

City of Naples

2024 General Election



Candidate Handbook

Patricia L. Rambosk, City Clerk MMC
September 8, 2023



W E L C O M E

Dear Candidate:

I would like to first congratulate you on your decision to participate in the City of Naples 2024 General Election. I have the pleasure to serve as your filing and qualifying officer for the Election and am looking forward to working with you to ensure that you qualify as a candidate. I have created this Handbook to provide important election information to those interested in running for Mayor and/or a member of the City Council. This information supplements the Candidate and Campaign Treasurer Handbook produced by the Division of Elections of the Florida Department of State, which includes important Election Laws governing the State of Florida, as well as the policies and procedures unique to the City of Naples. I hope this Handbook serves as a helpful guide to navigate you through the election process, however, it is not a substitute for the Florida Election Code or applicable Constitutional and Rule provisions, the text of which controls the electoral process. Chapters 97-106, Florida Statutes, the Constitution of the State of Florida, Division of Elections' Opinions and Rules, Attorney General Opinions, county charters, city charters and ordinances, and other sources should be reviewed in their entirety for complete information regarding campaign financing and qualifying.

At your earliest convenience, please schedule an appointment to overview the process with me so that you are prepared to qualify for the office. Appointments for qualification will be scheduled between January 8, 2024, and January 19, 2024. I will provide all the necessary forms for qualification at that time for you to complete. Please note that any election form is considered "filed" only when the filing officer receives the form (not upon mailing) and determines that the form is complete.

In addition to your qualifying as a candidate for the 2024 General Election, my priority for the Election is to ensure the integrity of the electoral process for all candidates and voters. I will be available for any questions you may have throughout your campaign. Again, congratulations on taking an active role in your local government.

I wish you success with your candidacy!

Patricia L. Rambosk, MMC
City Clerk & Chief Election Official

Patricia L. Rambosk

TABLE OF CONTENTS

Becoming a Candidate	1-2
★ What is a Candidate?	
★ Who Can Be a Candidate?	
★ When Do You Announce Your Candidacy?	
★ Appointment of Campaign Treasurer and Designation of Campaign Depository Form (Form DS-DE 9)	
★ Opening a Campaign Account	
★ Statement of Candidate Form (Form DS-DE 84)	
★ When Can You Begin Your Campaign?	
★ What Is the Qualifying Period and Where Do I Qualify?	
★ What are the Requirements for Qualification?	
★ Resign-to-Run	
2023 Legislative Updates	3
New Case Law	3
Campaign Financing	4-6
★ What Must Be Disclosed on the Campaign Treasurer's Report??	
★ Late Fees	
★ Contributions	
★ Expenditures	
★ Campaign Financing Best Practices	
Advertising and Political Signs	7
★ Political Advertising	
★ Campaigning Near Polling Places	
★ Political Signs	
Prohibited Acts	8-9
★ Florida Elections Commission	
★ Speaking at Political Meetings	
★ Using Services of State, County, Municipal, or District Officers or Employees	
★ Making Contributions in the Name of Another	
★ Solicitation from Religious, Charitable, and Civic Organizations	
★ Accepting Contributions in a Government-Owned Building	

TABLE OF CONTENTS (Continued)

★ Making Malicious or False Statements

★ Certifying a False Report

★ Voter Protection Act

Voter Registration9

Early Voting9

★ Early Voting Dates

★ Early Voting Location

Vote by Mail9

Post-Election10

★ Expending Funds From the Campaign Account

★ Distribution of Surplus Funds

★ Removal of Political Signs

★ Public Records

Memo to Candidates from City Clerk 11

Laws and Policies That Govern the City Council12-13

★ Number; Selection, and Terms

★ Salary of the Mayor and Members of City Council

★ Interest

★ Members of Council Not to Interfere

★ City Council Oversight of Boards, Commissions, and Committees

★ Regular Meetings

★ Special Meetings

★ Meeting Quorum; Absentees; and Public Meetings

★ Rules of Procedure of the City Council

Candidate Resources14-15

Best of Luck 16

BECOMING A CANDIDATE

WHAT IS A CANDIDATE?

A candidate is defined in [Fla. Stat. 97.021\(7\)](#) as any person to whom any one or more of the following applies:

- (a) Seeks to qualify for nomination or election by means of the petition process;
- (b) Seeks to qualify for election as a write-in candidate;
- (c) Any person who receives contributions or makes expenditures or gives his or her 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;
- (d) Any person who appoints a treasurer and designates a primary depository; or
- (e) Any person who files qualification papers and subscribes to a candidate's oath as required by law.

WHO CAN BE A CANDIDATE?

