

RESOLUTION NO. 2010 – 004

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, OPPOSING THE IMPOSITION OF ADDITIONAL CHARGES BY THE BROWARD COUNTY SUPERVISOR OF ELECTIONS TO MUNICIPALITIES HOLDING NOVEMBER ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Broward County Supervisor of Elections (BCSOE) is required by State law to run an election in November of every even year for federal, state and county elections; and

WHEREAS, historically, some municipalities have placed items (candidates or referenda) on the November ballots; and

WHEREAS, the addition of election items by municipalities on the November ballot does not result in material additional cost to the BCSOE and provides a cost savings to municipalities by avoiding the cost of a stand-alone election; and

WHEREAS, historically, the BCSOE has either not charged municipalities for placing items on the November ballot or has charged a nominal charge for ballot set-up to add the municipal items; and

WHEREAS, now, for the first time, the BCSOE has advised municipalities that a portion of the cost of running the November election will be passed on to municipalities that place items on the November ballot; and

WHEREAS, specifically, the BCSOE has recently notified the 18 municipalities that have items on the November ballot that they will need to pay an amount equal to 15% of the applicable cost of the November election, resulting in a total bill to the 18 municipalities of \$227,492 of which \$1,451 will be charged to the Town of Southwest Ranches; and

WHEREAS, the BCSOE failed to provide a schedule of fees including these new charges to the Town of Southwest Ranches and the other Broward municipalities prior to the first work day in April of the prior calendar year (2009) as required by Section 9 of Chapter 75-350, as amended; and

WHEREAS, the decision to impose these additional charges on the municipalities is inappropriate because the taxpayers already pay for the BCSOE's services through their county taxes, the SOE already has the responsibility to hold the November election, and there is no material additional cost to the BCSOE for adding the municipal issues to the November ballot; and

WHEREAS, the Town Council urges the BCSOE to reconsider and rescind these inappropriate charges and urges all other affected municipalities to join the Town in opposing the charges.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida as follows:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The Town Council of the Town of Southwest Ranches urges the Broward County Supervisor of Elections to recognize its responsibility to fund all of the election costs and to not impose additional charges to the municipalities.

Section 3: The Town Council further urges all municipalities in Broward County to support this Resolution.

Section 4: The Town Clerk is hereby directed to provide a certified copy of this Resolution to the Broward County Supervisor of Elections, the Broward League of Cities, and all municipalities in Broward County.

Section 5: The appropriate Town officials are authorized to execute all necessary documents to effectuate the intent of this Resolution.

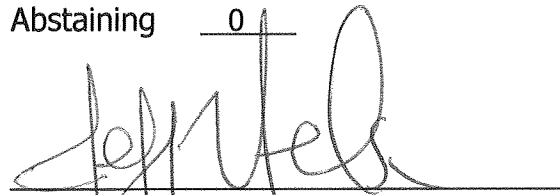
Section 6: Effective Date. This Resolution shall take effect immediately upon its adoption.

[Signatures on Following Page]

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 6TH day of October 2010, on a motion by Council Member McKay and seconded by Vice Mayor Knight.


Nelson	<u>AYE</u>
Knight	<u>AYE</u>
Breitkreuz	<u>AYE</u>
Fisikelli	<u>AYE</u>
McKay	<u>AYE</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>




Jeff Nelson, Mayor

ATTEST:



Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, J.D., Town Attorney

ACTIVE: 3091514_1