



**CITY OF SEBASTIAN
CANDIDATE HANDBOOK
NOVEMBER 3, 2020 GENERAL ELECTION**

To Prospective Candidates:

Welcome to the City of Sebastian election process! You are about to participate in a process that comes with great commitment. I hope to provide each of you with as much general information as I can to assist you with your campaign, however, to understand the specifics of the election process each of you must familiarize yourselves with the Florida election laws that are being provided as a supplement to this handbook. Knowing the rules will save you time and money, and will keep your campaign open and fair.

This handbook is intended to familiarize candidates for Sebastian City Council and their campaign treasurers with their duties and responsibilities. Keep in mind that all material is subject to change by the Florida legislature. The City Clerk's office is ready to assist you whenever we can. Please do not hesitate to call if you have any questions at all regarding your campaign. If we do not have an immediate answer for you, we will research by whatever means available to get it for you.

Congratulations on your decision to run for office! City Clerk's office staff wishes you a successful campaign.

Sincerely,

A handwritten signature in blue ink that reads "Jeanette Williams". The signature is fluid and cursive.

Jeanette Williams, MMC
City Clerk

TABLE OF CONTENTS

State Law Information and Publications Information	1
General Election Information and List of Polling Places	2
Becoming a Candidate for Sebastian City Council	3
What Is A Candidate?	
Who Can Be A Candidate?	
When Can I Announce My Candidacy?	
Qualifying For Office	4 & 5
Where And When Do I File?	
What Items Do I File?	
What Fees Must I Pay?	
What If I Decide Not To Run?	
Election Calendar	6
Campaign Reporting Schedule	7 & 8
Political Advertising (Land Development Code)	9
Election Qualifying Items List (Forms Under Separate Cover)	10
City Charter (Under Separate Cover)	

Information in This Handbook is Supplemental to State of Florida Election Laws

We have provided the following publications in the handbook:

- 2019 Chapter 106 Florida Statutes
- Florida Commission On Ethics "Guide To The Sunshine Amendment And Code Of Ethics For Public Officers And Employees" Brochure

Other Florida Division of Elections publication links listed below can be downloaded from the Internet:

2018 Florida Division of Elections Campaign Financing Handbook
(use this as a guide but please use the dates provided by the City)

<https://dos.myflorida.com/media/699202/candidate-and-campaign-treasurer-handbook-2018.pdf>

If you are unable to access the internet, these publications can be printed and provided to you upon request.

**---PLEASE FAMILIARIZE YOURSELVES WITH FLORIDA STATUTES---
THESE PUBLICATIONS ARE PROVIDED FOR GENERAL ELECTION LAW INFORMATION**

For Further Information Contact:

Jeanette Williams, MMC
City Clerk
City Of Sebastian
1225 Main Street
Sebastian, FL 32958
(772) 388-8215
jwilliams@cityofsebastian.org

GENERAL ELECTION INFORMATION

- Election day is the first Tuesday following the first Monday in November (next election is November 3, 2020) (*Charter 2.03*)
- Sebastian City Council consists of five members (*Charter 2.01*)
- City Council Members serve two year terms (*Charter 2.04*)
- Two (2) two-year City Council seats are filled in even-numbered years and three (3) two-year Council seats are filled in odd-numbered years (*Charter 2.03*). At the 2020 election we will fill two City Council seats.
- City Council seats are at-large (*Charter 2.01*)
- City Council candidates must be qualified electors in the City and have actually continually resided in the City for a period of one year immediately preceding the final date for qualification (*Charter 2.02*) (*final date for qualifying is 9/4/20 so you must have been a City resident as of 9/4/19*)
- City Council terms commence following certification of the election results (*Charter 2.04*) (*November 18, 2020 if results are received from Supervisor of Elections*)
- Mayor and Vice Mayor are elected by City Council each year from among its members at the first scheduled meeting subsequent to the election (*Charter 2.06*) (*November 18, 2020*)

CITY OF SEBASTIAN POLLING PLACES:

<u>Precinct</u>	<u>Location</u>
7	St. Sebastian Catholic Church, 13075 U.S. 1, Sebastian
8	American Legion Hall, 807 Louisiana Avenue, Sebastian
9	Sebastian Elks Lodge No. 2714, 731 South Fleming Street, Sebastian
10	Sebastian Christian Church, 190 Day Drive, Sebastian