[Section 13.4](#) of the Charter of the City of Naples states that: All candidates for Mayor or City Council shall have the qualifications of an elector provided for in this Charter and shall have been a resident of the City of Naples for a period of 6 months prior to filing.

WHEN DO YOU ANNOUNCE YOUR CANDIDACY?

You may announce your candidacy at any time prior to qualifying as a candidate. However, before accepting ANY contribution, or making ANY expenditure, the [Appointment of Campaign Treasurer and Designation of Campaign Depository Form \(Form DS-DE9\)](#) must be filed with the filing officer.

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FORM (FORM DS-DE 9)

This is the first document that must be filed with the filing officer to become a candidate. You must appoint a campaign treasurer. You may appoint yourself to act as treasurer or deputy campaign treasurer.

The campaign depository is designated at the same time as a treasurer is appointed on Form DS-DE 9. Designating a campaign depository does not mean physically opening an account. It is merely naming the financial institution where the campaign funds will be deposited.

At the same time, you must designate whether you are running for the office of Mayor or City Council. Although this form can be completed prior to qualifying for office so that you may begin receiving contributions or making expenditures, it must be filed no later than the date you file for qualification.

OPENING A CAMPAIGN ACCOUNT

You may open a campaign account at any time. It is recommended that the bank account be opened as soon as possible after filing the Appointment of Campaign Treasurer and Designation of Campaign Depository so that the account will be in place for expenditures and receipt of contributions in connection with the campaign. No contributions may be accepted until you have opened a campaign account.

BECOMING A CANDIDATE (Continued)

STATEMENT OF CANDIDATE FORM (FORM DS-DE 84)

This form must be filed with the filing officer within ten days after filing the Appointment of Campaign Treasurer and Designation of Campaign Depository form. This form states that the candidate has been provided access to read and understand the requirements of Chapter 106, Florida Statutes. The execution and filing of the statement of candidate does not in and of itself create a presumption that any violation of Chapter 106, Florida Statutes, or Chapter 104, Florida Statutes, is a willful violation.

WHEN CAN YOU BEGIN YOUR CAMPAIGN?

You may open a campaign file with the filing officer at ANY TIME PRIOR to the qualifying period, however, certain documents pertaining to a candidate's campaign can only be finalized and submitted to a candidate's file during the qualifying period.

WHAT IS THE QUALIFYING PERIOD AND WHERE DO I QUALIFY?

The qualifying period is from **8:00 a.m., January 8, 2024, through 5:00 p.m., January 19, 2024**. You must file with the qualifying officer at the Office of the City Clerk at City Hall, located at 735 8th Street South, First Floor, Naples, Florida.

WHAT ARE THE REQUIREMENTS FOR QUALIFICATION?

You must pay the required qualifying fee of \$25.00 and a one percent (1%) Florida Election Assessment fee required by [Fla. Stat. 99.093](#). The filing fee must be paid by a check from your campaign account.

In addition, you will complete the following forms when you meet with the qualifying officer:

- Appointment of Campaign Treasurer/Designation of Depository Form (If not already filed).
- Statement of Candidate Form (If not already filed).
- Candidate Oath Form.
- Form 6 – Full and Public Disclosure of Financial Interests.
- Statement of Residency Form. A copy of a Voter Registration card must also be provided.
- Request for Placement of Candidate Name on Ballot.
- Receipt of Information regarding Testing of Voting Equipment.

RESIGN-TO-RUN

If you hold office elsewhere, you cannot qualify as a candidate without resigning from the office that you presently hold if the terms or any part thereof will run concurrently with one another. Note, this resignation is irrevocable. The written resignation must be submitted at least ten days prior to the first day of qualifying for the office. The resignation must be effective no later than the earlier of either the date you will take office, if elected, or the date your successor is required to take office. ([Fla. Stat. 99.012\(3\) and \(4\)](#)). The Resign-to-Run Law does not apply to political party offices, persons serving without salary as members of an appointive board or authority, and persons holding federal office.

2023 LEGISLATIVE UPDATES

SB 774: Ethics Requirements for Public Officials

Beginning **January 1, 2024**, candidates and local elected officials must file [Form 6](#) (Full and Public Disclosure of Financial Interests) with the Florida Commission on Ethics. Candidates must file the Form 6 at the time of qualifying as set forth below:

Fla. Stat. 99.061

(5) At the time of qualifying for office, each candidate for a constitutional office, or for another elective office subject to an annual filing requirement pursuant to s. [112.3144](#), shall file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution, which must be verified under oath or affirmation pursuant to s. [92.525](#)(1)(a), and a candidate for any other office, **including local elective office**, shall file a statement of financial interests pursuant to s. [112.3145](#). A candidate who is subject to an annual filing requirement under s. [112.3144](#) may file a verification or receipt of electronic filing pursuant to s. [112.3144](#)(4). A candidate who is subject to an annual filing requirement under s. [112.3145](#) may file a verification or receipt of electronic filing pursuant to s. [112.3145](#)(2)(c) unless the candidate is required to file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution or this subsection.

