



FIRST NONPARTISAN ELECTION TUESDAY, MARCH 9, 2010 CANDIDATE ELECTION CALENDAR

Pursuant to Section 34.16(A)(1)(a) of the City Code, any person seeking to qualify as a candidate for the office of Mayor or for the office of any City Commission seat must have been a resident of the City of Delray Beach, Florida, who had become an elector of the City on or before September 1st preceding the municipal election for which the candidate is qualifying. For purposes of the March 9, 2010 election, **September 1, 2009** is the deadline.

Per Section 3.09 of the City Charter, individual Commissioners, including the Mayor, shall be prohibited from holding office for more than six (6) consecutive years. The term "holding office" shall be defined as serving as Commissioner or Mayor. Effective for those elected in March 2003 and thereafter, a Commissioner or Mayor may complete the entire term to which they were elected, if a term limit is reached during an elected term. The term "consecutive years" shall not include any time served as a result of an appointment.

Pursuant to Section 5.04 of the City Charter, in a nonpartisan election, a candidate for each of the seats on the ballot for the offices of Commissioners or for the office of Mayor who receives the highest number of votes, even if it is not a majority of the votes cast by all electors casting ballots for that office shall be declared to be elected, provided, however, notwithstanding the foregoing provision, should two or more candidates tie for the highest number of votes from all electors casting ballots for that seat for Commissioner or for the office of Mayor, then the candidates receiving the highest number of votes shall be declared candidates for the second nonpartisan election.

Appointment of Campaign Treasurer and Designation of Campaign Depository for Nonpartisan Candidates. This form is available from the City Clerk's office and/or the Division of Elections Website: election.dos.state.fl.us. It must be completed and returned to the Clerk's office before nominating petitions can be issued. Each candidate must designate the office for which he or she is a candidate. Pursuant to Section 34.16 of the City Code, **Petitions will not be distributed by the City Clerk until 8:00 a.m. on the first business day in the month of December (December 1, 2009).**

Expenditures from funds on deposit in the campaign depository must be made by means of a bank check drawn upon the campaign account of the candidate. The checks for such account shall contain the statement "**Campaign Account of (name of candidate).**" (See Section 106.11, F.S.)

Statement of Candidate (Section 106.023, F.S.). Each candidate must file a statement with the qualifying officer (City Clerk) within 10 days of filing Appointment of Campaign Treasurer and Designation of Campaign Depository, stating that the candidate has received, read and understands the requirements of Chapter 106, Florida Statutes. A copy of Chapter 106, "Campaign Financing", and the requisite statement will be provided to each candidate by the City Clerk.

Limitations on Contributions (Section 106.08, F.S.). No person, political committee, or committee of continuous existence shall make contributions to any candidate in excess of \$500.00. (Section 106.09 F.S.) A candidate **may not** accept contributions in cash or by means of a cashier's check in excess of \$50.00.

Late Filing of Campaign Treasurer's Reports (Section 106.07, F.S.). Failure to file a report by the designated due date will result in fines. The fine shall be \$50 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.

MONDAY, OCTOBER 12, 2009, by 5:00 p.m.:

QUARTERLY TREASURER'S REPORT DUE (from those candidates having designated a campaign treasurer in the preceding calendar quarter). Per Section 106.07(1), F.S., reports shall be filed on the 10th day following the end of each calendar quarter from the time the campaign treasurer is appointed, **except that if the 10th day following the end of a calendar quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day which is not a Saturday, Sunday, or legal holiday.** The report must cover the period from when the Appointment of Campaign Treasurer and Designation of Campaign Depository form is filed through September 30, 2009.

MONDAY, JANUARY 11, 2010, by 5:00 p.m.:

QUARTERLY TREASURER'S REPORT DUE (from those candidates having designated a campaign treasurer in the preceding calendar quarter or quarters). The report must cover the period from either October 1, 2009 through December 31, 2009, or from when the Appointment of Campaign Treasurer and Designation of Campaign Depository form is filed through December 31, 2009.

FRIDAY, JANUARY 22, 2010, by 5:00 p.m.:

TREASURER'S REPORT DUE – for opposed candidates (46th day immediately preceding the general election/F.S. 106.07). **This report must cover the period from January 1, 2010 through January 15, 2010.**

TUESDAY, JANUARY 26, 2010, at 12:00 Noon:

QUALIFYING PERIOD OPENS AT 12:00 NOON (and runs through 12:00 Noon on Tuesday, February 9, 2010). Qualifying papers to consist of:

- (1) Nominating petitions containing the signatures of not less than one percent (1%) of the registered voters of the City as determined on January 1st of the year of the election (Section 34.16(A)(2) City Code). The Supervisor of Elections has advised that as of January 4, 2010, there are **41,018** registered voters within the City. Therefore, the absolute minimum number of **valid** signatures needed to qualify is **410**. I recommend at least **500-550** signatures be obtained.

ALL SIGNATURES MUST BE EXECUTED IN INK OR INDELIBLE PENCIL, AND MUST BE NOTARIZED.

(2) Form 1, Statement of Financial Interest 2009 (for tax year ending December 31, 2009). ***This document must be handed in at the time petitions are initially returned by the candidate as part of the qualifying papers.*** (Florida Statutes (F.S.) Section 99.061(4)/Section 112.3145(2)(a)).

(3) Fees

(A) Filing fee in the amount of \$25.00.

