

RESOLUTION NO. 19-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, CALLING FOR A GENERAL ELECTION TO BE HELD ON MARCH 17, 2020, IN ACCORDANCE WITH ORDINANCE NO. 4090, FOR THE PURPOSE OF ELECTING ONE (1) COUNCILMEMBER TO FILL SEAT #3 FOR A FOUR (4) YEAR TERM; APPROVING AN AGREEMENT WITH THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS AND AUTHORIZING THE CITY CLERK TO SIGN THE SAME; DIRECTING THE CITY CLERK TO GIVE NOTICE OF SUCH GENERAL ELECTION; PROVIDING FOR THE CITY CLERK TO SERVE AS THE CITY'S DESIGNATED REPRESENTATIVE AT THE LOGIC AND ACCURACY TESTING OF THE BALLOT COUNTING EQUIPMENT AND THE COUNTING OF ABSENTEE BALLOTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pinellas Park General Election shall be for the purpose of electing one (1) Councilmember to fill Seat #3 for a four (4) year term; and

WHEREAS, Section 8-103 allows for the City Clerk to enter into a contract with the Pinellas County Supervisor of Elections to assist the City Clerk in conducting the City of Pinellas Park General Election on March 17, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That the General Election for the City of Pinellas Park shall be conducted on March 17, 2020.

SECTION TWO: That the City Council of the City of Pinellas Park hereby approves the agreement for conducting the Pinellas Park General Election, by and between the City and the Pinellas County Supervisor of Elections, a copy of which is attached hereto as **EXHIBIT A**, and made a part hereof, and authorizes the City Clerk to sign the same upon behalf of the City, upon approval of the City Attorney.

SECTION THREE: That polling will be conducted at the General Election to be held on March 17, 2020, between the hours of 7:00 A.M. and 7:00 P.M., including any early voting provided by the Supervisor of Elections, for the purpose of electing a one (1) Councilmember to fill Seat #3 for a four (4) year term.

SECTION FOUR: That the City Clerk, is hereby authorized and directed to cause Notice of said General Election to be given by publishing Notice thereof at least twice, in a newspaper of general circulation in said City, in accordance with Florida Statutes 100.342.

SECTION FIVE: That the City Clerk of the City of Pinellas Park shall serve as the City's designated representative at the Logic and Accuracy Testing of the Ballot Counting Equipment and at the counting of Absentee Ballots in the Supervisor of Elections office.

SECTION SIX: That this Resolution shall be in full force and effect immediately upon its adoption and approval in the manner provided by law.

ADOPTED THIS _____ DAY OF _____, 2019.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2019.

Sandra L. Bradbury
MAYOR

ATTEST:

Diane M. Corna, MMC
City Clerk



Pinellas County Supervisor of Elections

13001 Starkey Road, Largo, Florida 33773-1416 • 727 464 6108 • VotePinellas.com

Contract for Conducting In-Conjunction Municipal Election

City/Town of Pinellas Park

Municipal Election - March 17, 2020

WHEREAS, the City/Town has requested the assistance of the Office of the County Supervisor of Elections (Supervisor) in conducting its General Election; and

WHEREAS, the Supervisor is agreeable to providing such assistance to the City/Town subject to the following conditions, considerations and agreements arrived at between the parties;

IT IS HEREBY AGREED AS FOLLOWS:

GENERAL PROVISIONS

The election is to be conducted under any applicable ordinances of the City/Town and all sections of Chapters 97-106, Florida Statutes (F.S.) (the State Election Code). It is understood that the Supervisor is in charge of the election, and that the County Canvassing Board is responsible for canvassing the election (no cost to the City/Town). The City/Town may have a designated representative in the canvassing board room. This designee may only serve in an "observer" capacity and may not participate in the canvassing of the election. The County Canvassing Board will determine whether a recount is required and advise the City/Town. The County Canvassing Board will certify the election results and will provide a Certificate of Election to the City/Town (ONE Certificate of Election will include all elections held on the same day). The Certificate of Election will be provided to the City/Town after the County Canvassing Board certifies the official election results no sooner than 10 days after the election (F.S. 101.6952 states: "A vote-by-mail ballot from an overseas voter in any presidential preference primary or general election which is postmarked or dated no later than the date of the election and is received by the supervisor of elections ... no later than 10 days after the date of the election shall be counted as long as the vote-by-mail ballot is otherwise proper." "A vote-by-mail ballot" as indicated in F.S. 101.6952, includes ALL federal, state, multi-county, county and municipal races and questions.