SB 7050: Elections

This Bill made many changes to Florida's Election Code. Noteworthy changes include:

- 1) Reporting intervals were changed for candidates and political committees, **from monthly to quarterly** outside of the election cycle. It also preempts local governments from enacting a campaign finance reporting schedule that differs from the schedule required by state law.
- 2) Fines were increased for election law violations.
- 3) The Candidate Oath form was revised to require that candidates acknowledge certain outstanding fines, fees, or penalties relating to ethics or campaign finance violations; require that a candidate designate in the candidate's oath the name he or she wishes to have printed on the ballot, subject to specified conditions; and a specified affidavit to be filed with the oath if the candidate wishes to use a nickname, which is subject to certain conditions.
- 4) Notice Requirements will be published on specified government websites instead of in a local newspaper.
- 5) A uniform statewide application form to request a vote-by-mail ballot and revised requirements for picking up a vote-by-mail ballot in person.

NEW CASE LAW

Candidates for nonpartisan offices do not list a party affiliation in their disclaimer and are listed on the ballot in alphabetical order without reference to party affiliation. Previously candidates for nonpartisan office were prohibited by Florida Statute 106.143(3) from referencing their party in their campaign advertising; except when referencing party related experiences.

On November 8, 2022, in [Hetherington vs Madden](#), Federal Judge M. Casey Rodgers (Northern District of Florida) held the statute to be unconstitutional. At this time, the ruling has not been appealed nor the statute addressed by the legislature. Therefore, you may use your political party as part of your advertising, but not in your disclaimer.

CAMPAIGN FINANCING

Under Florida law, your campaign treasurer must keep detailed accounts of all contributions and expenditures made by or on behalf of you. Such accounts must be kept current within not more than two days after the date a contribution is received or an expenditure is made.

All funds received must be deposited by the end of the fifth business day into the campaign account. All deposits shall be accompanied by a bank deposit slip containing the name of each contributor and the amount of each contribution.

The campaign account must be separate from any personal or other account and used only for depositing campaign contributions and making expenditures.

The campaign treasurer must file regular Campaign Treasurer's Reports even if you have not received any contributions or have made any expenditures. Please refer to the City of Naples 2024 Election Calendar for reporting dates.

WHAT MUST BE DISCLOSED ON THE CAMPAIGN TREASURER'S REPORT?

Candidates and committees must report all contributions, loans, expenditures, distributions, and transfers, regardless of the amount. The full name and address of each person making the contribution or receiving the expenditure must be provided and, for contributions over \$100, the occupation.

LATE FEES

Campaign Treasurer's Reports must be filed on time to avoid a late fee. If you fail to file a report by the designated due date, you will be subject to a fine of \$50 per day for the first three days and \$500 per day thereafter, not to exceed 25 percent of the receipts or expenditures, whichever is greater. However, for the reports immediately preceding each primary election, special election and general election, the fine is \$500 per day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater.

Example: The treasurer files the report five days late. This is not a report due prior to an election. For the first three days, the fine is \$50 per day; the last two days the fine is \$500 per day, for a total of \$1,150. However, the total receipts were \$4,000 and the total expenditures were \$2,000; therefore, the candidate's total fine would be limited to 25 percent of \$4,000, or \$1,000, [Fla. Stat. 106.07](#).

Note: Any fine must be paid from the candidate's personal funds not campaign funds.

CAMPAIGN FINANCING (Continued)

CONTRIBUTIONS

Contributions cannot exceed \$1,000 per individual contributor per election.

Contributions of \$50.00 or more in the form of cash or cashier's check are not permitted.

In-kind contributions are subject to the same contribution limitations as money. An in-kind contribution is anything of value except money made for the purpose of influencing the results of an election. When completing a Campaign Treasurer's Report, the amount of in-kind contributions for the reporting period must be listed as a fair market value, but the value of such contribution is not added in with the total amount of contributions.

Loans are considered contributions and are subject to contribution limits, however, loans made by candidates to their own campaigns are not subject to contribution limitations. ([Fla. Stat. 106.011](#), [Fla. Stat. 106.07](#) and [Fla. Stat. 106.075](#)).

