



Item No. 3a i

# AGENDA ITEM REQUEST FORM

**Town Clerk**

**June White**

Department Submitting Request

Dept Head's Signature *JW*

**REGULAR**  
**COMMISSION MTG**  
**Meeting Dates - 7:00 PM**

**DEADLINE TO**  
**Town Clerk**

**ROUNDTABLE**  
**MEETING**  
**Meeting Dates - 7:00 PM**

**DEADLINE TO**  
**Town Clerk**

May 24, 2011

May 13 (5:00 pm)

May 10, 2011

April 29 (5:00 pm)

**FY2011 DESIGNATED HIGH PRIORITY ITEM**

**SUBJECT TITLE:** Option to Move the March 13, 2012 Municipal Election to the 2012 Presidential Preference Primary

**EXPLANATION:** The Commission moved the municipal election in 2008 to coincide with the January 29, 2008 PPP (Presidential Preference Primary).

We have the option to move the March 13, 2012 municipal election to piggy back the PPP election. The cost to hold our municipal election on the date as the PPP was estimated at \$1,422. The cost of a municipal election on March 13, 2012 is estimated at \$12,834.00. The difference in cost equals a savings of \$11,412.00.

The Town Attorney has indicated that the language in the Charter would allow the Commission to reschedule the municipal election by adopting an ordinance prescribing that. However, the change of election date would not change the terms of office and therefore, the date that the newly elected officials take office would remain the same as if the election had been held in March.

Lauderdale-By-The-Sea has a tradition of high voter turnout at the March elections, so consolidating elections to improve turnout is not an argument for moving the date of the election in our Town. Since the Town has done this in the past, we thought we should make the Commission aware of the lesser cost option.

The 2012 Presidential Preference Primary was scheduled for January 31, 2012; however, as of March 5, 2012 HB1355 designated a committee to change the date of the Presidential Preference Primary to either the first Tuesday in January, 2012 or the first Tuesday in March, 2012.

Qualifying and ballot deadlines have been attached along with the estimates from the Supervisor of Elections Office.

**EXPECTED OUTCOME:** Commission discussion of whether there is an interest in rescheduling the municipal election to coincide with the Presidential Primary

**EXHIBITS:**

- Exhibit 1: Supervisor of Elections Estimate for Municipal Election to piggyback the January 31, 2012 Presidential Primary
- Exhibit 2: Supervisor of Elections Estimate for Municipal Election on March 12, 2012
- Exhibit 3: Qualifying Deadlines
- Exhibit 4: Ballot Deadlines
- Exhibit 5: Town Attorney's Email dated April 26, 2011
- Exhibit 6: January 29, 2008 Presidential Primary Official Results

**FISCAL IMPACT AND APPROPRIATION OF FUNDS:** Estimated savings = \$11,412.00

Reviewed by Town Attorney  
 Yes  No

Town Manager Initials *CA*

**Dr. Brenda C. Snipes**  
**Broward County Supervisor of Elections**  
**Cost Analysis of Charging Municipalities**  
**2012 with Presidential Preference Primary**

EXPECTED TURNOUT BY TYPE OF VOTER	Early Voting	Vote by Mail	Total
Total Broward County Population	1,041,761		
Projected Turn out	50%		
<b>Total Projected Voter Turn Out</b>	<b>520,881</b>	<b>520,881</b>	<b>520,881</b>
Percentage of voter turnout	45.0%	27.0%	18.0%
<b>Early voting &amp; Vote by Mail Voters</b>	<b>216,928</b>	<b>85,769</b>	<b>131,159</b>
Cost per Mail Ballot	\$ 1.80	\$ -	\$ 235,778
Cost per EVI Ballot	1.48	126,938	
Labor		229,983	150,000
OT		175,000	125,000
Pitney Bowes			50,000
Total direct costs		531,921	560,778
Municipal rate			15%
<b>Projected Costs to share</b>			<b>\$ 163,905</b>
<b>Early voting &amp; Vote by Mail Voters</b>			<b>216,928</b>
<b>Average cost per voter</b>			<b>\$ 0.76</b>