***Polling Places are established by the Supervisor of Elections for Indian River County and subject to change. Please contact the SOE office for questions in regard to voting, voter registration, precincts, polling places, absentee voting and early voting at 226-3440 or visit www.voteindianriver.com. That office will not field questions regarding running for office in Sebastian. Those questions should be directed to the City Clerk.**

Early Voting is conducted only in even years when the Indian River County Supervisor of Elections has statewide or county elections on the ballot. In odd years, municipal elections do not have early voting unless there is a special election statewide or countywide.

Becoming A Candidate For Sebastian City Council

What Is A Candidate?

Florida Statutes 106.011 (16) Defines a candidate as a person to whom any one or more of the following applies:

1. Seeks to qualify for nomination or election by means of the petitioning process.
2. Seeks to qualify for election as a write-in candidate. (*write-ins are not provided for in Sebastian elections*)
3. Receives contributions or makes expenditures, or gives consent for any other person to receive contributions or make expenditures, with a view to bringing about his or her nomination or election to, or retention in, public office.
4. Appoints a campaign treasurer and designates a primary depository.
5. Files qualifying papers and subscribes to a candidate's oath as required by law.

Who Can Be A Candidate?

1. City Charter 2.02 Eligibility states, ***"No person shall be eligible to hold the office of Council Member unless he or she is a qualified elector in the City and actually continually resided in the City for a period of one (1) year immediately preceding the final date for qualification as a candidate for said office."*** (*Qualified Elector means you are currently registered to vote in Indian River County*)
2. Person must not be holding another elective or appointive office, whether state, county, or municipal, the term of which, or any part thereof, runs concurrently with each other, without resigning from the office he or she presently holds. (*See FS 99.012 for further provision*)
3. City Code states *"No person shall serve on more than one city board or permanent committee simultaneously."* Election to City Council would result in automatic removal from any City board or permanent committee.

When May I Announce My Candidacy?

1. If you are a qualified elector and will have continually resided in the City for one year prior to the final date of qualifying, you are eligible to run. (final qualifying date is 9/4/20)
2. You may discuss your candidacy at any time; however, you are considered an "Announced" candidate when your qualifying officer (City Clerk) receives your *Appointment of Campaign Treasurer and Designation of Campaign Depository - Form DS-DE9*. **You Need To File This Form Before You Accept Any Campaign Contributions Or Make Any Campaign Expenditures (Including Your Qualifying Fee). Your Campaign Bank Account Cannot Be Opened Until You Have Filed This Form.**
3. Florida Statutes 106.023 requires that, within ten (10) days of filing the appointment of campaign treasurer and designation of campaign depository, you file a statement of candidate (DS-DE 84) stating that you have received access to Chapter 106, Florida Statutes. A copy of Chapter 106 and the DS-DE 84 form are included in this packet.
4. You must also sign the City eligibility form as well so that I know you are qualified to run for election in accordance with the City Charter, which means you are a registered elector and established residency in Sebastian no later than 9/4/19.
5. Potential candidates may wait until the official City qualifying period which runs from August 20, 2020 through September 4, 2020 to submit all qualifying documents and fees.

Qualifying For Office

A. Who Is My Qualifying Officer?

Your qualifying officer is the City Clerk. The qualifying location is the City Clerk's office, 1225 Main Street, Sebastian, Florida

B. When And Where Do I File My Qualifying Papers?

When: Official Qualifying - Starting 8:00 A.M. on Thursday, August 20, 2020 (no more than 75 days prior to election) and ending 4:30 P.M. on September 4, 2020 (60 days prior to election) (Weekdays 8 AM to 4:30 P.M.)

