

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 18, 2009

TO: The Honorable Chair Danner and Members of City Council

SUBJECT: Approving a contract with the Pinellas County Supervisor of Elections for support services for the 2009 Special Municipal Primary Election

EXPLANATION:

The City is contracting with the Supervisor of Elections to conduct a Special Municipal Primary Election to be held on September 1, 2009 at an estimated cost of \$360,000.

Administration recommends approval of the contract with the Pinellas County Supervisor of Elections for these services.

COST/FUNDING INFORMATION:

Funds are included in the FY09 Operating Budget, City Clerk's Department.

ATTACHMENT: Proposed contract, Resolution.

APPROVALS:

Administration: *T. Finck Election 6/12/09*

Budget: *Trish M. Labrie 6/12/09 for T. Finck*

NO. _____

A RESOLUTION APPROVING AN AGREEMENT
WITH THE PINELLAS COUNTY SUPERVISOR
OF ELECTIONS FOR SUPPORT SERVICES FOR
THE SPECIAL MUNICIPAL PRIMARY
ELECTION TO BE HELD SEPTEMBER 1, 2009;
AND PROVIDING AN EFFECTIVE DATE.

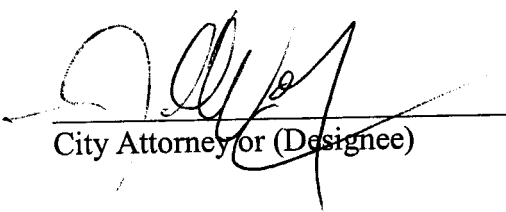
WHEREAS, the City contracts with the Pinellas County Supervisor of Elections for support services related to municipal elections; and

WHEREAS, the cost associated with these services is \$72,100 for election administration (180,268 registered voters x \$.40 per registered voter for voting supplies and rental of voting equipment), approximately \$114,300 for mail ballot kits (based on 57,161 mail ballot requests), \$4,200 for equipment delivery to each polling location, \$35,300 for printing of precinct, provisional, duplicate and test ballots, \$107,800 for poll worker training based on 700 poll workers, etc.

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is authorized to approve the contract with the Pinellas County Supervisor of Elections for support services for the 2009 Municipal Primary Election.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content



City Attorney or (Designee)

SOECon09primary.res.wpd

CONTRACT FOR CONDUCTING MUNICIPAL ELECTION

CITY/TOWN OF St. Petersburg MUNICIPAL ELECTION, September 1, 2009

WHEREAS, the City/Town of St. Petersburg has requested the assistance of the Office of the County Supervisor of Elections (Supervisor) in conducting its Municipal Primary 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 (the State Election Code). The City/Town is responsible for all legal notices. It is understood that the City/Town is in charge of the election, that the Supervisor is only assisting in the physical conduct of the election, and that the City Canvassing Board is responsible for canvassing the election. The City Canvassing Board will determine whether a recount is required and advise the Supervisor. The City Canvassing Board will certify the election results and will provide a certificate of election and a conduct of election report to the Supervisor.

The City/Town is responsible for the costs associated with conducting any recounts. The City/Town is responsible for the costs associated with conducting the Post-Election Audit (F.S. 101.591). The Post-Election 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 creating street imports). The City/Town is responsible for the costs associated with any legal action or contest of election arising from this 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. If a runoff election is mandated by the results of this election, the City/Town Clerk shall notify the Supervisor of Elections within 24 hours of receiving official election results. The City/Town is responsible for the costs associated with conducting a runoff election.

The Supervisor will certify to the City/Town the number of registered voters for this election approximately 10 days prior to the election.

SPECIAL PROVISIONS

REGISTERED VOTERS FOR THIS ELECTION: _____
CITY/TOWN CLERK: Eva Andujar
PHONE: 727/893-7202
FAX: 727/892-5102
ELECTION DAY PHONE: 727/744-9159 (c)
ADDRESS: 175 Fifth Street No.

(The City/Town Clerk MUST be available from 6 a.m. to 7:30 p.m. on Election Day)

ELECTION INFORMATION

- ELECTION TITLE: **St. Petersburg Primary Election**

- VOTER REGISTRATION DEADLINE: **August 3, 2009**

- CANDIDATE QUALIFYING
Begins: Date **6/16/09** Time **8:00 a.m.**
Ends: Date **6/29/09** Time **5:00 p.m.**
Requirements: Qualifying Fee Amount: Mayor - \$250; Council - \$150
Number of Petitions Required: Mayor - 1,000;
Council - 500

- CANDIDATE ORDER ON BALLOT: Alpha xx Draw for position _____
Meeting required to determine candidate order Yes ___ No xx

- RUNOFF ELECTION: Yes _____ No **X** DATE: _____
Runoff Election is required if: _____

BALLOT INFORMATION (Kim Walker 464-6641):

- Final Ballot Language is due **July 2, 2009**. Must include all candidates and resolutions and/or ordinances with ballot questions.