(B) Pursuant to F.S. Section 99.093, each person seeking to qualify for nomination or election to a municipal office shall pay, at the time of qualifying for office, an election assessment. The election assessment shall be an amount equal to one percent (1%) of the annual salary of the office sought.

Candidates for the office of Mayor must pay an assessment of **\$120.00** (1% of \$12,000 annual salary); candidates for the office of a City Commission seat must pay an assessment of **\$90.00** (1% of the \$9,000 annual salary).

Two (2) separate checks will be required. They are to be made payable to the City of Delray Beach, Florida, and must **be drawn on the campaign account of the candidate.**

(4) You will also be required to execute the **“Oath of Candidate for Office”** and **“Loyalty Oath”** at the time you file your qualifying papers. The Oaths will be notarized by the City Clerk.

FRIDAY, FEBRUARY 5, 2010, by 5:00 p.m.:

TREASURER’S REPORT DUE – for opposed candidates (32nd day immediately preceding the general election/F.S. 106.07). **This report must cover the period from January 16, 2010 through January 30, 2010.**

MONDAY, FEBRUARY 8, 2010, at 5:00 p.m.:

Registration books close for the March 9, 2010 election (F.S. 97.055). Anyone who registers to vote after this time will be ineligible to vote in the March election.

TUESDAY, FEBRUARY 9, 2010, at 12:00 Noon:

DEADLINE FOR QUALIFYING. No qualifying papers will be accepted from any candidate after this deadline per F.S. 106.141(9).

FRIDAY, FEBRUARY 12, 2010, by 5:00 p.m.:

Deadline for municipalities to get ballot information to the Supervisor of Elections.

FRIDAY, FEBRUARY 19, 2010, at 3:00 p.m.:

Logic and Accuracy (L&A) Test will be held at 240 South Military Trail at the Supervisor of Elections Headquarters, corner of Military Trail and Gun Club Road.

FRIDAY, FEBRUARY 19, 2010, by 5:00 p.m.:

TREASURER'S REPORT DUE – for opposed candidates (1st report after qualifying period/18th day immediately preceding the general election/F.S. 106.07). **This report must cover the period from January 31, 2010 through February 13, 2010.**

NOTE: Following the last day of qualifying for office (February 9, 2010), any **unopposed** candidate need only file a report within ninety (90) days after the date such candidate became unopposed.

TUESDAY, FEBRUARY 23, 2010, by 12:00 Noon:

Pursuant to F.S. 101.131, each candidate may have one poll watcher in each polling room at any one time during the election. Any candidate requesting to have poll watchers shall designate, **in writing**, poll watchers for each precinct prior to noon of the second Tuesday preceding the election. Poll watcher must be a qualified and registered elector in Palm Beach County. **NOTE:** The request for and designation of poll watchers must be submitted to Chevelle D. Nubin, City Clerk, 100 N.W. First Avenue, Delray Beach, FL 33444, (561) 243-7050 by the deadline.

TUESDAY, MARCH 2, 2010:

Deadline for the Supervisor of Elections to approve the names of poll watchers (F.S. 101.131). The Supervisor shall furnish to each precinct a list of the poll watchers designated and approved for such precinct.

THURSDAY, MARCH 4, 2010, at 12:00 Midnight:

Deadline for receiving campaign contributions. Any contribution received on the day of the election or less than 5 days prior to the day of the election **must be returned** to the person or entity contributing it and it **may not** be used or expended by or on behalf of the candidate.

FRIDAY, MARCH 5, 2010, by 5:00 p.m.:

TREASURER'S REPORT DUE – for opposed candidates (2nd report after qualifying period/4th day immediately preceding the general election). This report must cover the period from February 14, 2010 through March 4, 2010 (F.S. 106.07(2)(a)).

TUESDAY, MARCH 9, 2010:

ELECTION DAY

Polls are open from 7:00 a.m. to 7:00 p.m.

THURSDAY, MARCH 11, 2010, at 6:00 p.m.:

Delray Beach City Commission Special Meeting – Canvass returns and declare results of First Nonpartisan Election.

THURSDAY, MARCH 25, 2010, at 6:00 p.m.:

Annual Organizational Meeting pursuant to Article III, Section 3.04 of the City’s Charter. Oath of Office administered.

MONDAY, MAY 10, 2010, by 5:00 p.m.:

Final Treasurer’s Report Due (**for unopposed candidates**). Final report due within 90 days of the close of qualifying. Per F.S. 106.07(1)(c), this report shall contain all previously unreported contributions and expenditures and shall reflect disposition of funds as required by F.S. 106.141. (January 1, 2010 – May 7, 2010).

MONDAY, JUNE 7, 2010, by 5:00 p.m.:

Final Treasurer’s Report Due (**for opposed candidates**). Final report due within 90 days of the election in which the candidate last participated. This report must cover the period from March 5, 2010 through June 4, 2010, and shall contain all previously unreported contributions and expenditures and shall reflect disposition of funds as required by F.S. 106.141.

Please note that if you are interested in opposing or supporting a candidate via independent expenditures or by forming a political action committee you must meet with the City Clerk to obtain the proper forms before collecting or expending any monies and/or distributing any political flyers or information.

Please note: Calendar dates may change subject to changes from Supervisor of Elections Office or State Division of Elections. Accordingly, updated calendars will be provided as necessary.

Please direct all questions or concerns regarding this Municipal Election process to Chevelle D. Nubin, City Clerk at 243-7050.



Chevelle D. Nubin, CMC
City Clerk/Filing Officer for Municipal Elections
City of Delray Beach