Where: City Clerk's Office
City Hall
1225 Main Street
Sebastian, FL 32958

C. What Items Do I File? (*Forms Are Located At Back Of Book*)

1. **Appointment Of Campaign Treasurer And Designation Of Campaign Depository (Form DS-DE9) (10/10)** (*This form may be submitted at any time prior to the qualifying period (this is called pre-qualifying) OR you can wait until the August-September official qualifying period to submit all items - remember though even if you file this form during the qualifying period you must submit this form first and once submitted you are able to go and open your campaign account.*)
2. **Statement Of Candidate (Form DS-DE84) (5/11)** stating that you have been provided access to read and understand Chapter 106, Florida Statutes (*This form must be submitted within 10 Days after submitting form DS-DE9 Appointment Of Campaign Treasurer and Designation of Campaign Depository*)
3. **Candidate Oath for Non-Partisan Office (DS-DE 302NP) (11/17)** (*FS 99.021 (this requires specific pronunciation of your name using established phonetic guidelines on back of form and voter registration numbers. This assists the Supervisor of Elections office with reading your name into audio assisted ballots for the handicapped).*)
4. **Eligibility to Run Oath Form (Charter Section 2.02)** (*must be submitted at the same time as the DS-DE9 if you choose to pre-qualify before the Official qualifying period or during the regular qualifying period if you qualify then*)
5. **Financial Disclosure Form (CE Form 1) (FS 99.061(4) and 112.3145)** (*Some committees of the City and City Council members have to file financial disclosure forms, so if the SOE already has a 2019 financial disclosure form on file for you, a copy of that form can be used*)

D. **What Fees Are Paid At Time Of Official Qualifying?**

1. Campaign Account Check Made Payable To The City Of Sebastian In The Amount Of \$61.00 - Which Includes The Following:
 - a. City Election Filing Fee of \$25 (*Code Sec 38-2*)
 - b. State Election Assessment Fee of \$36 (*FS 99.093*)

E. **What If I Decide Not To Run?**

Although Florida Statutes provides for refund of the qualifying fee (which it defines as the filing fee and the assessment fee) if a candidate withdraws his/her candidacy prior to the end of qualifying, City code section 38-2 provides that the City filing fee is not refundable. Therefore, if a candidate withdrew before September 4, 2020, only the election assessment fee would be refunded.

Due Date

2020 ELECTION CALENDAR

January 10, 2020	M12 Report covering 12/1/19 through 12/31/19 (Pre-qualifiers)
February 10, 2020	M1 Report covering 1/1/20 through 1/31/20 (Pre-qualifiers)
March 10, 2020	M2 Report covering 2/1/20 through 2/28/20 (Pre-qualifiers)
April 10, 2020	M3 Report covering 3/1/20 through 3/31/20 (Pre-qualifiers)
May 11, 2020	M4 Report covering 4/1/20 through 4/30/2020 (Pre-qualifiers)
June 10, 2020	M5 Report covering 5/1/2020 through 5/31/20 (Pre-qualifiers)
July 10, 2020	M6 Report covering 6/1/20 through 6/30/20 (Pre-qualifiers)
August 10, 2020	M7 Report covering 7/1/20 through 7/31/20 (Pre-qualifiers)
August 20, 2020	First Day to Officially Qualify for Office (<i>Ch 4.02</i>) (<i>75 days prior to election</i>) 1st Day Political Signs can be posted in accordance with City LDC (<i>75 days prior to election</i>)
September 4, 2020	Last Day to Officially Qualify for Office (<i>Charter 4.02</i>) (<i>60 days prior to election</i>)
September 10, 2020	M8 Report covering 8/1/20 through 8/30/20 (Qualified candidate)
October 12, 2020	M9 Report covering 9/1/20 through 9/30/20
October 9, 2020	G1 Report covering 10/1/20 through 10/2/20 (<i>25th day prior to election</i>)
October 23, 2020	G2 Report covering 10/3/20 through 10/16/20 (<i>11th day prior to election</i>)
November 1, 2020	G3 Report covering 10/17/20 through 10/29/19 (<i>contributions to be taken only up to midnight on 10/29/20 – FS 106.08</i>) (<i>4th day prior to election</i>)
November 3, 2020	ELECTION DAY (<i>Charter 2.03</i>)
November 18, 2020	Swearing in of Newly Elected Officials if Results Have Been Certified by Canvassing Board – Selection of Mayor and Vice Mayor
December 10, 2020	M11 Report covering 11/1/20 through 11/30/20 (pre-qualifiers for 2021)
January 10, 2021	M12 Report covering 12/1/20 through 12/31/20 (pre-qualifiers for 2021)
February 1, 2021	TR Report Covering 10/30/20 through Close of Account - Surplus Funds Must Have Been Disposed/Final Report (<i>106.141</i>)

