



**TIMETABLE FOR 2009 FIRST AND SECOND (RUNOFF)  
DISTRICT MUNICIPAL ELECTIONS**

**FIRST ELECTION DATE: TUESDAY, MARCH 10, 2009**  
**SECOND (RUNOFF) ELECTION DATE: TUESDAY, APRIL 14, 2009**  
**(If Necessary)**

Two (2) City Commissioners will be elected to fill the two (2) At-Large Seats, currently held by:

**Lou Ann R. Palmer and Ken Shelin**

**QUALIFYING:**

Qualifying for the two (2) City Commission at-large seats shall open at 12:00 noon, Friday, January 16, 2009 and end at 12:00 noon, Friday, January 23, 2009. Sarasota City Hall will be closed Monday, January 19th for the Dr. Martin Luther King Jr. Holiday. 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 City, and shall contain sufficient information to show that 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 at-large seats on the City Commission shall have resided in and shall have been a qualified elector (registered voter) of the City of Sarasota for a minimum of one (1) year immediately preceding the commencement of the term of office (April 17, 2009).** 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 City by the Sarasota County Supervisor of Elections, Sarasota County Terrace Building, 7<sup>th</sup> Floor, 101 South Washington Blvd., Sarasota.

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 \$25,422.00 equals \$254.00) 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 be closed on Monday, February 9, 2009 at 5:00 p.m., and remain closed through Tuesday, March 10, 2009. The registration books for the Second (Runoff) Election, if required, will be closed on Monday at 5:00 p.m., March 16, 2009, and remain closed through Tuesday, April 14, 2009.

**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 10, 2009:**

When three (3) or more persons qualify as a candidate for the office of city commissioner for the two (2) at-large seats on the city commission, the qualifiers shall have their names placed on the ballot for the city election held on the second Tuesday in March, to be known as the first election. The two (2) candidates receiving the highest number of votes cast in the first election who have also received the support of a majority of the voters shall be declared elected.

The minimum number of votes required for a candidate for an at-large seat to receive the support of a majority of the voters, as required herein, shall be a number which is equal to half the number of persons voting (as indicated by valid votes cast) plus one (1).

When only one (1) or two (2) persons qualify as candidates for an at-large seat on the city commission, the names of such persons shall not appear on the ballot, and such persons shall be declared elected and shall assume office at the same time and in the same manner as if elected in the first election.

**SECOND ELECTION - APRIL 14, 2009:**

If no candidate receives the support of a majority of the voters in the first election, a second election shall be held, on the second Tuesday in April, to fill the two (2) at-large seats. The three (3) candidates receiving the highest number of votes in the first election shall have their

names placed on the ballot for the second election.

In the event that only one (1) candidate receives the support of a majority of the voters in the first election, the second election shall be held to fill one (1) at-large seat. The two (2) candidates receiving the support of the second and third highest number of voters, in the first election, shall have their names placed on the ballot for the second election.

In the second election any at-large seat that has not been filled by the election of a candidate who receives the support of a majority of the voters after the second election shall be filled by declaring the candidate or candidates elected who have received the highest number of votes cast in the second election.

**CANVASSING RETURNS:**

The City Commission will canvass and declare the results of the First Election on Friday, March 13, 2009 and the Second (Runoff) Election, if required, on Friday, April 17, 2009, at the time set by the City Commission.

**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 13, 2009, for the First Election and on Friday, April 17, 2009, for the Second (Runoff) Election, if required.

**NEW COMMISSIONERS:**

The Charter of the City of Sarasota provides that persons elected shall assume office on the third day following the second Tuesday in April. Therefore, Commissioners will take office on Friday, April 17, 2009, at the time set by the City Commission.

**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:**

Thursday, July 10, 2008 (pre-qualifying)  
(with information from Tuesday, April 1,  
2008 through Monday, June 30, 2008) **NOT LATER THAN 5:00 P.M.**

Friday, October 10, 2008 (pre-qualifying)  
(with information from Tuesday, July 1,  
2008 through Tuesday, September 30, 2008) **NOT LATER THAN 5:00 P.M.**

Monday, January 12, 2009 (pre-qualifying)  
(with information from Wednesday, October 1,  
2008 through Wednesday, December 31, 2008) **NOT LATER THAN 5:00 P.M.**

Friday, February 6, 2009  
(with information from Thursday, January 1, 2009  
through Friday, January 30, 2009) **NOT LATER THAN 5:00 P.M.**

Friday, February 20, 2009  
(with information from Saturday January 31, 2009  
through Friday, February 13, 2009) **NOT LATER THAN 5:00 P.M.**

Wednesday, March 4, 2009  
(with information from Saturday, February 14,  
2009 through Tuesday, March 3, 2009) **HAND DELIVERED NOT  
LATER THAN 5:00 P.M.**

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

Friday, March 13, 2009  
(with information from Wednesday, March 4, 2009  
through Friday, March 6, 2009) **NOT LATER THAN 5:00 P.M.**

Friday, March 27, 2009  
(with information from Saturday, March 7, 2009  
through Friday, March 20, 2009) **NOT LATER THAN 5:00 P.M.**

Wednesday, April 8, 2009  
(with information from Saturday, March 21, 2009) **HAND DELIVERED NOT  
LATER THAN 5:00 P.M.**

through Tuesday, April 7, 2009

“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.**