Agenda Item 14
Meeting of 06/07/17

ORDINANCE 2017-

AN ORDINANCE CHANGING THE QUALIFYING PERIOD FOR CANDIDACY FOR CITY COUNCIL FOR THE CITY’S FEBRUARY 6, 2018 REGULAR ELECTION TO THE PERIOD BEGINNING MONDAY, NOVEMBER 27, 2017 AND ENDING ON FRIDAY, DECEMBER 15, 2017; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the qualification period in the Naples City Charter for candidates for the City’s February 6, 2018 regular election would end on Tuesday, December 26, 2017, a City holiday; and

WHEREAS, Section 13.4 of the Naples City Charter provides that all candidates for city council shall have been a resident of the City of Naples for a period of six months prior to filing; and

WHEREAS, the deadline for establishing legal residency for the City’s February 6, 2018 election is June 15, 2017; and

WHEREAS, federal law (42 USC § 1973FF–1) (Uniformed and Overseas Citizens Absentee Voting Act(UOCAVA)) provides that clerks must transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter who requests one, at least 45 days prior to the election; and

WHEREAS, this federal provision is not mandatory for local elections in non-Presidential election years, but should be honored; and

WHEREAS, the Collier County Supervisor of Elections office advises that the latest date for qualifying, for the Supervisor to be able to print and send ballots in conformity with UOCAVA is Friday, December 15, 2017; and

WHEREAS, moving the deadline for qualifying should not create a shorter window for the qualifying period, and will not conflict with the Thanksgiving holiday; and

WHEREAS, Section 100.3605(2), Florida Statutes, provides that the governing body of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes; and
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WHEREAS, it is therefore in the best interests of the citizens of the City of Naples to change the qualifying period for candidacy for council for the February 6, 2018 regular election to open at 8:00 a.m., Monday, November 27, 2017 and to close at 5:00 p.m., Friday, December 15, 2017.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That the qualifying period for candidacy for city council for the February 6, 2018 regular election shall open at 8:00 a.m., Monday, November 27, 2017 and shall close at 5:00 p.m., Friday, December 15, 2017. The qualification dates in the Naples City Charter, Section 13.4 are hereby changed for the 2018 election only.

Section 2. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THE 7TH DAY OF JUNE 2017.


Attest:

Patricia L. Rambosk, City Clerk

Bill Barnett, Mayor

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: __________