



REVISED TIMETABLE FOR 2011 FIRST AND SECOND (RUNOFF) DISTRICT MUNICIPAL ELECTIONS

FIRST ELECTION DATE: TUESDAY, MARCH 8, 2011
SECOND (RUNOFF) ELECTION DATE: TUESDAY, MAY 10, 2011
(If Necessary)

Three (3) City Commissioners will be elected to fill the three (3) District Seats, currently held by:

Fredd "Glossie" Atkins	District No. 1
Richard Clapp	District No. 2
Kelly Kirschner	District No. 3

QUALIFYING:

Qualifying for the three (3) City Commission District seats shall open at 12:00 noon, Monday, January 3, 2011 and end at 12:00 noon, Friday, January 7, 2011. Candidates qualify for office by filing a written nominating petition with the Sarasota City Auditor and Clerk (Room 110, City Hall). This petition must contain the names and residential addresses of not less than twenty-five (25) electors (registered voters) of the district from which the candidate is nominated, and shall contain sufficient information to show the nominee possesses the necessary legal qualifications to hold such office. The petition shall be signed in ink or indelible pencil and include the residential address of each elector (registered voter). **Candidates qualifying for the district seats on the City Commission shall have resided in and shall have been a qualified elector (registered voter) of the respective district for which they are qualifying for a minimum of one (1) year immediately preceding the commencement of the term of office (May 13, 2011).**

Prior to filing the nominating petition with the City Auditor and Clerk during the qualifying period, the names on the nominating petition must be certified as qualified electors (registered voters) of the district from which the candidate is nominated by the Sarasota County Supervisor of Elections, Sarasota County Terrace Building, 7th Floor, 101 South Washington Blvd., Sarasota. The Supervisor of Elections office has requested that Candidates submit their Petition Forms at least one week prior to the close of qualifying. The Supervisor of Elections requires the signatures for validation purposes. Names are often eliminated from petitions for several reasons, so it is recommended at least 50 names be submitted to ensure the minimum requirement of 25 qualified electors is achieved on the petition.

The Loyalty Oath (Form DS-DE 25) must be completed at the time of qualifying.

Candidates must file a completed Financial Disclosure (Form 1) at the time of qualifying.

Candidates shall pay to the City of Sarasota an election assessment fee of one percent of the annual salary of the office sought (Currently: 1% of \$25,040.87 equals \$250.40) at the time of qualifying for office. The assessment will be transmitted to the Florida Department of State to be deposited in the Elections Commission Trust Fund per Section 99.093 (1), Florida Statutes.

Candidates seeking to qualify who are unable to pay the election assessment without imposing an undue burden on his or her personal resources or on resources otherwise available to him or her shall, upon written certification of such inability given under oath to the qualifying officer (Sarasota City Auditor and Clerk), be exempt from paying the election assessment per Section 99.093 (2), Florida Statutes.

CAMPAIGN TREASURERS: (Section 106.021, Florida Statutes)

"Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer. Each person who seeks to qualify for nomination or election to, or retention in, office shall appoint a campaign treasurer and designate a primary campaign depository prior to qualifying for office. . . Each candidate shall at the same time he/she designates a campaign depository and appoints a treasurer also designate the office for which he or she is a candidate. If the candidate is running for an office which will be grouped on the ballot with two or more similar offices to be filled at the same election, the candidate must indicate for which group or district office he or she is running. . . No person shall accept any contribution or make any expenditure with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person's behalf, unless such person has appointed a campaign treasurer and designated a primary campaign depository. A candidate for an office. . . may appoint not more than three (3) deputy campaign treasurers. The names and addresses of the campaign treasurer and deputy campaign treasurers so appointed shall be filed (Form DS-DE 9) with the officer before whom such candidate is required to qualify (Sarasota City Auditor and Clerk) or with whom such political committee is required to register pursuant to Section 106.03, Florida Statutes."

Any campaign treasurer or deputy treasurer appointed pursuant to this section shall accept appointment to such position in writing and file such acceptance with the officer before whom the candidate is required to qualify (Sarasota City Auditor and Clerk) or with the officer with whom the political committee is required to file reports. An individual may be appointed and serve as campaign treasurer of a candidate and a political committee or two or more candidates and political committees. A candidate may appoint himself or herself as campaign treasurer.

