



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

F.2.

9/5/2023

Subject:

Board Discussion and Direction to Staff RE: Modification to the Brevard County Supervisor of Elections' FY2023-24 Budget Request

Fiscal Impact:

Reduce General Fund Transfer to Supervisor of Elections and Allocate to Lifeguard Services.

Dept/Office:

District 3 Commission Office

Requested Action:

It is requested that the Board 1) approve a reduction of the Brevard County Supervisor of Elections' operating expenditures in his FY2023-24 budget request in the amount of \$318,223.34, 2) direct staff to use these funds toward lifeguard services on beaches both within unincorporated Brevard and within city limits for FY2023-24, and 3) provide written notice to the Supervisor of Elections of the reduction.

Summary Explanation and Background:

On June 12, 2023, the Board voted to send questionnaires to the Brevard County Tax Collector, Property Appraiser, and Supervisor of Elections regarding their FY2023-24 budget requests. After reviewing the data received, the District 3 Commission Office, requests a reduction in the Brevard County Supervisor of Elections' requested budget in the amount of \$318,223.34.

Florida Statute requires Constitutional Officers to send certain mailings to citizens, but also allows certain mailings and postage costs to be discretionary in nature. The following mailings and postage costs which are funded in the Supervisor of Elections' FY2023-24 requested budget are those that are discretionary:

1. Business Reply Mail Postage Costs: F.S. 101.6103 (1) states that the Supervisor of Elections "shall mail all official ballots with a secrecy envelope, a return mailing envelope, and instructions..." however, does not require Business Reply Mail postage costs. This pre-paid postage is estimated to cost \$59,500.72.
2. Sample Ballots: F.S. 101.20 (2) (a) and (b) state that, "a sample ballot shall be published by the supervisor in a newspaper of general circulation..." and, "In lieu of the publication required under paragraph (a), a supervisor may send a sample ballot to each registered elector by e-mail..." and, "If an e-mail address has not been provided, or if the elector has not opted for electronic delivery, a sample ballot may be mailed to each registered elector..." The costs to mail sample ballots for the Municipal 2024, Presidential Preference Primary 2024, and the Primary 2024 elections is estimated to cost \$261,037.62. As the Supervisor is required to either publish the sample ballot in a newspaper of general circulation or e-mail and mail the ballots, the lesser cost of \$58,315 to publish a sample ballot in a newspaper of general circulation (estimated cost by the Supervisor of Elections) is subtracted from

the total requested reduction amount to allow for publication costs.

In addition to discretionary mailings, the Supervisor has informed the Board that he holds a \$91,000 postage account with the United States Postal Service that will be carried over from the current fiscal year. The Supervisor estimates that he will need approximately \$35,000 from this account for the FY2023-24. Postage carryovers should not be permitted when requesting a 19.4% increase.

The combined amount of the discretionary mailing and postage costs plus the carry forward postage account equals \$318,223.34. This is the total amount being requested to deduct from the Brevard County Supervisor of Elections' FY2023-24 requested budget and direct staff to use toward lifeguard services.

This reduction, if accomplished through the reduction of discretionary mailings, would not result in diminished voting opportunities to Brevard's citizens.

On May 23, 2023, Brevard County Ocean Rescue presented an assessment to the Board which reported a staggering number of drownings within the past year at Brevard County's unguarded beaches. In an effort to promote the safety of our residents and tourists, maximum resources should be made available for lifeguard services.

Clerk to the Board Instructions:



September 6, 2023

M E M O R A N D U M

TO: Commissioner John Tobia, Commission District 3

RE: Item F.2., Board Discussion and Direction to Staff for Modification to the Brevard County Supervisor of Elections' Fiscal Year (FY) 2023/2024 Budget Request

The Board of County Commissioners, in special session on September 5, 2023, directed staff to fund the operating expenditure of the Supervisor of Elections' FY 2023-2024 proposed budget in the amount of \$4,573,910.66, resulting in a total FY 2023-2024 budget allocation of \$7,502,059.66; directed staff to provide written notice to the Supervisor of Elections of this action; and directed staff to reallocate the savings to Fire Rescue Capital Infrastructure to be utilized at the County Manager's discretion.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

