

# Sample Ballot

## OFFICIAL DAVENPORT SPECIAL ELECTION

### POLK COUNTY, FLORIDA

### DECEMBER 2, 2008

- **Instructions: TO VOTE, COMPLETELY FILL IN THE  OVAL NEXT TO YOUR CHOICE.**
- **Only use a #2 pencil, the marker provided, or a blue or black pen.**
- **If you make a mistake, don't hesitate to ask for a new ballot. If you erase or make other marks, your vote may not count.**

## CHARTER AMENDMENTS

Amendment 1	Amendment 7	Amendment 13
<p><b>Repealing Division 1 of the Current City Charter and merging certain sections into Division 2.</b></p> <p>The Current Charter contains:</p> <ul style="list-style-type: none"> <li>• Two (2) separate documents containing Divisions 1 and 2.</li> <li>• Division 1, which includes sections previously repealed, and therefore, of no further significance or validity.</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Deleting the outdated sections of Division 1, merging the remaining valid sections of Division 1 and 2, creating one main Charter document.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amending Council meetings and procedures; Ordinance and Codification requirements (Amending Article II, Sections 2.10 - 2.12)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• General provisions governing meetings and procedures.</li> <li>• Requirement of ordinances for certain acts.</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Defining regular, special and emergency meetings, and procedures for each</li> <li>• Increasing the acts to be passed by ordinance to include utility rates, and land use and development.</li> <li>• Creating substance requirements for amending ordinances.</li> <li>• Creating time limitations and requirements for codification and the printing of ordinances and resolutions</li> <li>• Instituting language clarifications</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Budget/Capital Program adoption; Vision Plan creation (Amending Article V, Section 5.06, Repealing Section 5.07)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Adoption of an annual budget and capital program by resolution</li> <li>• Council action on capital program</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Adopting annual budget and capital program by ordinance</li> <li>• Repealing Section 5.07 <u>Council Action on Capital Program</u> as redundant with state law, and with other sections of the Charter.</li> <li>• Creating Section 6.10, Commission's five year vision plan; requirements for the State of the City Address.</li> <li>• Instituting language clarifications and renumbering sections</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>
<p><b>Creating a Preamble, Providing for Corporate Limits, Powers and Definitions (Amending Article I, Sections 1.01-1.04)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Corporate City Limits specified in Division 1</li> <li>• City Powers</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• A Preamble to explain the purpose and intent of the Charter.</li> <li>• The Current Corporate City limits merged into Article I, Section 1.03 of Division 2</li> <li>• Explanation of types of City powers.</li> <li>• Definitions of words and phrases used throughout the Charter.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 8</b></p> <p><b>City Manager Appointment, Compensation, Qualifications, Removal, and Duties (Amending Article III)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• General Appointment procedures of City Manager.</li> <li>• General residency requirements and compensation of City Manager.</li> <li>• The powers and duties of City Manager</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Clarifying appointment and residency requirements of City Manager.</li> <li>• Qualifications and compensation determined by Council</li> <li>• Removal by super majority vote</li> <li>• Additional duties of City Manager</li> <li>• Instituting language clarifications.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 14</b></p> <p><b>Nominations and Elections (Amending Article VI, Sections 6.01 and 6.02)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Regular Elections held in April of each year</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Regular elections held in April as dictated by Charter</li> <li>• Creating Duty of City Clerk to disperse election procedural forms and documents.</li> <li>• Instituting language clarifications and renumbering/relettering sections</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>
<p><b>Amendment 3</b></p> <p><b>Council composition/Mayor authority: Transitional provisions (Amending Articles II, Sections 2.01 - 2.03; IX, Creating sections)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• A City council of five (5) members and a Mayor.</li> <li>• The Mayor as a non-voting member, except in a tie vote.</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Decreasing the amount of members to four (4), and instituting the Mayor as a full-voting member.</li> <li>• A transition schedule providing for elimination of Seat 4, Council composition, and an election schedule.</li> <li>• Instituting language clarifications and renumbering sections.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 9</b></p> <p><b>Designation and appointment of acting City Manager (Amending Article III, Section 3.02)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Designation of an acting City Manager by the Manager subject to Council Approval.</li> <li>• Revocation of the Manager's designation by Council</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Acting City Manager to be temporarily designated by the City Manager without Council approval, but retaining Council's authority to revoke designation.</li> <li>• Creating Council appointment of an acting City Manager with time limitations up to 180 days.</li> <li>• Instituting language clarifications.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 15</b></p> <p><b>Initiative and referendum procedures; Recall provisions pursuant to law (Amending Article VII)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Initiative/referendum procedures</li> <li>• Initiative/referendum petitions signed by fifteen percent of the voters</li> <li>• Insufficient petition notice by registered mail</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Recall procedure and clarifying procedures for initiative/referendum</li> <li>• Initiative/referendum petitions signed by ten percent of the voters</li> <li>• Clerk to provide immediate notification of petition filing</li> <li>• Insufficient petition notice by certified mail</li> <li>• Procedure for insufficient or abandoned petition.</li> <li>• Instituting language clarifications and renumbering/relettering sections.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>