Municipalities	# PCTS.	# VOTERS	Projected Voters AB & EV	Cost per City for AB & EV	Projected Election Day Voters	Cost per Election Day ballot	Cost per City for Election Day	Total Cost per City
DAVIE	38	54,794	12,329	\$9,315	15,068	\$ 0.35	\$ 5,274	\$ 14,589
FORT LAUDERDALE	104	108,766	24,472	\$18,491	29,911	\$ 0.35	\$ 10,469	\$ 28,959
HILLSBORO BEACH	1	1,690	380	\$287	465	\$ 0.35	\$ 163	\$ 450
LAUDERDALE-BY-THE SEA	4	5,341	1,202	\$908	1,469	\$ 0.35	\$ 514	\$ 1,422
LAZY LAKE	1	29	7	\$5	8	\$ 0.35	\$ 3	\$ 8
LIGHTHOUSE POINT	7	7,632	1,717	\$1,297	2,099	\$ 0.35	\$ 735	\$ 2,032
PEMBROKE PINES	68	96,486	21,709	\$16,403	26,534	\$ 0.35	\$ 9,287	\$ 25,690
POMPANO BEACH	52	56,017	12,604	\$9,523	15,405	\$ 0.35	\$ 5,392	\$ 14,915
SEA RANCH LAKES	1	416	94	\$71	114	\$ 0.35	\$ 40	\$ 111
<b>TOTAL</b>	<b>276</b>	<b>331,171</b>	<b>74,513</b>	<b>\$ 56,300</b>	<b>91,072</b>		<b>\$ 31,875</b>	<b>\$ 88,176</b>

Total cost of Election  
Percentage of Election

EXHIBIT 1

Dr. Brenda Snipes  
 Broward County Supervisor of Elections  
 Projected Election Costs for March 13, 2012 Municipal Election  
 LAUDERDALE-BY-THE-SEA

Line	Description	Total Projected Election Costs	Support Schedule	Cost per precinct	Number of precincts in city	Projected election costs
	Total number of precincts				4	
1	ELECTION WORKERS (PW,VST,ETC.)	\$ 494,163	Schedule I	\$ 1,790	4	\$ 7,162
2	OVERTIME	\$ 9,491	Schedule II	\$ 34	4	\$ 138
3	FICA TAXES	\$ 7,660	7.65% of p/t workers/OT	\$ 28	4	\$ 111
4	RETIREMENT CONTRIBUTIONS	\$ 1,022	10.77% x Overtime	\$ 4	4	\$ 15
5	CONTRACTUAL SERVICES	\$ 107,222	Schedule III	\$ 388	4	\$ 1,554
6	COMMUNICATIONS	\$ 105,594	Schedule III	\$ 383	4	\$ 1,530
7	MILEAGE REIMBURSEMENT	\$ 2,091	Schedule IV	\$ 8	4	\$ 30
8	TELEPHONE-SPECIAL CIRCUITS	\$ -	Schedule V	\$ -	4	\$ -
9	TRANSPORTATION OF EQUIPMENT & SUPPLI	\$ 46,878	Schedule IV	\$ 170	4	\$ 679
10	POSTAGE	\$ 18,209	Schedule VI	\$ 66	4	\$ 264
11	RENTAL OFFICE & BUILDINGS	\$ 6,875	Polling places x 50% x \$50.00	\$ 25	4	\$ 100
12	RENTAL EQUIPMENT			\$ -	4	\$ -
13	EXTERNAL PRINTING	\$ 59,615	Schedule VI	\$ 216	4	\$ 864
14	ADVERTISING			\$ -	4	\$ -
15	LEGAL ADS	\$ 5,736	Schedule VII	\$ 21	4	\$ 83
16	COMMISSIONS AND FEES	\$ 3,500		\$ 13	4	\$ 51
17	OFFICE SUPPLIES	\$ 7,500		\$ 27	4	\$ 109
18	ELECTION EQUIPMENT MAINTENANCE COST	\$ 10,000		\$ 36	4	\$ 145
	<b>TOTAL</b>	<b>\$ 885,557</b>		<b>\$ 3,209</b>		<b>\$ 12,834</b>

EXHIBIT 2

**Qualifying**

**March 13, 2012 Election**      January 2, 2011 to January 9, 2012

**January 31, 2012 Election**      Mid November, 2012 (dates not set yet)

**BALLOT DEADLINES**

**March 6, 2012 Election**      Ballot Deadline – Approximately December 31, 2011

Ordinance on 1<sup>st</sup> reading      October 18, 2011

Ordinance on 2<sup>nd</sup> reading      November 22, 2011

Send to Supervisor of Elections - Mid December 2011

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**March 13, 2012 Election**      Ballot Deadline – January 9, 2012

Ordinance on 1<sup>st</sup> reading      October 18, 2011

Ordinance on 2<sup>nd</sup> reading      November 22, 2011

Send Ballot to Supervisor of Elections - Mid December 2011

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**January 3, 2012 Election**      Ballot Deadline – Approximately late October or early November, 2012

Ordinance on 1<sup>st</sup> reading      August 23, 2011

Ordinance on 2<sup>nd</sup> reading      September 27, 2011

Send to Supervisor of Elections – Early October 2011

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**January 31, 2012 Election**      Ballot Deadline – Mid November, 2012