cc: Supervisor of Elections
Each Commissioner
County Manager
Finance
Budget

FY2023-24 DISCRETIONARY PRINTING AND POSTAGE ESTIMATIONS						
#	Mailing Type	Election Type	Quantity	Total Print Cost	Total Postage Cost	Total Non-Mandatory Cost
1	Mail Ballot - Business Reply Mail	Municipal 2023	0	Mandatory ¹	\$1,254.29	\$1,254.29
2	Mail Ballot - Business Reply Mail	PPP 2024	90,000	Mandatory ¹	\$26,213.57	\$26,213.57
3	Mail Ballot - Business Reply Mail	Primary 2024	150,000	Mandatory ¹	\$32,032.86	\$32,032.86
4	Mail Ballot - Business Reply Mail	General 2024	175,000	Mandatory ¹	\$0.00	\$0.00
5	Sample Ballot	Municipal 2024	50,045	\$9,758.78	\$5,154.64	\$14,913.42
6	Sample Ballot	PPP 2024	345,071	\$67,288.84	\$34,507.10	\$101,795.94
7	Sample Ballot	Primary 2024	484,323	\$94,442.99	\$49,885.27	\$144,328.26
				SUBTOTAL: \$320,538.34		
USPS pre-paid account (\$91,000 minus the \$35,000 budgeted for FY2023-24 office use): \$56,000.00						
Subtracted cost to publish sample ballot in newspaper of general circulation in lieu of mailing ballots: \$58,315.00						
TOTAL EXCESS FUNDS: \$318,223.34						

1 Business Reply Mail envelopes for mail ballots are required by statute, return pre-paid postage for these envelopes is not

Select Year: 2023 ▼

The 2023 Florida Statutes

[Title IX](#)[ELECTORS AND ELECTIONS](#)[Chapter 101](#)[VOTING METHODS AND PROCEDURE](#)[View Entire Chapter](#)**101.20 Publication of ballot form; sample ballots.—**

(1) Two sample ballots shall be furnished to each polling place by the officer whose duty it is to provide official ballots. The sample ballots shall be in the form of the official ballot as it will appear at that polling place on election day. Sample ballots shall be open to inspection by all electors in any election, and a sufficient number of reduced-size ballots may be furnished to election officials so that one may be given to any elector desiring same.

(2)(a) Upon completion of the list of qualified candidates, a sample ballot shall be published by the supervisor in a newspaper of general circulation in the county, before the day of election.

(b) In lieu of the publication required under paragraph (a), a supervisor may send a sample ballot to each registered elector by e-mail at least 7 days before an election if an e-mail address has been provided and the elector has opted to receive a sample ballot by electronic delivery. If an e-mail address has not been provided, or if the elector has not opted for electronic delivery, a sample ballot may be mailed to each registered elector or to each household in which there is a registered elector at least 7 days before an election.

History.—s. 5, ch. 26870, 1951; s. 8, ch. 57-166; s. 9, ch. 65-380; s. 1, ch. 75-174; s. 16, ch. 77-175; s. 2, ch. 2013-192; s. 12, ch. 2019-162.

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The 2023 Florida Statutes

Title IX

ELECTORS AND ELECTIONS

Chapter 101

VOTING METHODS AND PROCEDURE

[View Entire Chapter](#)

101.6103 Mail ballot election procedure.—

(1) Except as otherwise provided in subsection (7), the supervisor of elections shall mail all official ballots with a secrecy envelope, a return mailing envelope, and instructions sufficient to describe the voting process to each elector entitled to vote in the election within the timeframes specified in s. 101.62(3). All such ballots must be mailed by first-class mail. Ballots must be addressed to each elector at the address appearing in the registration records and placed in an envelope which is prominently marked "Do Not Forward."

(2) Upon receipt of the ballot the elector shall mark the ballot, place it in the secrecy envelope, sign the return mailing envelope supplied with the ballot, and comply with the instructions provided with the ballot. The elector shall mail, deliver, or have delivered the marked ballot so that it reaches the supervisor of elections no later than 7 p.m. on the day of the election. The ballot must be returned in the return mailing envelope.

(3) The return mailing envelope shall contain a statement in substantially the following form:

VOTER'S CERTIFICATE

I, (Print Name) , do solemnly swear (or affirm) that I am a qualified voter in this election and that I have not and will not vote more than one ballot in this election.

I understand that failure to sign this certificate and give my residence address will invalidate my ballot.

 (Signature)

 (Residence Address)

(4) If the ballot is destroyed, spoiled, lost, or not received by the elector, the elector may obtain a replacement ballot from the supervisor of elections as provided in this subsection. An elector seeking a replacement ballot shall sign a sworn statement that the ballot was destroyed, spoiled, lost, or not received and present such statement to the supervisor of elections prior to 7 p.m. on the day of the election. The supervisor of elections shall keep a record of each replacement ballot provided under this subsection.

(5) A ballot shall be counted only if:

- (a) It is returned in the return mailing envelope;
- (b) The elector's signature has been verified as provided in this subsection; and
- (c) It is received by the supervisor of elections not later than 7 p.m. on the day of the election.

The supervisor of elections shall verify the signature of each elector on the return mailing envelope with the signature on the elector's registration records. Such verification may commence at any time prior to the canvass of votes. The supervisor of elections shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. If the supervisor of elections determines that an elector to whom a replacement ballot has been issued under subsection (4) has voted more than once, the canvassing board shall determine which ballot, if any, is to be counted.

(6) The canvassing board may begin the canvassing of mail ballots as provided by s. 101.68(2)(a). The criminal penalty specified in that paragraph for the release of results before 7 p.m. on election day is also applicable to canvassing conducted under this act.

