

## MEMORANDUM

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February 26, 2020

**TO:** Honorable Mayor and City Commission

**VIA:** Kenneth Fields, City Manager

**FROM:** Jennifer Nanek, City Clerk

**RE:** Appointment of Regular and Alternate Canvassing Board members

**SYNOPSIS:** It is necessary for the Commission to appoint alternate members to serve on the City of Lake Wales Canvassing Board.

### RECOMMENDATION

It is recommended that the City Commission take the following action:

1. Appoint resident Pete Perez to serve as an additional member of the Canvassing Board.
2. Appoint residents Jacque Hawkins and Christopher Lutton to serve as alternate members to the Lake Wales Canvassing Board.
3. Designate the City Clerk and/or Deputy City Clerk to represent the Canvassing Board at the Pre-election Logic and Accuracy Testing of Tabulating Equipment (L&A) on Tuesday, March 31, 2020 at 4:00 p.m. The City Clerk is required to attend the L&A Testing but if unavailable it is necessary to authorize a person to attend on behalf of the City Clerk if a Canvassing board member is unavailable to attend the L&A Testing.

### BACKGROUND

The City Commission serves as the Canvassing Board and has legal responsibilities related to the conduct of the Municipal Election. However, there are legal rules that apply. No member can serve if he or she is a candidate with opposition in the election being canvassed or is actively participating in the campaign or the candidacy of any candidate who has opposition in the election being canvassed. Actively participating means undertaking an intentional effort to demonstrate or generate public support for a candidate beyond merely making a campaign contribution. Refer to DE 8-10; 09-07.

There are two seats up for election and two of the Commission members are incumbents in the election so those members do not qualify to serve on the Canvassing Board. One Commissioner has excused himself for scheduling reasons. Three members are necessary for a quorum. Even with three members it is still necessary for the Commission to appoint alternate members to serve on the Canvassing Board if a lack of a quorum is created on the Canvassing Board due to the legal rules that applies or any other unavoidable cause. In accordance with Sec. 8-26, Lake Wales Code of Ordinances, the City Commission may appoint the city manager, city attorney, or a resident/s to serve as a member to the Canvassing Board in the absence of the Commission member creating the lack of quorum.

Jacque Hawkins, Christopher Lutton and Pete Perez have served on the Canvassing Board in the past and have volunteered to serve again this year. The City Clerk recommends their appointment.

Per Florida Statute, Canvassing Board members are required to attend the following meetings.

**Pre-election Logic and Accuracy Testing of Tabulating Equipment (L&A)**

Tuesday, March 31, 2020; 4:00 p.m.

Elections Operations Center, 70 Florida Citrus Blvd. Winter Haven, FL 33880 (behind the Auburndale Speedway).

*-At least 1 member of the Canvassing Board or representative must attend the L&A Testing.*

**Election Night Canvassing of Ballots**

Tuesday, April 7, 2020, time to be scheduled by SOE (5:00 p.m. or later)  
Elections Operations Center, 70 Florida Citrus Blvd. Winter Haven, FL 33880  
*-A quorum must be present and must remain until all ballots are tabulated.*

**Certification of Election**

City of Lake Wales Municipal Administration Building  
Thursday, April 9, 2020; 5:30 p.m.  
*-A Quorum must be present.*

**Post-Election Manual Audit**

Date & Time to be determined – April 13, 2020 through April 15, 2020  
(Maybe Monday the 13<sup>th</sup> at 5pm?)  
Elections Operations Center, 70 Florida Citrus Blvd. Winter Haven, FL 33880  
*-A quorum must be present.*

**ATTACHMENTS**

None