- Fax your information **in ballot order** to Kim Walker at 464-6239.
 - Cover letter listing (in ballot order) Office titles, candidates (an indication of "vote for one" or "vote for no more than two" etc.) and ballot questions.
 - Loyalty Oath for each candidate (indicates how a candidate wants his/her name on the ballot)
 - Ordinances/Resolutions with ballot questions

- All ballot language must comply with Florida Statutes [101.161(1)] and the Uniform Ballot Rule (1S-2.032).

Exhibit A - See attached samples of ballot formats

- Office Titles – ALL CAPS, **BOLD**
- Number to Vote for – (Vote for One) or (Vote for no more than Two)
- Candidate Names – Upper and Lower Case, First Name first/Last Name last
- Ballot Question Titles – Upper and Lower Case, **Bold**, Maximum 15 words
- Ballot Question – Upper and Lower Case, Maximum 75 words
- Voter Choices for Ballot Questions – YES, NO – ALL CAPS
- If there is more than one ballot question, the questions must be numbered

Offices that are up for election:

Office Title	Vote For	Elected
Mayor	One	City wide
Council District 2	"	Within District 2
Council District 4	"	" " 4
Council District 5	"	" " 5
Council District 6	"	" " 6
Council District 8	"	" " 8

- Votes Needed to Win: () Highest Number () Majority
- Number of Ballot Questions: One

BALLOT LAYOUT/PRINTING (Wayne Fusco 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 all ballots.
- Precinct ballots will be printed by the Supervisor; the Supervisor will bill the City/Town 27 cents per ballot card (includes shipping charges).
- Provisional Ballots (minimum of 25 ballots per precinct) will be printed by the Supervisor; the Supervisor will bill the City/Town 40 cents per ballot card.
- If the City/Town requires a ballot change after ballots are printed, the City/Town is responsible for additional costs.

CANDIDATE VOICE RECORDING (Kim Walker 464-6641):

- Once qualifying is completed, the City/Town shall refer all candidates to the Supervisor to record the pronunciation of their names for the audio ballot. If a candidate's voice recording is not made within 7 days of qualifying ending, the Supervisor is not responsible for a mispronounced name.

ABSENTEE BALLOTS (Rick Becker 464-6108):

- The Supervisor will bill the City/Town \$2.00 for each absentee ballot kit used.
- The deadline for mailing overseas absentee ballots is **July 18, 2009**; at least 45 days prior to the election.
- Tentative Mailing Schedule for overseas ballots is **the week of the 13th of July, 2009.**
- Tentative Mailing Schedule for domestic ballots is **the week of the 13th of July, 2009.**
- The City/Town will provide voting assistance in assisted living facilities and nursing homes, if requested, per Florida Statute 101.655.
- Duplicate and Test Ballots will be printed by the Supervisor; the Supervisor will bill the City/Town 40 cents per ballot card.

LEGAL NOTICES (Nancy Whitlock 464-7493):

- The City/Town is responsible for ALL legal notices required by State Statute and by City/Town Charter/Ordinance. Additional legal notices required because of special referendum elections are the responsibility of the City/Town.
- The Supervisor will provide the City/Town a County Canvassing Board Meeting Schedule, Polling Place list, Polling Place Change list and Sample Ballot.

POLLING PLACES (Julie Marcus 464-6110):

- Supervisor will select and contract with polling places.
- Supervisor will pay polling places and will bill the City/Town.
- Cost for Modem Line activation/installation will be the responsibility of the City/Town. The Supervisor is responsible for coordinating activation/installation with vendor and will bill the City/Town.
- The Supervisor will give each Precinct Clerk a cell phone to use Election Day.

POLLING PLACE CHANGE NOTICES (Wayne Fusco 464-4958):

- If notices are needed, the Supervisor will notify the City/Town Clerk in writing, listing the precincts and polling location changes by **August 2, 2009** (at least 30 days prior to the election) (Poll Worker Dept. 464-6110).
- The Supervisor will provide the names and addresses of the affected voters to the vendor; () one per voter / () one per household.
- The City/Town will be responsible for making all necessary arrangements with the vendor to have the notices printed and mailed, including notice design. The Supervisor will only be responsible for proofing live samples of the voter name (if applicable), household address, precinct number and polling place information.
- Notices must be mailed by **August 18, 2009** (at least fourteen days prior to the election). The City/Town pays the vendor directly. The Town/City will publish any polling place changes in the newspaper [Florida Statute 101.71(2)].