(7) With respect to absent electors overseas entitled to vote in the election, the supervisor of elections shall mail an official ballot with a secrecy envelope, a return mailing envelope, and instructions sufficient to describe the voting process to each such elector on a date sufficient to allow such elector time to vote in the election and to have his or her marked ballot reach the supervisor by 7 p.m. on the day of the election.

(8) A ballot that otherwise satisfies the requirements of subsection (5) shall be counted even if the elector dies after mailing the ballot but before election day, as long as, prior to the death of the voter, the ballot was:

- (a) Postmarked by the United States Postal Service;
- (b) Date-stamped with a verifiable tracking number by common carrier; or
- (c) Already in the possession of the supervisor of elections.

History.—s. 1, ch. 87-364; s. 585, ch. 95-147; s. 42, ch. 2005-277; s. 29, ch. 2007-30; s. 19, ch. 2022-73; s. 25, ch. 2023-120.



FIRST PENTECOSTAL CHURCH UPC
1010 NORWOOD AVE

PO BOX 4140812, MIAMI, FL 33141-0812

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8. Any travel invoices and/or receipts (including but not limited to lodging, flights, car rental, mileage reimbursements) for any employee or elected official of the Supervisor of Elections office from October 1, 2022 to June 11, 2023.

Tavel Date	Cost	Title	Transaction Description	Travel Event	Location/Type
12/4/2022-12/7/2022	579.00	Chief Deputy	lodging	FSE Mid-Winter Conference	The Shores Resort & Spa, Daytona Beach, FL
12/4/2022-12/7/2022	732.75	Supervisor of Elections	lodging	FSE Mid-Winter Conference	The Shores Resort & Spa, Daytona Beach, FL
1/11/2023-1/13/2023	364.95	Chief Deputy	Air Travel	JEOLC Conference	Washington D.C.
1/11/2023-1/13/2023	18.00	Supervisor of Elections	Airport Transfer	JEOLC Conference	Washington D.C.
1/11/2023-1/13/2023	63.00	Supervisor of Elections	Airport Parking	JEOLC Conference	Washington D.C.
1/11/2023-1/13/2023	644.37	Chief Deputy	lodging	JEOLC Conference	Washington D.C.
1/11/2023-1/13/2023	644.37	Supervisor of Elections	lodging	JEOLC Conference	Ritz Carlton Pentagon City, Arlington, VA
1/11/2023-1/13/2023	364.95	Supervisor of Elections	Air Travel	JEOLC Conference	Ritz Carlton Pentagon City, Arlington, VA
1/11/2023-1/13/2023	61.62	Supervisor of Elections	Fuel	JEOLC Conference	Washington D.C.
2/7/2023-2/9/2023	268.00	Supervisor of Elections	lodging	New SOE Orientation	Tallahassee, FL
3/22/2023-3/24/2023	597.00	Supervisor of Elections	lodging	New SOE Orientation	Homewood Suites, Tallahassee, FL
3/22/2023-3/24/2023	7.00	Supervisor of Elections	parking	Brevard Day at the Capitol/DOE/VR meetings	Residence Inn, Tallahassee, FL
3/28/2023-3/30/2023	421.28	Supervisor of Elections	lodging	Brevard Day at the Capitol/DOE/VR meetings	Tallahassee, FL
4/18/2023-4/19/2023	129.00	Chief Deputy	lodging	FSE Legislative Days	Homewood Suites, Tallahassee, FL
4/18/2023-4/19/2023	129.00	IT Director	lodging	VR Roundtable	Hilton Garden Inn, Ocala, FL
4/18/2023-4/19/2023	129.00	Supervisor of Elections	lodging	VR Roundtable	Hilton Garden Inn, Ocala, FL
4/18/2023-4/19/2023	12.00	Supervisor of Elections	parking	VR Roundtable	Hilton Garden Inn, Ocala, FL
5/21/2023-5/25/2023	876.00	Communications Director	lodging	FSE Summer Conference	Hilton Garden Inn, Ocala, FL
5/21/2023-5/25/2023	876.00	Chief Deputy	lodging	FSE Summer Conference	Sanibel Harbour Marriott Resort & Spa, Fort Myers, FL
5/21/2023-5/25/2023	876.00	IT Director	lodging	FSE Summer Conference	Sanibel Harbour Marriott Resort & Spa, Fort Myers, FL
5/21/2023-5/25/2023	876.00	Supervisor of Elections	lodging	FSE Summer Conference	Sanibel Harbour Marriott Resort & Spa, Fort Myers, FL
5/21/2023-5/25/2023	100.00	Supervisor of Elections	parking	FSE Summer Conference	Sanibel Harbour Marriott Resort & Spa, Fort Myers, FL
5/21/2023-5/25/2023	48.83	Supervisor of Elections	fuel	FSE Summer Conference	Sanibel Harbour Marriott Resort & Spa, Fort Myers, FL

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