The post-election manual audit may not begin until the Canvassing Board has certified the official election results.

The City/Town is responsible for the costs associated with conducting an annexation election (mapping annexation areas, reassigning addresses, and mailing new voter information cards).

The City/Town is responsible for the costs associated with any legal action or contest of election arising from this election. The City/Town, the Supervisor of Elections and the County Canvassing Board agree that the County

Contract for Conducting In-Conjunction Municipal Election (3/17/20)

Attorney's Office will represent the Supervisor of Elections and County Canvassing Board in any legal action concerning the canvass or certification of the election. It is understood that the provisions of this contract are based on current state law, and if any changes in election law should occur during the period of this agreement, those changes will supersede the terms of this contract where applicable.

The City/Town will provide the Supervisor with the current City/Town definition/boundaries and include a list of ALL annexations (actual list of addresses) since your last election, no later than 5:00 p.m., January 3, 2020. It is the responsibility of the City/Town to ensure the Supervisor has the current definition/boundary information so all eligible voters can participate in the City/Town's election. The City/Town agrees that NO changes to the City/Town definition/boundaries will be made effective between 5:00 p.m., January 3, 2020, and Midnight, March 17, 2020. Contact the IT Department at (727) 464-4958 or SOEIT@VotePinellas.com for all questions concerning annexations and for providing annexation information (City/Town definition/boundary changes).

This contract must be signed by the City/Town and received by the Supervisor no later than the ballot language deadline of 5:00 p.m., January 3, 2020.

The Supervisor will certify to the City/Town the number of registered voters for this election approximately ten days prior to the election.

ELECTION INFORMATION

Election Title:	<u>Presidential Preference Primary and Municipal Elections</u>
Election Date:	<u>March 17, 2020</u>
Voter Registration Deadline:	<u>February 18, 2020</u>

SPECIAL PROVISIONS

*The City/Town Clerk MUST be available from 5:00 a.m. to 9:30 p.m. on Election Day.

City/Town Clerk:	<u>Diane Corna</u>
*Election Day Cell Phone:	<u>(727) 214-7728</u>
Alternate Phone:	<u>(727) 369-0616</u>
Email:	<u>dcorna@pinellas-park.com</u>
Fax:	<u>(727) 544-7448</u>
Mailing Address:	<u>P.O. Box 1100, Pinellas Park, FL 33780</u>

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TRANSLATION (Spanish – Section 203, Voting Rights Act) (Dustin Chase - 464-4988)

- Pinellas County is a jurisdiction covered by Section 203 of the Voting Rights Act and must provide language assistance (Spanish). ALL municipalities within Pinellas County are also covered by Section 203 of the Voting Rights Act. Full compliance is a requirement for all jurisdictions (County and Municipal). This means that all information directed to voters or otherwise concerning voting-connected activities must be provided in both English and Spanish. This includes, but is not limited to, voter registration, legal advertisements and/or other notices, forms, voting instructions and procedures at the polls or otherwise, polling place signage, any printed voter information guides or website information concerning elections, communication assistance at the polls and election offices and communication with the jurisdiction's minority language community. The obligations and requirements apply to all elections conducted by the City/Town.
- Questions concerning your legal obligations/requirements to comply with Section 203, Voting Rights Act should be directed to your legal counsel.
- The SOE will translate all ballot material, including but not limited to ballot language content. The translation costs are the responsibility of the City/Town and will be billed to the City/Town.

