for voter approval to change the qualifying period from the first two weeks in December to the first full week in December. Ordinance 2024-01, calling the March 19, 2024 Municipal Election was prepared for that purpose.

There will not be a race for Commissioner District 1 and Commissioner District 2 on the March 19, 2024 Municipal Ballot. Incumbents David Tagliarini (Commissioner District 1) and Ray Kerr (Commissioner District 2) will be sworn into office at a Board of Commissioners Special Meeting on Wednesday, March 27, 2024 at 5:30 p.m., to begin a new two-year term as District Commissioner. A light reception begins at 4:30 p.m. in the Commission Chambers. The Board of Commissioners Regular Workshop Meeting is at 6:00 p.m.

MARCH 19, 2024 MUNICIPAL ELECTION PROCEDURES (Ordinance 2024-01)

An Election shall be held in the City of Madeira Beach, Florida, on Tuesday, March 19, 2024, for the purpose of voting on one charter amendment.

In accordance with City Charter Section 3.4, Subsection B, the Board of Commissioners shall designate the Pinellas County Canvassing Board to serve as the Canvassing Board for the City of Madeira Beach. The actions of the Canvassing Board shall be reported to the Board of Commissioners at its next meeting following the Election. The Board of Commissioners shall meet following the certification for the purpose of declaring the results of said Election.

The polling locations for City of Madeira Beach voters to vote in the March 19, 2024 Municipal Election are as follows:

- Precinct 415 - Madeira Beach Municipal Building, City Centre Room, 300 Municipal Drive, Madeira Beach, Florida;
- Precinct 301 – Calvary Church Seminole (Combined), 6155 113 Street, Seminole, Florida 33772.

If the voters approve the charter amendment at the March 19, 2024 Municipal Election, it will take effect for the candidate qualifying period beginning in December 2024 for the March 2025 Municipal Election.

Charter Amendment on the March 19, 2024 Municipal Ballot:

**City of Madeira Beach
Charter Amendment**

Amend Qualifying Period to the first full week in December.

This charter amendment would amend Section 3.3(A) of the Charter to change the Candidate Qualifying Period to the first full week in December instead of the first two full weeks in December. Should the Charter be amended?

- Yes
- No

The revised section of the Charter being proposed on the March 19, 2024 Municipal Ballot is:

City Charter, Section 3.3 Nomination of Board of Commissioners.

- (A) *Filing.* Every person who shall desire to become a candidate for nomination under the provisions of this Charter to the office of Mayor and District-Commissioner, shall qualify to become such candidate by filing with the City Clerk during the candidate qualifying period held during the first ~~two~~ full weeks in December, excluding weekends, beginning at Noon on Monday, the first day of the qualifying period and ending at Noon on Friday, the last day of the qualifying period. Under no circumstances shall the City Clerk accept any nomination petitions or filing fees after the close of the filing period as stated herein. Every person's application is to have his/her name printed upon the ballot as a candidate for nomination to the office for which he/she aspires, in which application, he/she shall declare from the district he/she is a candidate or so declare if he/she is a candidate for Mayor. All applications shall be accompanied by an affidavit the candidate is an elector and a resident of the City of Madeira Beach, Florida, for one (1) year immediately prior to the date of said application and has been a resident of said district for which he/she declares himself/herself to be a candidate for a period of six (6) months prior to the date of said application. With said application shall be filed a petition which shall indicate prominently the district from which the Petitioner is a candidate, or if he/she be a candidate for Mayor.

The relevant Florida Statutes are:

Florida Statute 100.3605(1) (Conduct of Municipal Elections) provides:

(1) The Florida Election Code, chapters 97-106, shall govern the conduct of a municipality's Election in the absence of an applicable special act, charter, or ordinance provision. No charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.

Florida Statute 105.031(6) (Qualification; filing fee; candidates oath; items required to be filed) provides:

“Notwithstanding the qualifying period prescribed in this section, a qualifying office may accept and hold qualifying papers submitted not earlier than 14 days prior to the beginning of the qualifying period, **to be processed and filed during the qualifying period.**”

Florida Statute 166.031(1) and (2) (Charter Amendments) provides:

- (1) The governing body of a municipality may, by ordinance, or the electors of a municipality may, by petition signed by 10 percent of the registered electors as of the last preceding municipal general election, submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of said charter except that part describing the boundaries of such municipality. The governing body of the municipality shall place the proposed amendment contained in the ordinance or petition to a vote of the electors at the next general election held within the municipality or at a special election called for such purpose.
- (2) Upon adoption of an amendment to the charter of a municipality by a majority of the electors voting in a referendum upon such amendment, the governing body of said municipality shall have the amendment incorporated into the charter and shall file the revised charter with the Department of State. All such amendments are effective on the date specified therein or as otherwise provided in the charter.

Qualifying Period of Neighboring Cities and Towns

- City of Indian Rocks Beach – 6 days
- City of St. Pete Beach – 10 days
- City of Gulfport – 6 days
- Town of North Redington Beach – 11 days
- Town of Redington Shores – 11 days
- Town of Redington Beach – 11 days
- City of Clearwater – 10 days
- City of Treasure Island – 11 days
- City of Madeira Beach – 10 days

Fiscal Impact

The estimated cost for the Supervisor of Elections Office to administratively assist with the City of Madeira Beach Municipal Election on March 19, 2024 is \$1,589.10. The estimated cost to advertise Ordinance 2024-01 for a second reading and public hearing on February 14, 2024 is \$141.40.

Recommendation

The recommendation is for the Board of Commissioners to adopt, after second reading and public hearing, Ordinance 2024-01, calling for the March 19, 2024 Municipal Election.

Attachments:

- Ordinance 2024-01, Calling for the March 19, 2024 Municipal Election
- Ordinance 2024-01, Business Impact Estimate