

**CITY OF TREASURE ISLAND, FLORIDA  
SPECIAL BOARD OF COMMISSIONERS MEETING  
TUESDAY, JANUARY 25, 2005  
6:45 PM**

Welcome to the City of Treasure Island Commission Meeting. If you wish to speak on a topic which is on today's agenda, a speaker's form [available in the rear of the room] must be completed and given to the Deputy City Clerk. Please do not address the Commission from your seat, but rather from the podium where your comments can be heard by all and recorded as required by Florida law. Unscheduled topics may be presented under the Public Comments section of the agenda.

**A. PLEDGE OF ALLEGIANCE:** Led by Mayor Maloof

**B. ROLL CALL:**

Mayor Mary Maloof	
Commissioner Phil Collins	District 1
Commissioner Ed Gayton	District 2
Commissioner Richard Kraus (Vice-Mayor)	District 3
Commissioner Alan Bildz	District 4

**C. PUBLIC COMMENTS:**

**D. ITEMS OF BUSINESS:**

1. Announcing a Vacancy in the Candidacy for Commissioner District One

**E. PUBLIC COMMENTS:**

**F. ADJOURNMENT:**

Any person desiring to file an appeal to any action taken by the Commission at this meeting will need a record of the proceedings and for such purpose may be required to insure that a verbatim transcript is made. Said transcript shall be made by the appellant at his or her expense. The City maintains a tape recording of all public hearings. In the event that you wish to appeal a decision, the tape may or may not adequately insure a verbatim record of the proceedings. Therefore, you may wish to provide a court reporter at your expense.



# CITY OF TREASURE ISLAND AGENDA COVER MEMORANDUM

Agenda Item #:  
Meeting Date: 1/25/05

**SUBJECT:**

Announce the vacancy in the candidacy for District 1 Commissioner.

**RECOMMENDATION:**

Staff recommends that the Commission announce the vacancy and the re-opening of the qualifying period for Commissioner District 1 candidates due to Bill Bennington's withdrawal as a candidate.

**SUMMARY:**

Bill Bennington announced his withdrawal as a candidate for District 1 Commissioner on Friday, January 21<sup>st</sup> at 10:00 a.m. and submitted a *Candidate Withdrawal Oath* form.

As a result, qualifying for Commissioner District 1 candidates re-opened at noon on Friday, January 21<sup>st</sup> and qualifying ends at noon on Friday, February 4<sup>th</sup>.

Staff is recommending that the Commission announce the vacancy and the re-opening of the qualifying dates for Commissioner District 1.

**Reviewed by:**

- \_\_\_\_\_ Legal
- \_\_\_\_\_ Finance
- \_\_\_\_\_ Personnel
- \_\_\_\_\_ Public Works
- \_\_\_\_\_ Community Imp
- \_\_\_\_\_ Recreation
- \_\_\_\_\_ Police
- \_\_\_\_\_ Fire

**Submitted by:**

Jennifer Nye

**Originating Dept:**

Administration

**User Dept:**

Administration

**Attachments:**

Section 14-9 (e) of TI's Code

None

**Costs:**

Total:

Current Fiscal Year:

**Funding Source:**

- Capital Improvement
- Operating
- Other

**Appropriation Code:**

(c) All candidates offering themselves for election to an office of city commissioner shall indicate the district in which they reside and all candidates for the office of mayor-commissioner shall so announce the office being sought and the district in which he resides; and the ballots shall be so arranged that the voters of the entire city may vote for the mayor-commissioner, but the voters of each district shall vote separately for the candidates of their own district commissioner.

(Code 1985, § 7-8; Ord. No. 96-17, § 1(7-8), 10-22-96)

**Charter reference**—Election, terms, § 3.03.

**Sec. 14-9. Qualification of candidates, applications and petition.**

(a) Every person who shall be a candidate for the office of commissioner or of mayor-commissioner shall file with the city clerk an application to have his name printed upon the ballot as a candidate for the office to which he aspires, in which application he shall declare whether he is a candidate for a seat as commissioner or as mayor-commissioner.