Ordinance on 1<sup>st</sup> reading      September 27, 2011

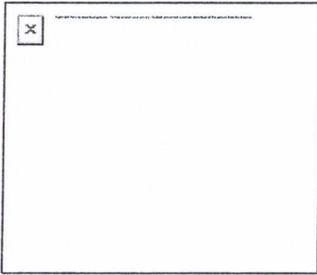
Ordinance on 2<sup>nd</sup> reading      October 25, 2011

Send Ballot to Supervisor of Elections – Mid October 2011

June White

**From:** Susan L. Trevarthen <STrevarthen@wsh-law.com>  
**Sent:** Tuesday, April 26, 2011 10:45 AM  
**To:** June White  
**Cc:** Connie Hoffmann; Johanna M. Lundgren  
**Subject:** FW: March Election Estimates

Section 6.1(4) of the Town Charter states:



**Susan L. Trevarthen, Esq., AICP**  
Member

Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
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{Reply Separator}

(4) All elections for the position of Town Commissioner or Mayor-Commissioner shall be held on the second Tuesday of March of each even-numbered year, **or as provided for by law.**

Section 100.3605(2), Florida Statutes, expressly enables municipal election dates and qualifying periods to be changed by ordinance. Section 100.3605 is a general law, which is included in the Town Charter's reference to "or as provided by law." Therefore, the election date can be changed by Ordinance.

The Town Charter provides for a "term of two (2) years" for the Mayor-Commissioner, and a "term of four (4) years" for the other Commissioners. Therefore, the change to

the election date cannot change the terms; either the date that the newly elected Commissioners take office would need to be delayed to ensure that the terms provided in the charter are not reduced, or those whose terms are being reduced must consent to the change.

House Bill 635, which Mary Cooney's email refers to, proposes to change the presidential primary date to March 6. The bill was introduced in the House and approved on first reading March 8, with no further activity shown on the House website as of yesterday. We could include in our ordinance language stating that, should the date of the presidential primary be moved to a later date, the election would be moved to the primary date in that general law. That would cover any future years and changes, as well as this year's situation.

Let's see if the bill passes. If it does, and you would like us to draft an ordinance to make the change, please advise. Thanks.

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Relevant Code and Charter provisions:

Charter: Sec. 6.1. - Mayor-Commissioner and Commissioners; term of office; election; transition.

(1) Beginning with the regular election to be held on the **second Tuesday in the month of March, 2008, and every two (2) years thereafter**, a Mayor-Commissioner shall be elected for a **term of two (2) years** until his successor is elected and qualifies.

(2) Commencing with the regular election of the Town held in **March, 2006, and continuing with successive elections at intervals of four years**, candidates may qualify for the offices of Town Commissioner Seat 1 and Town Commissioner Seat 2, each elected at large. Town Commission Seat 1 and Town Commission Seat 2 shall replace the two Commission seats vacated by the expiration of the term of the two Commissioners in March, 2006. The candidate for Seat 1 shall reside in the north district of the Town. The candidate for Seat 2 shall reside in the south district of the Town. The candidates receiving the most votes for each seat shall be elected, and shall serve a **term of four (4) years**.

(3) Commencing with the regular election of the Town held in **March, 2008, and continuing with successive elections at intervals of four years**, candidates may qualify for the offices of Town Commission Seat 3 and Town Commissioner Seat 4. Town Commission Seat 3 and Town Commission Seat 4 shall replace the two Commission seats vacated by the expiration of the term of two Commissioners in March of 2008. The candidate for Seat 3 shall reside in the north district of the Town. The candidate for Seat 4 shall reside in the south district of the Town. The candidates receiving the most votes for each seat shall be elected, and shall serve a term of four years.

(4) **All elections for the position of Town Commissioner or Mayor-Commissioner shall be held on the second Tuesday of March of each even-numbered year, or as provided for by law.**

(5) The geographic boundary for the northern and southern districts shall be designated, prepared and identified no later than the first of September, 2004, and again in 2012 through a contract entered into by the Town with an accredited four (4) year college or university located within the state of Florida for the purpose of identifying and designating the northern and southern election districts within the Town. The Town Commission district boundaries shall be of equal population, compact, proportional, and logically related to the natural internal

boundaries of the neighborhoods within the Town. The principal of nondiscrimination and one person/one vote shall be adhered to strictly.

(6) In the event no candidate qualifies for election for any designated Town Commission seat within the first ten (10) calendar days of the qualifying period, then any qualified person who resides anywhere in the Town may qualify for such seat. Thereafter, if no person qualifies for such seat, a vacancy shall be declared and filled in accordance with this Charter.

(7) The Town Commission shall adopt by Ordinance the creation and establishment of the boundaries of the initial northern and southern Town Commission seat districts no later than January 1, 2005. The Ordinance shall provide for the implementation of said election districts to be effective for the elections to be held in the Town commencing in March, 2006.