Anonymous contributions must be reported on the Campaign Treasurer's Report. A letter should be submitted to the filing officer explaining the circumstances surrounding the acceptance of the anonymous contribution. The candidate cannot spend the anonymous contribution, but at the end of the campaign, the candidate must donate the amount to an appropriate entity ([Fla. Stat. 106.141](#) and Division of Elections Advisory Opinion 89-02).

Any contribution received by a candidate (or campaign treasurer or deputy treasurer) with opposition in an election on the day of the election or less than five days before the day of the election must be returned to the person or committee contributing, and the contribution may not be used or expended by or on behalf of the candidate ([Fla. Stat 106.08\(3\)\(a\)](#)).

EXPENDITURES

Deficit spending is not allowed. When a debt is incurred, there must be sufficient funds in the account.

All expenditures must be drawn by a check on such account, except when paid with petty cash.

Campaign checks must contain the following information:

- The name of the campaign account of the candidate.
- Account number and name of bank.
- The exact amount of the expenditure.
- The signature of the campaign treasurer or deputy treasurer.
- The exact purpose of the expenditure.
- The name of the payee.

Only persons designated as a treasurer or deputy treasurers may sign the checks. A candidate may appoint up to three (3) deputy treasurers to sign checks in the treasurer's absence. A candidate may be his/her own treasurer or deputy treasurer (See [Fla. Stat. 106.021](#)).

CAMPAIGN FINANCING (Continued)

A candidate may use a debit card to make campaign expenditures and is considered a bank check if it is obtained from the same bank that has been designated as the primary campaign depository, issued in the name of the treasurer, deputy treasurer, or authorized user, and contains the name of the campaign account of the candidate. No more than three debit cards are allowed.

PLEASE FIND BELOW SOME BEST PRACTICES ON HOW TO MAINTAIN YOUR CAMPAIGN FINANCING RECORDS.



Keep a schedule of the dates campaign treasurer's reports are due. Be aware of the reporting period each report covers (a schedule of dates is provided for your convenient reference in this handbook).



Keep a copy of each Campaign Treasurer's Report you file for your records.



Log each contribution when received; log the date the donation was received, name and address of donor, their occupation (only required if more than \$100), and the amount of the donation. Categorize contributions separately as loans, monetary, in-kind. If possible, it is recommended that the candidate or treasurer make copies of contributions made by checks, prior to depositing. Contributions must be deposited within 5 days of receipt.



Log each expenditure as it occurs; log the date of transaction, the full name of the entity receiving payment, address of where purchase was made, the purpose of the expense, and amount. Keep all receipts in connection with the campaign account.



Keep a ledger of all petty cash expenditures. Petty cash does not need to be reported on the Campaign Treasurer's Report. Only the total amount of petty cash withdrawn from the campaign account for spending during a reporting period should be reported on the campaign treasurer's report.



Be sure to report any in-kind donations.



Monitor cash flow. Know how much money is available in order to avoid authorizing expenditures when money is not available. Remember that debit or credit transactions on campaign accounts fall under the same rules as expenditures by campaign check.



File Campaign Treasurer's Reports on time to avoid penalties. Please note, the last day to receive campaign contributions prior to the March 19, 2024 General Election, is Midnight, Thursday, March 14, 2024 (Midnight on 5th day prior to election, or Thursday for Tuesday election) [Fla. Stat. 106.08\(3\)\(a\)](#).



Do not accept any contributions after Midnight on March 14, 2024.

ADVERTISING AND POLITICAL SIGNS

POLITICAL ADVERTISING

As a candidate, you must have the proper disclaimer prominently displayed on all your political advertising including signs and bumper stickers. There are two acceptable disclaimers; either “Political advertisement paid for and approved by (name of candidate) for (office sought)” or “Paid by (name of candidate), (party affiliation), for (office sought)”. See [Fla. Stat. 106.143](#).

CAMPAIGNING NEAR POLLING PLACES

You are not allowed to solicit voters inside the polling place or within 150 feet of the entrance to any polling place, a polling room where the polling place is also a polling room, an early voting site, or an office of the Collier County Supervisor of Elections where vote-by-mail ballots are requested and printed on demand for the convenience of electors who appear in person to request them. See [Fla. Stat. 102.031\(4\)](#).

POLITICAL SIGNS

Political signs, consistent with the following requirements, do not require a permit in the City of Naples and are permitted with the following restrictions:

Political signs are NOT permitted on streets, rights-of-way, beach areas, parks, public sidewalks, or upon property without having permission from the property owner.