(b) Qualification papers shall be available in the office of the city clerk at noon on December 16th preceding the March election until noon of December 30th preceding the March election. In order to qualify as a candidate in any municipal election, the candidate must file the qualification papers by no later than noon on the December 30th preceding the March election. In the event that either such date falls on a Saturday, Sunday or municipal holiday, then such date shall be extended until noon of the next preceding date that is not a Saturday, Sunday or municipal holiday. In the event of a special municipal election called as a result of any vacancy in office, the filing date shall be established by the city commission in the ordinance or resolution calling such special election.

(c) All applications by candidates shall be accompanied by an affidavit that the candidate has all of the requirements of and is a legal voter of the city and is not a candidate as a nominee or representative of any political party or any committee or convention representing or setting for any political party.

(d) A petition for the candidacy of the applicant, which shall be signed by not less than five qualified electors of the city, shall be filed with the application, setting forth that the applicant is known to the petitioners and is known by the petitioners to be of good moral character and qualified for the office for which he has applied. No elector shall sign more than two petitions for the candidacy of others to city office. Signatures on petitions shall be verified by the supervisor of elections of the county.

(e) If any qualified candidate dies, withdraws or is removed from the ballot following the end of the qualifying period, and if such action leaves fewer than two candidates for that office, the qualifying periods for that particular office shall immediately reopen; and additional qualification papers shall be available for that particular office in the office of the city clerk until noon, 14 days subsequent to the death, withdrawal or removal from the ballot of the original candidate. The city commission shall hold a special meeting within the first seven days of such additional qualifying period for the purpose of announcing a vacancy in the candidacy, announcing the additional qualifying period, and taking any action that may be

necessary herein to reschedule the election for that particular office. If the closing date of the additional qualifying period is less than 20 days before the date of the scheduled election, the city commission shall schedule a special election for that particular office, which election shall be held at least 20 days, but no more than 35 days subsequent to the last day of the additional qualifying period. The procedure established in this subsection shall apply only in the event of the death, withdrawal or removal from the ballot of any candidate who qualified during the original qualifying period of such office.

(Code 1985, § 7-9; Ord. No. 91-8, 10-1-91; Ord. No. 96-17, § 1(7-9), 10-22-96; Ord. No. 02-08, § 1, 12-19-02; Ord. No. 03-10, § 1, 10-28-03)

**Sec. 14-10. Qualification fee.**

(a) The application of a candidate for district commissioner shall be accompanied by a qualifying fee of \$50.00, which fee shall be returned to him if at the time of election he shall receive at least 30 percent of the votes cast in his district.

(b) The application of a candidate for mayor-commissioner shall be accompanied by a qualifying fee of \$100.00, which fee shall be returned to him if at the time of election he shall receive at least 30 percent of the total votes cast for that office.

(Code 1985, § 7-10; Ord. No. 96-17, § 1(7-10), 10-22-96)

**Charter reference—Qualifications, §§ 3.02, 3.04, 5.02.**

**Sec. 14-11. Examination of petition; amendment.**

When a candidate's petition is presented to the city clerk for filing, the city clerk shall forthwith examine same and ascertain whether it conforms to the provisions of section 14-9. If found not to conform thereto, he shall in writing on the petition, state the reason why such petition cannot be filed and shall return the petition to the person presenting the same, named therein as the person to whom it shall be returned. No later than three days after the petition shall have been returned, the petition may be amended and again presented to the city clerk as in the first instance. The city clerk shall forthwith proceed to examine the amended petition. One amendment only shall be allowed and shall be authorized even though the time for filing petitions as hereinbefore provided shall have already elapsed, provided the original was timely filed.

(Code 1985, § 7-11; Ord. No. 96-17, § 1(7-11), 10-22-96)

**Sec. 14-12. List of candidates; duties of clerk.**

The city clerk shall, on or before the 30th day before every general municipal election, certify a list of the names of those persons who are entitled to appear as candidates for office on the ballot to be used at such general election, setting forth the offices to be filled and the office for which each person is a candidate; and he shall file in his office such certified list of names and the offices so to be filled.

(Code 1985, § 7-12; Ord. No. 96-17, § 1(7-12), 10-22-96)