Candidates may collect and expend funds prior to qualifying for office by appointing a campaign treasurer, opening a campaign checking account and by filing (Form DS-DE 9) with the Sarasota City Auditor and Clerk, the Appointment of Campaign Treasurer and Designation of Depository for Candidates Form.

Within ten (10) days of filing the Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates Form, each candidate must file a statement (Form DS-DE 84) with the Sarasota City Auditor and Clerk stating that he or she has read and understands the requirements of Chapter 106, Florida Statutes.

PUBLIC LOGIC AND ACCURACY TEST:

The Logic and Accuracy Test will be held at the Office of the Sarasota County Supervisor of Elections for the First Election, and if required for the Second (Runoff) Election, at a time to be announced. All candidates and the public are invited to attend.

REGISTRATION:

The registration books for the First Election will close on Monday at 5:00 p.m., February 7, 2011 and remain closed through Tuesday, March 8, 2011. The registration books for the Second (Runoff) Election, if required, will be closed on Monday at 5:00 p.m., April 11, 2011, and remain closed through Tuesday, May 13, 2011.

VOTING HOURS:

7:00 a.m. to 7:00 p.m.

ABSENTEE VOTING:

Absentee ballots may be obtained from the Sarasota County Supervisor of Elections in compliance with Section 101.62, Florida Statutes.

FIRST ELECTION - MARCH 8, 2011:

When two (2) or more persons qualify as candidates for one (1) of the three district seats on the City Commission, the qualifiers shall have their names placed on the ballot for the City election to be held on the second Tuesday in March, to be known as the first election. With respect to each district seat, the candidate who is supported by a majority of the voters shall be declared elected.

When only one (1) person qualifies as a candidate for a district seat on the City Commission the name of such person shall not appear on the ballot and such person shall be declared elected and shall assume office at the same time and in the same manner as if elected in the regular City election.

SECOND ELECTION – MAY 10, 2011:

If no candidate is supported by a majority of the voters in the first election, with respect to any district seat, a second election shall be held on the second Tuesday in May. The two (2) candidates receiving the highest number of votes cast in the first election shall have their names placed on the ballot for the second election. The candidate receiving the support of a majority of the voters in the second election, in his or her respective district, shall be declared elected.

CANVASSING RETURNS:

The City Commission will canvass and declare the results of the First Election at 12:00 p.m. on Friday March 11, 2011 and the Second (Runoff) Election, if required, at 12:00 p.m. on Friday, May 13, 2011.

CERTIFICATE OF RESULTS OF ELECTION:

The Sarasota City Auditor and Clerk will furnish a Certificate of Results of Election to each successful candidate on Friday, March 11, 2011, for the First Election and on Friday, May 13, 2011, for the Second (Runoff) Election, if required.

NEW COMMISSIONERS:

In accordance with Ordinance No. 10-4941, Commissioners will take office as follows: A) In the event that no second (runoff) election is necessary in any of the three Districts after the March 8, 2011 election, then the Commissioners will take office on Friday, April 15, 2011; B) In the event that a second (runoff) election is necessary in any of the three Districts after the March 8, 2011 election, then all Commissioners elected in both the March 8, 2011 and the May 10, 2011 runoff, will take office on Friday, May 13, 2011

CAMPAIGN CONTRIBUTIONS:

No candidate for the office of City Commissioner shall accept a campaign contribution, in cash or in kind services, which would exceed the aggregate amount of Two Hundred Dollars (\$200.00) from any single contributor for each election. For purposes of this section, the terms “candidate” and “contributor” shall have the meaning ascribed to those terms by Chapter 106, Florida Statutes, as amended for time to time. For purposes of this section, those elections referred to in the Sarasota City Charter as the “First Election” and the “Second (Runoff) Election” shall be considered separate elections. The campaign contribution limits contained in this section shall not apply to contributions from political parties or to amounts contributed by a candidate to his or her own campaign.

No candidate for the office of City Commissioner shall accept a campaign contribution from any contributor, other than a natural person. For purposes of this section, a natural person shall mean any human being other than an unemancipated child under the age of eighteen (18).