BALLOT INFORMATION (Wendy Grimes - 464-4987):

- Final Ballot Language is due no later than **5:00 p.m., January 3, 2020** and must include all qualified opposed candidates and resolutions and/or ordinances with ballot questions.
- All ballot language must comply with Florida Statutes 101.161(1) and the Uniform Ballot Rule (1S-2.032).
- Using the Ballot Language Submittal Form – Complete required information. Include information and Candidate Oaths for ONLY qualified opposed candidates in ballot order, and all Charter Amendments/Referendum Questions with SIGNED/APPROVED. Ordinances/Resolutions including numbering for ballot order.
- Scan and email ballot language to Wendy Grimes at WGrimes@VotePinellas.com by the final ballot language deadline of **5:00 p.m., January 3, 2020**.

BALLOT LAYOUT/PRINTING (David Wise - 464-4958)

- The Supervisor is responsible for creating the ballot (ballot layout will comply with Florida Statutes and the Uniform Ballot Rule).
- The City/Town is responsible for approving the City/Town's portion of ballot.
- Precinct ballots will be printed by the Supervisor. The Supervisor will bill the City/Town 23 cents per ballot card (includes shipping charges). the City/Town will not be billed for ballot cards containing Presidential Nominees.

Contract for Conducting In-Conjunction Municipal Election (3/17/20)

- Provisional ballots (minimum of 50 ballots per precinct) will be printed by the Supervisor; the Supervisor will bill the City/Town 23 cents per ballot card. The Supervisor will bill the City/Town for any required expedited shipping charges; the City/Town will not be billed for ballot cards containing Presidential Nominees.
- If the City/Town requires a ballot change after ballots are printed, the City/Town is responsible for additional costs.
- If the City/Town ballot language creates a 2-card ballot, the City/Town is responsible for additional costs.

CANDIDATE AUDIO RECORDING (Nicole Sokolowski/David Wise - 464-4958)

The deadline for candidates to record their names and office titles for the audio ballot is **5:00 p.m., January 10, 2020**. It is the responsibility of the City/Town to notify City/Town candidates of this deadline. Candidates must call (727) 453-3293; a voice message will prompt the candidate to record his/her name as indicated on the Candidate Oath and the office for which the candidate is running.

MAIL BALLOTS (Martin Munro - 464-6788)

- The Supervisor will bill the City/Town 91 cents for each mail ballot kit used in initial mailing; the City/Town will not be billed for ballot kits with mail/absentee ballots containing Presidential Nominees.
- The Supervisor will bill the City/Town \$1.36 for each mail ballot kit used for daily mailing; the City/Town will not be billed for ballot kits with mail/absentee ballots containing Presidential Nominees.
- The deadline for mailing military/overseas ballots is **February 1, 2020**; at least 45 days prior to the election [F.S. 101.62(4)(a)].
- Tentative mailing date for military/overseas ballots is **January 30, 2020; no later than February 1, 2020**.
- Tentative mailing start date for domestic ballots is **February 11, 2020; no later than February 13, 2020**. [F.S. 101.62(4)(b)].
- After the initial mailings, ballots will be mailed as requests are received. The deadline to request a ballot be mailed is **March 7, 2020**; the tenth day prior to the election. [F.S. 101.62(2)]
- Duplicate and test ballots will be printed by the Supervisor; the Supervisor will bill the City/Town 36 cents per ballot card; the City/Town will not be billed for ballot cards containing Presidential Nominees.

LEGAL NOTICES (Dustin Chase - 464-4988)

- The Supervisor is responsible for publishing the canvassing board meeting schedule.
- The Supervisor is responsible for creating the Sample Ballot and publishing it in a newspaper of general circulation. The City/Town is responsible for the advertising costs associated with publishing their portion of the sample ballot advertisement. The Supervisor will bill the City/Town for the City/Town's portion of the sample ballot advertisement.