<p><b>Amendment 4</b></p> <p><b>Amending Council terms of office: Instituting term limits and eligibility (Amending Article II, Section 2.01)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Terms of office of three (3) years for Council members</li> <li>• Terms of office of two (2) years for Mayor</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Increasing the terms of office to four (4) years for all members and the Mayor.</li> <li>• Instituting term limits to two (2) consecutive four (4) year terms, with one (1) year ineligibility</li> <li>• Instituting language clarifications</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 10</b></p> <p><b>City Clerk appointment, Removal, Duties, Powers, etc.; Acting City Clerk designation (Creating a new article)</b></p> <p>The Current Charter contains:</p> <ul style="list-style-type: none"> <li>• Only indirect references regarding the City Clerk</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• City Clerk accountability to and appointment by the Commission.</li> <li>• City Clerk appointment according to qualifications.</li> <li>• City Clerk compensation to be determined by Commission</li> <li>• City Clerk removal by super majority vote</li> <li>• Provisions specifying powers and duties of the City Clerk.</li> <li>• Acting City Clerk to be designated by City Clerk with Council authority to revoke designation.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 16</b></p> <p><b>Public officers, employees; Providing a code of ethics (Amending Article VIII, repealing Sections 8.01 - 8.02)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• General prohibitions against City officers/employees from engaging in personal financial interests, and in certain activities.</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Repealing above provisions. Adopting a code of ethics for officers/employees by establishing adherence to Section 112.3 11, Florida Statutes with standards of conduct and penalties equal to/more stringent than law.</li> <li>• Adopting by reference the code of ethics set forth in Section 112.311, Florida Statutes</li> <li>• Instituting language clarifications and renumbering sections</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>
<p><b>Amendment 5</b></p> <p><b>Council eligibility: Term expiration: Runoffs; Vacancy in candidacy (Amending Article II, Sections 2.01, 2.06, and 6.02)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Six months residency requirement prior to Council eligibility/nomination</li> <li>• Expiration of election terms in second regular meeting in April with occupation in May.</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Twelve month residency requirement prior to Council eligibility/nomination.</li> <li>• Expiration of old and initiation of new terms to occur at the next regular Council meeting following certification of election.</li> <li>• Creating run-off election procedures</li> <li>• Vacancy in candidacy procedures</li> <li>• Instituting language clarifications and renumbering sections.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 11</b></p> <p><b>Creating fiduciary bonding of employees; Clarifying qualifications of City's legal representative (Amending Article IV)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• An Officer appointed/subject to direction/supervision of Manager</li> <li>• Reference to the City's legal representative as a Legal Officer.</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• A Department Head appointed/subject to direction/supervision of manager</li> <li>• Changing the title of "Legal Officer" to "City Attorney", and clarifying the qualifications of said office.</li> <li>• Bonding all employees having fiduciary duties and responsibilities.</li> <li>• Instituting language clarifications and renumbering/relettering of sections.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 17</b></p> <p><b>Charter amendments: Clarifying miscellaneous provisions (Amending Article VIII, Sections 8.03-8.04)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Generally for the amendment of the Charter on Council's adoption of an ordinance</li> <li>• Proposed Charter amendments by petition to be signed by at least twenty percent of the voters.</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Adoption of Charter amendments by ordinance following referendum vote pursuant to Florida Law</li> <li>• Proposed Charter amendments by petition to be signed by at least ten percent of the voters</li> <li>• Instituting language clarifications and renumbering sections.</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>
<p><b>Amendment 6</b></p> <p><b>Council compensation/expenses; Office Forfeiture; Holding Other Offices (Amending Article II, Sections 2.02, 2.05, 2.06)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• For Council salaries with no amounts specified</li> <li>• For actual and necessary expenses by Council</li> <li>• For forfeiture of office</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Listing current salaries and clarifying procedures for future salary determination and assessment.</li> <li>• Reimbursement of necessary expenses upon proof of proper receipts.</li> <li>• Maintaining forfeiture of office, but adding and clarifying violations and hearing procedures.</li> <li>• Permitting former Council Members to sit on other regional boards and agencies.</li> <li>• Instituting language clarifications</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 12</b></p> <p><b>Budget and Capital Program requirements (Amending Article V, Sections 5.04 and 5.05)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• Manager to present an annual budget</li> <li>• Requirements for the contents of a Capital Program</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Manager to present the annual budget requiring its relationship to the City's strategic goals</li> <li>• Additional contents for Capital Program including identification of long-term goals, outcome and performance, and commentary on sustainability.</li> <li>• Instituting language clarifications and renumbering sections</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>	<p><b>Amendment 18</b></p> <p><b>Providing for Transitional Provisions (Amending Article IX, Repealing 9.04 and 9.05; Creating sections)</b></p> <p>The Current Charter provides:</p> <ul style="list-style-type: none"> <li>• General transitional provisions</li> <li>• Adherence to ordinances, resolutions, orders and regulations consistent with Charter (Section 9.04)</li> <li>• Councilmember salaries (Section 9.05)</li> </ul> <p>The Council has proposed:</p> <ul style="list-style-type: none"> <li>• Effective time of New Charter and first commission meeting</li> <li>• Repealing Sections 9.04 and 9.05 as being redundant with other Charter sections</li> <li>• Creating merger of the former Charter divisions and preservation of ordinances</li> <li>• Instituting language clarifications and renumbering sections</li> </ul> <p>Shall the above-described amendment be adopted?</p> <p><input type="radio"/> <b>YES</b> <input type="radio"/> <b>NO</b></p>