

City of South Daytona

Office of the City Manager

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MEMORANDUM

To: Joseph W. Yarbrough, City Manager

From: Debbie Fitz-Gerald, Deputy City Clerk *Debbie*

Re: Electronic filing of campaign reports
Ordinance No. 17-13

Date: November 7, 2017

AGENDA ITEM
10E 11147

The Volusia County Supervisor of Elections, Lisa Lewis, has notified local municipalities that the opportunity is available for municipal candidates to file their campaign reports electronically beginning January 1, 2018.

During past election seasons, municipal candidates inquired about filing electronically. At that time, only state and county candidates were permitted to file in this manner. The benefit to the candidate would be not having to mail or hand deliver hard copies of the financial reports. Filing the reports electronically would be a convenience as the reporting system would keep track of all contributions and expenditures; as well as the accumulated total.

A brief survey shows the following municipalities that will be taking an ordinance to their respective council/commissions during November and December 2017:

Daytona Beach
Daytona Beach Shores
Deltona
Edgewater
Holly Hill
New Smyrna Beach
Pierson

City staff recommends approval of the Ordinance.

ORDINANCE NO. 17-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA, BY AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VA. ELECTIONS, CREATING A NEW SECTION 2-175 (CAMPAIGN TREASURER'S REPORTS - ELECTRONIC CAMPAIGN FILING) OF THE CITY CODE OF ORDINANCES REQUIRING FILING OF CAMPAIGN TREASURER'S REPORTS WITH THE VOLUSIA COUNTY SUPERVISOR OF ELECTIONS OFFICE'S ELECTRONIC FILING SYSTEM; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of South Daytona 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 South Daytona 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 Candidate Financial 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 Statute, 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 day prior to the election; and

WHEREAS, the City of South Daytona 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 of South Daytona resources leading to greater efficiency.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA:

SECTION 1. The statements contained in the above whereas clauses are adopted and ratified as the legislative findings and intent of the City Council for the City of South Daytona as if fully set forth herein as the legislative intent and findings of the City Council.

SECTION 2. The City Council of the City of South Daytona hereby amends Chapter 2, Administration, Article VA. Elections, creating a new Section 2-175 (Campaign Treasurer's Reports – Electronic Campaign Filing) to read as follows:

Section 2.175 “Campaign Treasurer’s Reports – Electronic Campaign Filing”

All candidates for elected office in the City of South Daytona, Florida shall electronically file their campaign treasurer’s reports required by state law utilizing the Volusia County Supervisor of Elections Office’s electronic filing system. Campaign treasurer’s reports electronically filed as required by this section shall be deemed filed with the City Clerk simultaneously upon the Volusia County Supervisor of Elections Office’s receipt of the electronic filing.

SECTION 3. If any portion of this ordinance is for any reason held or declared to be unconstitutional or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance.

SECTION 4. That this Ordinance shall become effective immediately upon its adoption.

PASSED upon first reading at a regular meeting of the City Council of the City of South Daytona held in the City of South Daytona, Florida, on the ____ day of _____, 2017.

ADOPTED upon second and final reading at a regular meeting of the City Council of the City of South Daytona held in the City of South Daytona, Florida, on the ____ day of _____, 2017.

William C. Hall, Mayor

Attest:

Joseph W. Yarbrough, City Manager

Approved as to form:

Scott E. Simpson, City Attorney