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- The Supervisor is responsible for mailing any necessary polling place change notices and publishing the list in a newspaper of general circulation.
- If the City/Town is conducting a special election or special referendum election, the City/Town is responsible for any additional notices required by Florida law. The City/Town is responsible for any notices required in its charter or by ordinance.

TESTING THE BALLOT COUNTING EQUIPMENT (David Wise - 464-4958):

The County Canvassing Board will certify test results of the ballot counting equipment and file the election parameters with the Division of Elections. All tests will be performed at the Election Service Center, 13001 Starkey Road, Largo.

CANVASSING BOARD MEETING SCHEDULE (Dustin Chase - 464-4988)

- The Supervisor will publish the Canvassing Board Meeting/Testing Schedule at no cost to the City/Town.
- A Canvassing Board Schedule will be emailed to the City/Town Clerk as an addendum.
- All Canvassing Board Meetings will take place at the Election Service Center, 13001 Starkey Rd., Largo.
 - The Canvassing Board/testing schedule reflects ALL possible meeting days.
 - The Canvassing Board will modify the schedule as needed based on the number of mail ballots received.Updates to the canvassing board schedule will be posted to the Supervisor's website (VotePinellas.com).

EARLY VOTING (Martin Munro - 464-6788)

Early Voting ballots will be printed by the Supervisor; the Supervisor will bill the City/Town 35 cents per ballot card. the City/Town will not be billed for ballot cards containing Presidential Nominees.

- Early Voting will be March 7 - 15, 2020 [F.S. 101.657]
- Days/Times of Operation: Monday - Friday: 10:00 a.m. - 6:00 p.m.; Saturday - Sunday: 9:00 a.m. - 5:00 p.m.
- Early Voting Locations:
 - Election Office - County Courthouse, 315 Court Street, Room 117, Clearwater, FL 33756
 - Election Service Center, 13001 Starkey Road (Starkey Lakes Corporate Center), Largo, FL 33773
 - Election Office - County Building, 501 First Avenue North, St. Petersburg, FL 33701

MAIL BALLOT DROP-OFF LOCATIONS (Jeff Mendes - 464-6110)

The Supervisor will provide mail ballot drop-off locations. Locations, dates and times will be included in each mail ballot kit and posted to the Supervisor's website (VotePinellas.com).

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CANVASSING MAIL BALLOTS (Martin Munro - 464-6788)

The Supervisor, in the presence of the County Canvassing Board will open and prepare mail ballots for tabulation at the Election Service Center. Questionable ballots will be presented to the County Canvassing Board for decision. Florida Statute 101.68(2) allows for the canvassing of mail ballots to begin 22 days prior to the election. The Canvassing Board/testing schedule reflects ALL possible meeting days. The Canvassing Board will modify the schedule as needed based on the number of mail ballots received. Updates to the canvassing board schedule will be posted to the Supervisor's website (VotePinellas.com).

PROVISIONAL AND MAIL BALLOTS (Martin Munro - 464-6788)

- The Supervisor will research each provisional ballot to determine the voter's eligibility and will present the provisional ballots to the County Canvassing Board for decision.
- Voters casting a provisional ballot have two days after Election Day to provide written proof of eligibility to the County Canvassing Board. The deadline for this election is **5:00 p.m., March 19, 2020** [F.S. 101.048].
- Voters can cure signature mismatch and no signatures for both provisional and mail ballots. The deadline to cure a mail or provisional ballot is **5:00 p.m., March 19, 2020** [F.S. 101.048 & F.S. 101.68].