**2020 GENERAL ELECTION CAMPAIGN REPORTING PERIODS
AND DUE DATES FOR CANDIDATES**

Any individual may pre-qualify for the election by filing the DS-DE9 form with the City Clerk at any time. Pre-qualifying then allows you to take contributions and expend funds, but it also requires that campaign reports be filed beginning with the reporting period in which you pre-qualified and continue on a monthly basis until the general election reports (G1, G2, G3) start.

If you choose to wait until the official qualifying period (75 to 60 days prior to the election as set out in the City Charter) August 20, 2020 through September 4, 2020, and complete qualifying between August 20-31, you will file the M8, M9, G1, G2, G3, and TR reports.

If you choose to wait until the official qualifying period (75 to 60 days prior to the election as set out in the City Charter) August 20, 2020 through September 4, 2020, and complete qualifying between September 1-4, you will file the M9, G1, G2, G3, and TR reports.

These dates are in accordance with new Florida law regarding campaign reports (106.07) and based on an opinion from the Florida Division of Elections Director for municipalities.

Report Code	Reporting Period	Due Date
M1	January 1 through January 31, 2020	February 10, 2020
M2	February 1 through February 29, 2020	March 10, 2020
M3	March 1 through March 31, 2020	April 10, 2020
M4	April 1 through April 30, 2020	May 11, 2020
M5	May 1 through May 31, 2020	June 10, 2020
M6	June 1 through June 30, 2020	July 10, 2020
M7	July 1 through July 31, 2020	August 10, 2020
	City Official qualifying period – August 20 through September 4, 2020	
M8	August 1 through August 31, 2020	September 10, 2020
M9	September 1 through September 30, 2020	October 12, 2020
G1	October 1 through October 2, 2020	October 9, 2020 25 th day prior to general election
G2	October 3 through October 16, 2020	October 23, 2020 11 th day prior to general election
G3	October 17 through October 29, 2020 No Further Contributions for Candidates after midnight October 31, 2019	October 30, 2020 4 th day prior to general election
TR	Disbursement of Funds October 30 to Close-out of Campaign Account	February 1, 2021

Reports shall be filed not later than 5:00 p.m. of the day designated; however, any report postmarked by the US Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. A certificate of mailing by the USPS at the time of mailing, or a receipt from an established courier service, which bears a date on or before the date on which the report is due, shall be proof of mailing in a timely manner.

Florida Statute 106.07(7): in any reporting period when there has been no activity in the account (no funds received or expended), the filing of the report is waived, however, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed by submitting form DS-DE87 waiver of report)

FOR FURTHER PROVISIONS RELATING TO CAMPAIGN TREASURERS' RESPONSIBILITIES, CAMPAIGN REPORTING AND CAMPAIGN FINANCING PLEASE REFER TO FLORIDA STATUTES PROVIDED.

IT IS VERY IMPORTANT THAT EACH CANDIDATE UNDERSTAND THE SPECIFICS OF FLORIDA LAW WHEN IT COMES TO CAMPAIGN FINANCING. FLORIDA LAW PROVIDES FOR FINES AND PENALTIES FOR VIOLATIONS OF CAMPAIGN FINANCING RESTRICTIONS.

CITY CODE REGULATING POLITICAL ADVERTISING

City of Sebastian Land Development Code Section 54-3-16.5.(e)4. provides regulations for political signs as follows:

- (3) Election Season signs. Election Season signs are defined as temporary signs installed not more than 75 days before an election and remaining not more than 5 days after an election.
 - a. General. Election Season signs shall not be posted on or over any public property or right-of-way.
 - b. Election Season signs in residential districts are allowed subject to the following provisions:
 1. No sign shall exceed 16 square feet;
 2. No sign shall be illuminated;
 3. Each sign shall be freestanding;
 4. Each sign shall be located wholly on private property;
 5. Each sign shall be placed at least five feet from all rights-of-way and sidewalks;
 6. No sign shall exceed five feet in height;
 7. No sign shall be placed on or attached to any tree or utility post.
 - c. Election Season signs in nonresidential districts are allowed subject to the following provisions:
 1. No sign shall exceed 20 square feet;
 2. No sign shall be illuminated;
 3. Each sign shall be freestanding;
 4. Each sign shall be located wholly on private property;
 5. Each sign shall be placed at least five feet from all rights-of-way and sidewalks;
 6. No sign shall exceed ten feet in height;
 7. No sign shall be placed on or attached to any tree or utility post.

