

RESOLUTION 2018-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO QUALIFYING FOR CANDIDACY (2018 CITY GENERAL ELECTION) AND FILING CAMPAIGN REPORTS; REQUIRING ELECTRONIC FILING OF CAMPAIGN TREASURER'S REPORTS WITH THE VOLUSIA COUNTY SUPERVISOR OF ELECTIONS OFFICE'S ELECTRONIC FILING SYSTEM; PROVIDING FOR TIME FRAMES FOR QUALIFYING FOR OFFICE; PROVIDING FOR LEGISLATIVE AND ADMINISTRATIVE FINDINGS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Daytona Beach Shores is granted authority under Section 106.07(2)(a)2, *Florida Statutes*, to impose upon its own officers and candidates electronic filing requirements not in conflict with Section 106.0705, *Florida Statutes*; and

WHEREAS, the City of Daytona Beach Shores recognizes that a requirement that all candidates for municipal office file campaign finance reports electronically is not in conflict with the provisions of Section 106.0705, *Florida Statutes*; and

WHEREAS, all candidates for municipal office will utilize the Online Treasurer Reporting System maintained and operated by the Volusia County Supervisor of Elections Office; and

WHEREAS, the City Clerk along with the public will have prompt access to campaign finance reports electronically filed with the Volusia County Supervisor of Elections; and

WHEREAS, the Florida Legislature has significantly increased the frequency of filing campaign finance reports required under Section 106.07, *Florida Statutes*, effective November 1, 2013, by now requiring monthly reports to be filed from the time the campaign treasurer is appointed with additional reports due on the 25th, 11th, and 4th days prior to the election; and

WHEREAS, the City of Daytona Beach Shores finds and determines that uniform electronic filing of campaign finance reports by all municipal candidates will facilitate expanded

public access to campaign finance information and conserve City resources leading to greater efficiency; and

WHEREAS, Section 2.21 (c) of the *City Charter* relates to City elections and provides as follows: “The City Clerk shall make all necessary administrative arrangements and take all administrative actions necessary for holding all City elections and shall report such actions to the City Council.”; and

WHEREAS, the City of Daytona Beach Shores desires to establish a period within which candidates may qualify for election at the next City election; and

WHEREAS, this Resolution is enacted pursuant to the home rule powers of the City of Daytona Beach Shores as set forth at Article VIII, Section 2, of the *Constitution of the State of Florida*; Chapter 166, *Florida Statutes*, and other applicable controlling law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, as follows:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.

- (a). The City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing this Resolution.
- (b). The foregoing recitals (whereas clauses) are hereby ratified, affirmed and confirmed as being true and correct and are hereby made a part of this Resolution.
- (c). The recitals of Ordinance Number 2017-02 are hereby ratified and affirmed.

SECTION 2. QUALIFYING FOR CANDIDACY (2018 CITY GENERAL ELECTION).

- (a). The 2018 City General Election and the qualification for City office shall be implemented in accordance with the provisions of the *City Charter* and controlling State law.
- (b). The following schedule for qualifying as a candidate for City office is adopted: 8:00 a.m.

to 4:30 PM on each of the following days: June 19, 2018; June 20, 2018; June 21, 2018; June 22, 2018; and June 23, 2018. Any attempt to qualify outside of those time periods will be rejected. If a person is in line to qualify at 4:30 p.m. on June 23, 2018, that person shall be allowed to submit papers that are ready to be filed and seek qualification.

SECTION 3. FILING OF CAMPAIGN REPORTS.

(a). Beginning January 1, 2018, all persons and organizations that are required to file reports shall file their electronic campaign reports through the County of Volusia Supervisor of Elections' website.

(b). The provisions of Subsection 3(a) shall be applicable regardless of the effective date of this Resolution.

SECTION 4. IMPLEMENTING ADMINISTRATIVE ACTIONS.

(a). The City Clerk is hereby authorized and directed to implement the provisions of this Resolution as may be deemed necessary or appropriate by the City Clerk.

(b). In addition, the City Manager, City Clerk and City Attorney are also hereby authorized and directed to generally implement the provisions of this Resolution and to take any and all necessary administrative actions to bring into effect the provisions of this Resolution in accordance with controlling law as such officers may deem appropriate in their respective roles and functions under the *City of Daytona Beach Shores City Charter*.

SECTION 5. SAVINGS.

The prior actions of the City of Daytona Beach Shores in terms of the matters relating to City elections, as well as any and all related matters, are hereby ratified and affirmed.

SECTION 6. CONFLICTS.

All ordinances or part of resolutions in conflict with this Resolution are hereby repealed.

SECTION 7. SEVERABILITY.

If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise to be invalid, unlawful, or unconstitutional.

SECTION 8. EFFECTIVE DATE.

This Resolution shall take effect immediately upon passage and adoption.

CITY OF DAYTONA BEACH SHORES, FLORIDA

MAYOR, HARRY H. JENNINGS

Attest:

CITY MANAGER, MICHAEL T. BOOKER

CITY CLERK, CHERI SCHWAB

Approved as to form and legality:

CITY ATTORNEY, LONNIE GROOT

Adopted this 10th day of January, 2018.

Posted this 10th day of January, 2018.