POLL WATCHERS (Wendy Grimes - 464-4987)

- Early voting poll watcher designations for municipal candidates/committees must be submitted to the City/Town **Prior to Noon, February 22, 2020** (Before noon at least 14 days before Early Voting begins [F.S. 101.131(2)]).
 - The City/Town must submit Early Voting poll watcher designations to the Supervisor **prior to 5:00 p.m., February 24, 2020.**
 - The Supervisor will verify whether they are Pinellas County registered voters. The Supervisor will furnish a list of approved poll watchers to the City/Town **by 5:00 p.m. February 29, 2020** (No later than 7 days before early voting begins [F.S. 101.131]).
 - The City/Town shall provide to each designated poll watcher, no later than seven days before early voting begins, a poll watcher identification badge that identifies the poll watcher by name. Each poll watcher must wear his or her identification badge while in early voting area [F.S. 101.131(5)]. The Supervisor will provide the City/Town with a name badge template.
- Election Day poll watcher designations must be submitted to the City/Town by **NOON, March 3, 2020** (Prior to noon on the second Tuesday preceding Election Day [F.S. 101.131(2)]).
 - The City/Town must submit Election Day poll watcher designation forms to the Supervisor **by 5:00 p.m., March 3, 2020.**

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- The Supervisor will verify whether they are Pinellas County registered voters. The Supervisor will furnish a list of approved poll watchers to the City/Town **by 5:00 p.m. March 10, 2020** (on or before the Tuesday before Election Day [F.S. 101.131(2)]).
- The City/Town shall provide to each designated poll watcher, no later than seven days before the election, a poll watcher identification badge that identifies the poll watcher by name. Each poll watcher must wear his or her identification badge while in the polling room [F.S. 101.131(5)]. The Supervisor will provide the City/Town with a name badge template.

OVER-THE-COUNTER BALLOT PICKUP AND DROP-OFF (Martin Munro - 464-6788)

In-office ballot pickup will be available in each of the Supervisor of Elections locations during the following dates and times:

- January 31 - March 6: Monday - Friday, 8:00 a.m. - 5:00 p.m. (Closed weekends and holidays)
- March 7 - March 15: Monday - Friday, 8:00 a.m. - 6:00 p.m.; Saturdays and Sunday 9:00 a.m. - 5:00 p.m.
- March 17: 7:00 a.m. - 7:00 p.m. [Only permitted in cases of emergency, F.S. 101.62(4)(c).5]

The Supervisor will bill the City/Town 35 cents per ballot card; the City/Town will not be billed for ballot cards containing Presidential Nominees.

VOTING EQUIPMENT AND SUPPLIES (Alex Pena-Rosado - 464-6788)

- The Supervisor will contract with a moving company to transport the voting equipment and supplies to and from polling locations. Cost is the responsibility of the City/Town and will be billed by the Supervisor.
- Supplies not transported by the moving company will be picked up by the precinct clerks after Clerks' Class at the Election Service Center.
- The Supervisor will contract to have paper precinct registers for Election Day printed by a vendor and will bill the City/Town. These paper precinct registers are a "back-up system" to the electronic poll book system and will be included in the polling place supplies sent to each polling place.

POLL WORKERS (Laurie Fidler - 464-6110)

- The Supervisor will recruit, assign, train, and compensate ALL poll workers.
- A Deputy Sheriff will deputize the poll deputies.
- The Supervisor will bill the City/Town for additional poll workers needed to support voters eligible to vote only in City/Town's election.

Contract for Conducting In-Conjunction Municipal Election (3/17/20)

POLLING PLACES (Linda Cahill - 464-6110)

- The Supervisor will select, contract with and compensate polling places [F.S. 101.715].

ELECTION NIGHT PROCEDURES (Dustin Chase - 464-4988)

- The Supervisor will have unofficial election results modemed from the polling places to the Election Service Center.
- The Supervisor will have the precinct scanner memory sticks, voted precinct and provisional ballots, and election supplies transported to the Election Service Center.
- Results will be released throughout the night and posted to the Supervisor's website (VotePinellas.com). The Supervisor will provide unofficial results on election night.
- Campaign Signs – If candidates wish to reuse their campaign signs left at the polls on Election Day, the signs must be collected by campaign staff prior to poll workers removing and disposing of them after the polls close. It is the responsibility of the City/Town to communicate this information to their candidates.