TREASURER'S REPORTS:

Campaign Treasurers are required to file reports of contributions and expenditures with the Sarasota City Auditor and Clerk:

Below are the due dates for the First Election:

Monday, April 12, 2010 (pre-qualifying) **NOT LATER THAN 5:00 P.M.**
(with information from Friday, January 1,
2010 through Wednesday, March 31, 2010)

Monday, July 12, 2010 (pre-qualifying) **NOT LATER THAN 5:00 P.M.**
(with information from Thursday, April 1,
2010 through Wednesday, June 30, 2010)

Monday, October 11, 2010 (pre-qualifying) **NOT LATER THAN 5:00 P.M.**
(with information from Thursday, July 1,
2010 through Thursday, September 30, 2010)

Monday, January 10, 2011 (pre-qualifying) **NOT LATER THAN 5:00 P.M.**
(with information from Friday, October 1,
2010 through Friday, December 31, 2010)

Friday, January 21, 2011
(with information from Saturday, January 1, 2011
through Friday, January 14, 2011)

NOT LATER THAN 5:00 P.M.

Friday, February 4, 2011
(with information from Saturday, January 15, 2011
through Friday, January 28, 2011)

NOT LATER THAN 5:00 P.M.

Friday, February 18, 2011
(with information from Saturday, January 29, 2011
through Friday, February 11, 2011)

**HAND DELIVERED NOT
LATER THAN 5:00 P.M.**

Wednesday, March 2, 2011
(with information from Saturday, February 12, 2011
through Tuesday, March 1, 2011)

Below are the due dates for Second (Runoff) Election (If Necessary):

Friday, March 25, 2011
(with information from Wednesday March 2, 2011
through Friday, March 18, 2011)

NOT LATER THAN 5:00 P.M.

Friday, April 8, 2011
(with information from Saturday, March 19, 2011
through Friday, April 1, 2011)

NOT LATER THAN 5:00 P.M.

Friday, April 22, 2011
(with information from Saturday, April 2, 2011
through Friday, April 15, 2011)

NOT LATER THAN 5:00 P.M.

Wednesday, May 4, 2011
(with information from Saturday, April 16, 2011
through Tuesday, May 3, 2011)

**HAND DELIVERED NOT
LATER THAN 5:00 P.M.**

“Reports shall be filed not later than 5 p.m. of the day designated; however, any report (**except the last period report prior to the date of the election**) postmarked by the United States Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer (City Auditor and Clerk) within 5 days after the designated due date that was delivered by the United States Postal Service shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, shall be proof of mailing in a timely manner. . . All such reports shall be open to public inspection” as provided in Section 106.07(2)(a) Florida Statutes.

The last period candidate treasurer’s report is to be hand delivered to the Office of the City Auditor and Clerk by no later than 5:00 p.m. on the sixth day prior to the date of the election. This deadline may not be extended by the use of a post mark or other courier receipt.

Any report which is deemed to be incomplete by the officer with whom the candidate qualifies (City Auditor and Clerk) shall be accepted on a conditional basis, and the campaign treasurer shall be notified by registered mail as to why the report is incomplete and be given 3 days from receipt of such notice to file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of Section 106.07 (2)(b)1 Florida Statutes.

In lieu of the notice by registered mail as required above, the qualifying officer may notify the campaign treasurer by telephone that the report is incomplete and request the information necessary to complete the report. If, however, such information is not received by the qualifying officer within 3 days after the telephone request therefor, notice shall be sent by registered mail as provided in the above paragraph.

PENALTY FOR LATE FILING:

“Upon determining that a report is late, the filing officer (City Auditor and Clerk) shall immediately notify the candidate . . . as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50.00 per day for the first 3 days late and, thereafter, \$500.00 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding [the first and second (runoff) elections,] the fine shall be \$500.00 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. . . . Upon receipt of the late report, the filing officer (City Auditor and Clerk) shall determine the amount of the fine which is due and shall notify the candidate. . . . Such fine shall be paid to the filing officer (City Auditor and Clerk) within 20 days after receipt of the notice of payment due,” as provided in Section 106.07(8)(b), Florida Statutes. **(The fine must be paid from the candidate’s personal funds - not campaign funds.)**

FINAL ELECTION REPORT:

“Each candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office shall, within 90 days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds,” as provided in Section 106.141(1), Florida Statutes.

NOTE

INFORMATION CONTAINED HEREIN HAS BEEN COMPILED AND PRESENTED AS A SERVICE TO THE CANDIDATE. THE INFORMATION IS NOT WARRANTED BY THE OFFICE OF THE CITY AUDITOR AND CLERK OR THE CITY OF SARASOTA. SPECIFIC QUESTIONS REGARDING THE INTERPRETATION OF APPLICABLE STATE AND LOCAL STATUTES SHOULD BE REFERRED TO PRIVATE COUNSEL.