POLL WATCHERS (Kim Walker 464-6641):

- Precinct poll watcher designations for Election Day must be submitted to the City/Town by **August 18, 2009** (PRIOR TO NOON on the second Tuesday preceding the election [F.S. 101.131(2)]). The City/Town will fax all poll watcher designations to Kim Walker at 464-6239, and the Supervisor will verify whether they are registered to vote in Pinellas County.
- The City/Town shall approve Precinct Poll Watchers by **August 25, 2009** (on or before the Tuesday before the Election [F.S. 101.131(2)]) and forward the approval in writing to Kim Walker. The Supervisor will furnish a list of approved poll watchers to each Precinct.

OVER-THE-COUNTER BALLOT PICKUP (Rick Becker 464-6108):

- In office ballot pickup will be available in each of the Supervisor of Election locations, Monday through Friday from 8:00 am until 5:00 pm (no holidays) beginning at least 45 days prior to the date of the election. Each over-the-counter ballot kit will cost \$1.00 and will be billed to the City/Town by the Supervisor.
- The City/Town pursuant to F.S. 101.657(1)(e) has opted out of conducting early voting.

VOTING MACHINES (Rick Becker 464-6108):

- The Supervisor will contract with a moving company to transport the voting machines and supplies to and from polling locations. Cost is the responsibility of the City/Town and will be billed by the Supervisor.

ELECTION SUPPLIES (Rick Becker 464-6108):

- Supplies not transported by the moving company will be picked up by the precinct clerks after Clerks' Class at the Election Service Center.

POLL WORKERS (Julie Marcus 464-6110):

- Cost is the responsibility of the City/Town. The Supervisor will bill the City/Town.
- The Supervisor will designate, assign, and train ALL poll workers. A Deputy Sheriff will deputize the poll deputies.
- Poll workers setting up the voting machines the day before the election **will be paid an additional \$25 each. Precinct Clerks and Machine Managers will be paid an additional \$15 for clerk supply and cartridge drop-off on election night. The rates below do not include these costs.**
- Poll Workers that are unable to work election day but attended class(es) will be compensated \$25 per class attended.

Rates for poll workers are:

Precinct Clerk	\$130 + \$25 per class (3) = \$205
Machine Manager	\$120 + \$25 per class (1) = \$145
Asst. Clerk	\$120 + \$25 per class (2) = \$170
Ballot Distribution Manager	\$120 + \$25 per class (1) = \$145
Inspector	\$100 + \$25 per class (1) = \$125
Poll Deputy	\$100 + \$25 per class (1) = \$125

PROVISIONAL BALLOTS:

- The Supervisor will research each provisional ballot to determine the voter's eligibility and will present the provisional ballots to the City Canvassing Board for decision. Voters casting a provisional ballot have two days after Election Day to provide written proof of eligibility to the City Canvassing Board. The deadline for this election is **September 3, 2009** at 5 p.m. (Florida Statute 101.048). All provisional ballots will be canvassed at the Election Service Center.

CANVASSING ABSENTEE BALLOTS:

- The Supervisor, in the presence of the City Canvassing Board will open and prepare absentee ballots for tabulation at the Election Service Center. Questionable ballots will be presented to the City Canvassing Board for decision. Florida Statutes allow for the canvassing of absentee ballots to begin six days prior to the election. The canvassing board/testing schedule reflects ALL possible meeting days. The number of absentee ballots received determines the canvassing board schedule.
- **The City/Town will publish the canvassing board/testing schedule.**

TESTING THE BALLOT COUNTING EQUIPMENT (Wayne Fusco 464-4958):

- The Supervisor will test the ballot counting equipment and file the election parameters with the Division of Elections. All tests will be performed at the Election Service Center.

<u>DATE</u>	<u>TIME</u>	<u>ACTIVITY</u>
August 12, 2009	9:00 a.m.	Pre-election test of precinct optical scan equipment and absentee/provisional ballot optical scan equipment (F.S. 101.5612)
August 26, 2009	9:00 a.m.	Second test of absentee/provisional ballot optical scan equipment (F.S. 101.5612) Begin canvassing and processing absentee ballots (6 th day prior to election) [F.S. 101.68(2)] Deadline to file protest with canvassing board to challenge absentee ballots received through August 25
August 27, 2009	9:00 a.m.	Continue canvassing and processing absentee ballots [F.S. 101.68(2)] Deadline to file protest with canvassing board to challenge absentee ballots received through August 26
August 28, 2009	9:00 a.m.	Continue canvassing and processing absentee ballots [F.S. 101.68(2)] Deadline to file protest with canvassing board to challenge absentee ballots received through August 27
August 29, 2009	9:00 a.m.	Continue canvassing and processing absentee ballots [F.S. 101.68(2)] Deadline to file protest with canvassing board to challenge absentee ballots received through August 28
August 30, 2009	9:00 a.m.	Continue canvassing and processing absentee ballots [F.S. 101.68(2)] Deadline to file protest with canvassing board to challenge absentee ballots received through August 29
August 31, 2009	9:00 a.m.	Continue canvassing and processing absentee ballots [F.S. 101.68(2)] Deadline to file protest with canvassing board to challenge absentee ballots received through August 30

