

# TOWN OF PALM BEACH

Information for Town Council Meeting on: May 11, 2021

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To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

Via: Jay Boodheshwar, Deputy Town Manager

From: Queenester Nieves, CMC, Town Clerk

Re: Proposed Date Change to Town Caucus and Qualifying

Date: April 30, 2021

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## **STAFF RECOMMENDATION**

Staff recommends the Town Council give consideration to changing the current Town Caucus and qualifying dates to the first Tuesday in December and the Wednesday immediately after. Staff is seeking direction on modifying the election ordinances to accommodate the change to the town caucus and qualifying dates.

## **GENERAL INFORMATION**

The Town's general Municipal Election is held annually on the second Tuesday in March. Currently the Town of Palm Beach Caucus is the second Tuesday in January and the qualifying period is the Wednesday immediately after. The Palm Beach County Supervisor of Elections (SOE) is requesting that all municipalities change their qualifying periods so that they end at least 60-70 days prior to the election date. This will provide enough time for the Supervisor of Elections to create and mail ballots to overseas voters.

## **History**

Discussion took place at a regular meeting on October 13, 2015, among the Council Members and then Palm Beach County Elections Supervisor (SOE), Susan Bucher, regarding using the County's resources to assist the Town's standalone election. During that discussion, Ms. Bucher informed the Council of the multiple challenges a standalone election would present to the County SOE the month before a statewide election. As a result, the Town Council adopted Ordinance 28-2015 (Exhibit A), adding Article IV to Chapter 34 of the Town's Code, which allowed the Town to change the Caucus, qualifying period and election dates (by ordinance) to be uniform with Presidential Preference Primary (PPP) election years. The Town Caucus was held on December 3, 2015, and the Town's general election was held on March 15, 2016.

Subsequent to the passage of Ordinance No. 28-2015, Ordinance No. 22-2017 was adopted in 2017 when the Town decided to move its general election date from the first Tuesday in February to the second Tuesday in March to be uniform with the County's municipal elections. This ordinance also rescinded and repealed Ordinance No. 28-2015 by removing Article IV from Chapter 34 of the

## Town's Election Code.

In 2019, the Town Council changed the Town caucus and the qualifying dates to correspond with the PPP election date.

**Ordinance No. 21-2017**(Exhibit B) Each year the town clerk shall call a caucus of the qualified voters of the town for the purpose of nominating candidates for mayor and the town council. Such caucus shall be held as provided by section 5.03 of the Charter and shall be called by the clerk publishing notice in a newspaper having a general circulation in the town on the last two Mondays in December and the first Monday in January.

**Ordinance No. 31-2019** (Exhibit C) was enacted to provide municipal election dates which are concurrent with a statewide or county wide election,. This ordinance amended the Town Code at Chapter 34 to add a new article IV, municipal election date and election qualifying period for municipal election to be held concurrently with Presidential Preference Primary election. Consideration should be given to the fact that the necessity to move the caucus dates would occur every four years.

Staff is recommending changing the caucus and qualifying date to the second Tuesday in December permanently, which is permitted by F.S. 101.75. If Town Council is in agreement, an ordinance to codify said changed will be presented for first reading at a subsequent Town Council meeting.

### **Option of Stand-Alone Election**

If Town Council chooses not to change the date of the Town Caucus and Qualifying date the Town will need to change its Municipal Election date, and have a standalone election. There were multiple discussions in the past about conducting a standalone election, which is a costly and challenging endeavor, and staff has been unable to find an independent firm to tabulate the Town's ballot results to date.

Attachments

cc: John C. Randolph, Town Attorney