THE CITY OF SEBASTIAN DOES NOT REGULATE THE CONTENT OR WORDING OF SIGNS, HOWEVER, THERE ARE SIGN RESTRICTIONS UNDER FLORIDA STATUTES WITH POTENTIAL FINES AND PENALTIES FOR VIOLATIONS.

FOR FURTHER PROVISIONS RELATING TO POLITICAL SIGNS PLEASE REFER TO FLORIDA STATUTES 106 PROVIDED TO YOU. IT IS VERY IMPORTANT THAT EACH CANDIDATE UNDERSTAND THE SPECIFICS OF FLORIDA LAW WHEN IT COMES TO POLITICAL ADVERTISING.

FURTHER FS 106.1435 REQUIRES ALL CANDIDATES TO MAKE A GOOD FAITH EFFORT TO REMOVE ALL POLITICAL CAMPAIGN ADVERTISEMENTS WITHIN 30 DAYS AFTER WITHDRAWAL OF CANDIDACY, HAVING BEEN ELIMINATED OR BEING ELECTED TO OFFICE. PLEASE READ 106.1435 IN ITS ENTIRETY.

ELECTION QUALIFYING DOCUMENTS

The following are items to be filled out and submitted during the official qualifying period August 20th through September 4th

- Form DS-DE9 “**Appointment Of Campaign Treasurer And Designation Of Campaign Depository For Candidates**” (10/10)
- Form DS-DE 302NP “**Candidate Oath Non-Partisan Office**” (11/17)
- Form DS-DE 84 “**Statement Of Candidate**” (5/11) (*Received access to Chapter 106 FS*) (*Must be filed within 10 days of candidate filing appointment of campaign treasurer and designation of campaign depository [106.023 FS] - See form DS-DE9 above*)
- **Eligibility To Hold Office Oath** Form (Section 2.02 Charter) (*to show eligibility to run for office in accordance with the City Charter requirement that you be a registered voter and have actually continually resided in the City for a period of one year preceding the final day of qualifying for office*)
- Form 1 “**Statement Of Financial Interests**”
- Signed receipt of time and location notice of the public **Logic & Accuracy Test** [101.5612(2)FS]

The following items are held by the candidate until the appropriate reporting periods (*Please refer to reporting schedules in this handbook*)

- Form DS-DE 12 “**Campaign Treasurer’s Report Summary**” (**Contributions DS-DE 13 and Expenditures DS-DE 14 forms** attached) (Five sets of each)
- Form DS-DE 87 – “**Waiver of Report**” – if you do not have activity in a reporting period you can simply file this form – but you next full report will include all information dating back to the last full report
- Form DS-DE 2 – “**Contributions Returned**” – in the event someone gives you a contribution you do not wish to keep and return prior to depositing you need to fill out this form and submit it for the reporting period in which it occurred.

The following are items to be filled out and submitted if you choose to pre-qualify before the official qualifying period

- Form DS-DE9 “**Appointment Of Campaign Treasurer And Designation Of Campaign Depository For Candidates**”
- Form DS-DE 84 “**Statement Of Candidate**” (*Received access to Chapter 106 FS*) (**Must** be filed within 10 days of candidate filing appointment of campaign treasurer and designation of campaign depository [106.023 FS] - See form DS-DE9 above)
- **Eligibility To Hold Office Oath** Form (Section 2.02 Charter) (*to show eligibility to run for office in accordance with the City Charter requirement that you be a registered voter and have actually continually resided in the City for a period of one year preceding the final day of qualifying for office which is September 4, 2019*)
Remaining items are submitted during the official qualifying period along with qualifying fees.