



# MEMORANDUM

Office of the City Attorney

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**TO:** Mayor and City Commission

**DATE:** June 24, 2002

**FROM:** City Attorney

CITY ATTORNEY

**SUBJECT:** Proposed amendments to Chapter 9 of the Code of Ordinances related to Elections

Recommendation: The City Commission (1) receive the reports of the City Attorney, Clerk of the Commission, and Supervisor of Elections related to proposed amendments to the Elections ordinance; and (2) authorize the City Attorney to draft, and the Clerk of the Commission to advertise the proposed ordinance.

Chapter 9, Section 9-2 states, in pertinent part, "a runoff election shall be held on the second Tuesday following the first election". The Supervisor of Elections has indicated that the current two week turnaround time between elections is insufficient time to complete the printing of runoff ballots and the mailing & return of all absentee ballots.

The City Attorney has polled several other Florida municipalities and determined that most cities have anywhere from 3 to 6 weeks turnaround time between elections. The City Attorney recommends that Section 9-2 be amended to provide for a runoff election to be held three weeks after the first election.

Additionally, the City Attorney recommends a further amendment to Chapter 9 that would allow the use of paper ballots (both for poll and mail in ballot voting) for exclusive use in annexation elections where the number of registered voters in the area to be annexed is 500 or less. Beverly Hill, Supervisor of Elections will make a presentation regarding the proposed amendments.

The Clerk of the Commission will also be making a presentation relating to the advertising of the proclamation that calls for the city's election.

In summary, we are seeking approval of the following amendments to Chapter 9:

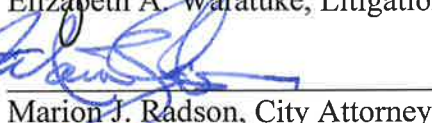
1. Change from a 2 week to a 3 week turnaround time between regular and runoff elections;
2. Allow paper ballots in annexation elections where the number of registered voters is under 500;
3. Change the requirements for publishing proclamation.

Prepared by:



Elizabeth A. Waratuke, Litigation Attorney

Approved and  
Submitted by:



Marion J. Radson, City Attorney