AFTER ELECTION DAY (Dustin Chase - 464-4988)

- Provisional ballots will be canvassed. All ballots accepted by the County Canvassing Board will be processed and added to the election night results to produce Official Election Results. Provisional ballots cannot be rejected until after the deadline for provisional ballot voters to provide written proof of eligibility [F.S. 101.048].
- The County Canvassing Board will certify the election results and will provide a Certificate of Election to the City/Town (ONE Certificate of Election will include all elections held on the same day). This document will be provided to the City/Town via email after the County Canvassing Board certifies the official election results.
- The County Canvassing Board will conduct a post-election manual audit in accordance with F.S. 101.591 and Division of Elections Administrative Rule 1S-5.026. The Supervisor will post the required post-election audit notices to the Supervisor's website (VotePinellas.com) and at each Supervisor of Elections office. The Supervisor will provide a copy of the notices via email to the City/Town to post at City/Town Hall (and website, if applicable). The Supervisor will post the final post-election audit report to the Supervisor's website and will provide to the City/Town a copy of the report, via email, to post to the City/Town website, if applicable, after the County Canvassing Board completes the audit.
- Election materials will remain sealed at the Election Service Center for ten days after certification of the election.

DATA PROCESSING ORDERS (David Wise/Nicole Sokolowski - 464-4958)

The City/Town is to place data orders directly with an IT staff member by contacting (727) 464-4958 or SOEIT@VotePinellas.com.

Contract for Conducting In-Conjunction Municipal Election (3/17/20)

VOTER HISTORY (David Wise/Nicole Sokolowski - 464-4958)

When voter history is completed, the City/Town may download the names of those who voted at VotePinellas.com.

ELECTION COSTS (Susan Morse - 464-6108)

- There will be a 40-cent election administration fee per registered voter who is not eligible to vote for a Presidential Nominee, but who is eligible to vote in the City/Town Election.
- There will be a 10-cent election administration fee per registered voter who is eligible to vote for a Presidential Nominee and in the City/Town Election.
- All election costs incurred prior to receiving this signed contract or if the Town/City's election is cancelled are the responsibility of the Town/City and will be billed to the Town/City.
- The City/Town will be provided an invoice based on election cost estimates. Payment must be received no later than **5:00 p.m., January 3, 2020.** After the election, based on actual election costs, the Supervisor will reimburse the City/Town for unused funds or provide the City/Town with an invoice for additional costs incurred.

By affixing their signatures hereto, the parties acknowledge each to the other that they have full authority to enter into this Contract.

APPROVED:

DEBORAH CLARK

Supervisor of Elections, Pinellas County, Florida

Date: _____

APPROVED:

MUNICIPAL CLERK

Print name: _____

Date: _____

APPROVED AS TO FORM:

OFFICE OF THE COUNTY ATTORNEY

Print name: _____

Date: _____

REVIEWED AND APPROVED:

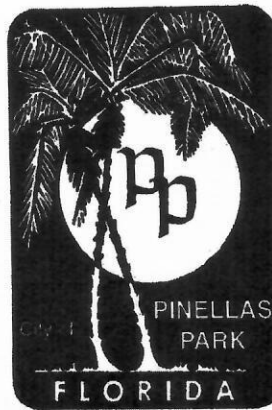
CITY/TOWN ATTORNEY

Print name: _____

Date: _____

City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100



FLORIDA

PHONE • (727) 369-0700
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Please Respond To:

James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

November 25, 2019

Ms. Diane M. Corna, MMC
City Clerk
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #19-370
Resolution Calling for Election/Approval of Election Contract with SOE

Dear Ms. Corna:

I have received and reviewed the above-referenced Resolution calling for an election to be held on March 17, 2020, as well as the Contract for Conducting In-Conjunction Municipal Election with the Pinellas County Supervisor of Elections. I would approve of both the Resolution and the Contract as to form and correctness.

Very truly yours,

James W. Denhardt
City Attorney

cc: Doug Lewis, City Manager
Patrick Murphy, Deputy City Manager

JWD/dh

19-370.11252019.LDC.Res for Election and Appr of Contract w SOE.wpd



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