Code: Sec. 7-3. - Election dates; forfeiture, vacancies, qualifications for and terms of elected municipal office.

The date of elections, forfeiture of office, method of filling vacancies, qualifications for candidates, and terms of all elected municipal officers shall be **as provided in the Town Charter**.

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**From:** June White [mailto:junew@lauderdalebythesea-fl.gov]  
**Sent:** Wednesday, April 20, 2011 4:50 PM  
**To:** Susan L. Trevarthen  
**Subject:** FW: March Election Estimates

Susan,

Does the Commission have the option to move the March Election to January? If so, how would we go about that? See email below from Mary Cooney.

June

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**From:** Mary Cooney [mailto:mcooney@browardsoe.org]  
**Sent:** Thursday, March 24, 2011 3:41 PM  
**To:** Russell\_Muniz@davie-fl.gov; Jonda Joseph; Jean-Marie Mark; June White; Carol Landau; Neugent, Judy; Mary Chambers; Joan Case  
**Cc:** Asceleta Hammond; Andrea Perri; Linda Levinson; Brenda Snipes  
**Subject:** March Election Estimates

Clerks:

Currently the Presidential Preference Primary (PPP) is scheduled for January 31, 2012. Because you have the option to move your election to piggy back that election, Finance has estimated what your costs would be for that scenario. If you chose to keep it March 13, it would be a stand-alone election and those estimates have been tabulated as well. Both are attached for your review.

There has been much in the news about what will ultimately happen. There is a Bill in session now (HB695) pushing it to March 6, but it hasn't gotten very far. We have been planning assuming it will remain on January 31 and if that's the case, your qualifying would be in mid-November. No dates have been determined yet, but I can tell you under current law, the Secretary of State has to provide the SOEs with the Presidential candidates names no later than November 22, 2012, so you'd have to be finished by then and for this election it's a two week qualifying period. All this is subject to what ends up happening in Session. Stay tuned.

Mary Cooney  
Public Services Director  
Broward County Supervisor of Elections Office  
115 S. Andrews Avenue, Room 102

Fort Lauderdale FL 33301  
(954)712-1960  
[www.browardsoe.org](http://www.browardsoe.org)



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RUN DATE:02/08/08 08:13 PM

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	TOTAL VOTES	%	Election Day	Absentee	Early Voting	Provisional
COMMISSIONER - District 3 HOLLYWOOD DIST 3 (Vote for) 1 (WITH 12 OF 12 PRECINCTS COUNTED)						
Leonard Pete Brewer . . . . .	1,402	25.78	1,002	76	323	1
Charles Howell. . . . .	718	13.20	582	23	111	2
Joshua "Josh" Levy . . . . .	1,389	25.54	1,013	96	276	4
Thomas "Michael" Lynch . . . . .	210	3.86	170	12	27	1
Heidi O'Sheehan . . . . .	1,720	31.62	1,251	96	371	2

COMMISSIONER - District 6 HOLLYWOOD DIST 6 (Vote for) 1 (WITH 12 OF 12 PRECINCTS COUNTED)						
Edward "Ed" Holodak . . . . .	1,867	47.74	1,456	90	312	9
Linda Sherwood. . . . .	2,044	52.26	1,632	108	292	12

MAYOR LAUD-BY-THE-SEA (Vote for) 1 (WITH 4 OF 4 PRECINCTS COUNTED)						
Roseann Minnet. . . . .	1,335	50.40	1,020	184	109	22
L. Peanuts Wick . . . . .	1,314	49.60	974	190	135	15

COMMISSIONER DISTRICT 1 LAUD-BY-THE-SEA (Vote for) 1 (WITH 4 OF 4 PRECINCTS COUNTED)						
Chuck Clark. . . . .	1,240	47.56	943	161	114	22
Birute Ann Clottey . . . . .	1,367	52.44	1,029	201	123	14

COMMISSIONER DISTRICT 2 LAUD-BY-THE-SEA (Vote for) 1 (WITH 4 OF 4 PRECINCTS COUNTED)						
Stuart Dodd. . . . .	1,517	57.18	1,138	213	148	18
John Yanni . . . . .	1,136	42.82	871	152	94	19

SEAT ONE MARGATE (Vote for) 1 (WITH 23 OF 23 PRECINCTS COUNTED)						
Frank Messana . . . . .	3,784	42.31	3,128	174	472	10
Frank B. Talerico. . . . .	5,160	57.69	4,233	256	643	28

SEAT THREE MARGATE (Vote for) 1 (WITH 23 OF 23 PRECINCTS COUNTED)						
Arthur J. Bross . . . . .	4,543	47.53	3,745	214	565	19
Lesa "Le" Peerman. . . . .	2,544	26.61	2,083	116	338	7
Richard Mark Popovic. . . . .	2,472	25.86	2,073	97	290	12