September 1, 2009	9:00 a.m.	Continue canvassing and processing absentee ballots [F.S. 101.68(2)] Deadline to file protest with canvassing board to challenge absentee ballots received through September 1
	7:00 p.m.	Process election day results Release unofficial results (does not include provisional ballots) Deadline Preliminary election results to State [F.S. 102.141] (11:59 p.m. Election Night)
September 2, 2009	9:00 a.m.	Begin canvassing and processing provisional ballots [F.S. 101.048]
September 3, 2009	9:00 a.m.	Continue canvassing and processing provisional ballots [F.S. 101.048]
September 4, 2009	9:00 a.m.	Continue canvassing and processing provisional ballots [F.S. 101.048]; Certify Election Results/Conduct of Election Report; Post-election test of absentee/provisional ballot optical scan equipment; Select Race and Precinct(s) for Post-Election Audit [F.S. 101.591]
September 5, 2009	9:00 a.m.	Post-Election Audit [F.S. 101.591]
September 6, 2009	9:00 a.m.	Post-Election Audit [F.S. 101.591]
September 7, 2009	9:00 a.m.	Post-Election Audit [F.S. 101.591]
September 8, 2009	9:00 a.m.	Post-Election Audit [F.S. 101.591]
September 11, 2009	9:00 a.m.	Deadline to Release Results of Post-Election Audit [F.S. 101.591] (No later than 11:59 p.m. of the 7 th day after certification of the election)
September 23, 2009	9:00 a.m.	Deadline to send Report of Post-Election Audit to State [F.S. 101.591] (Within 15 days after the completion of Post-Election Audit)

ELECTION NIGHT PROCEDURE:

- o The Supervisor will have unofficial election results modemed from the polling places to the Election Service Center.
- o The Supervisor will have the Memory Sticks, Election Supplies and Provisional Ballots transported to the Election Service Center.
- o Results will be released throughout the night and posted to the Supervisor's website (www.votepinellas.com). The Supervisor will provide unofficial results on election night.

AFTER ELECTION DAY

- Provisional ballots will be canvassed. All ballots accepted by the City 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 voters to provide written proof of eligibility (F.S. 101.048).
- The City Canvassing Board will certify the election results and will provide a copy of the certificate of election and a conduct of election report to the Supervisor.
- The City Canvassing Board will conduct a post-election 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 Web site and at each elections office. The Supervisor will provide a copy of the notices via email to the City/Town to post at City/Town Hall. The final post-election audit report will be provided to the Supervisor after the City Canvassing Board completes the audit.
- Election materials will remain sealed at the Election Service Center for ten days after certification of the election. The City/Town will then be notified and given ten days to contact Kim Walker (464-6641) and pick up all election materials.
- The Supervisor of Elections in accordance with Florida Statute 101.573 will report precinct-level results to the Department of State within 45 days following the election.

DATA PROCESSING ORDERS (John Buckmaster 464-4958)

- City/Town places orders directly with the Data Center staff.
- CITY/TOWN has requested and will be billed for:

<u>Type</u>	<u>Order</u>	<u>Special Provisions</u>	<u>Print Date</u>	<u>Delivery Date</u>
Voter List	CD-ROM		Book Closing	Within 10 days following Book Closing

VOTER HISTORY:

- When voter history is completed, the City/Town will be provided with the names of those who voted. Information to be provided on () diskette, (X) CD Rom, () printout [precinct, alpha], or () labels [precinct/alpha].

ELECTION COSTS (Tiffany LaCour 464-6108):

- In addition to specific costs noted in this contract, the City/Town will pay an administration fee of 40 cents per registered voter; the minimum charge is \$400.

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

APPROVED:

APPROVED:

DEBORAH CLARK
Supervisor of Elections
Pinellas County, Florida

Print Name _____
Municipal Clerk
City/Town of _____

DATED: _____

DATED: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

BETSY M. STEG
Sr. Assistant County Attorney

Print Name _____
Attorney

DATED: _____

DATED: _____