To determine what the right-of-way is where signs are prohibited, please consider the following:

- The area between a street and a sidewalk is always the right-of-way.
- The property line for a parcel is not always readily identifiable. One way to determine what is the right-of-way, attempt to identify a streetlight, power line, or cable box. They are almost always on the right-of-way near the property line. Imagine a line to your location and do not place the sign between the imaginary line and the road.
- If the property contains a hedge, the hedge may or may not be on private property. If the hedge will obstruct the view of the sign, it will be deemed acceptable to place a sign next to the hedge so that one side of the sign is within a couple of inches from the hedge.

In residentially zoned areas, including single-family and multi-family:

- Sign dimension shall be 12” x 18”.
- The height of the sign shall be a maximum of three (3) feet. However, the height may be increased to a maximum of four (4) feet if visibility is otherwise obstructed.
- Signs may contain color.
- Permission of the property owner to place a sign on the property is required.

In commercially zoned areas:

- Sign dimension shall be no greater than four (4) square feet.
- The height of the sign shall be a maximum of three (3) feet. However, the height may be increased to a maximum of four (4) feet if visibility is otherwise obstructed.
- Signs may contain color.
- Permission of the property owner to place a sign on the property is required.

Signs may be affixed to a vehicle. However, a vehicle may not be parked in a single location for a period greater than 24 hours.

Signs shall be removed within seven days of the election.

PROHIBITED ACTS

The [Florida Elections Commission](#) investigates all violations of Chapters 104 and 106, Florida Statutes, but only after receiving either a legally sufficient sworn complaint or information reported to it by the Division of Elections. See [Fla Stat. 106.25](#). There are over 60 separate violations in Chapter 104, Election Code: Violations; Penalties, Florida Statutes and almost 100 separate violations in Chapter 106, Campaign Financing, Florida. Statutes. You, along with your campaign treasurer and/or deputy treasurer(s) should make every effort to become familiar with these Statutes.

SPEAKING AT POLITICAL MEETINGS

[Fla. Stat. 106.15\(1\)](#) prohibits any candidate and/or any person speaking for a candidate from paying money or giving anything of value for the privilege of speaking at a political meeting in the furtherance of their candidacy.

USING SERVICES OF STATE, COUNTY, MUNICIPAL, OR DISTRICT OFFICERS OR EMPLOYEES

[Fla. Stat. 106.15\(3\)](#) prohibits you from using the services of any state, county, municipal, or district officer or employee of the state during working hours in the furtherance of your election to public office.

MAKING CONTRIBUTIONS IN THE NAME OF ANOTHER

A person may not make any contribution through or in the name of another, directly or indirectly, in any election. Furthermore, Florida law does not permit a contribution to be “earmarked” through a conduit (see [Fla. Stat. 106.08\(5\)\(a\)](#) and Division of Elections Advisory Opinions 82-6 and 10-11).

SOLICITATION FROM RELIGIOUS, CHARITABLE, AND CIVIC ORGANIZATIONS

You may not solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good. It is not a violation, however, to continue membership in, or make regular donations from personal or business funds to, religious, political party, civic, or charitable groups of which you have been a member or have been a regular donor for more than six months. It is also appropriate for you to purchase, with campaign funds, tickets, admission to events, or advertisements from religious, civic, political party, or charitable groups ([Fla. Stat. 106.08\(5\)\(b\)-\(c\)](#) and Division of Elections Advisory Opinion 04-03).

ACCEPTING CONTRIBUTIONS IN A GOVERNMENT-OWNED BUILDING

No person shall make and no person shall solicit or knowingly accept any political contribution in a building owned by a governmental entity. This prohibition does not apply when a government-owned building or any portion thereof is rented for the specific purpose of holding a campaign fund raiser [[Fla. Stat. 106.15\(4\)](#)].

MAKING MALICIOUS FALSE STATEMENTS

[Fla. Stat. 104.271](#) prohibits you from making any actual malice or false statements about an opposing candidate.

CERTIFYING A FALSE REPORT

Any candidate, campaign manager, campaign treasurer, or deputy treasurer who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree ([Fla. Stat. 106.07\(5\)](#) and [Fla. Stat. 106.19](#)).

PROHIBITED ACTS (Continued)

VOTER PROTECTION ACT

The Voter Protection Act ([Fla. Stat. 104.0615](#)) Prohibits any person from directly or indirectly using or threatening to use force, violence, or intimidation or any tactic of coercion or intimidation to induce or compel an individual to: vote or refrain from voting; vote or refrain from voting for any particular individual or ballot measure; refrain from registering to vote; or refrain from acting as a legally authorized election official or poll watcher.

A person may not knowingly use false information to challenge an individual's right to vote; and/or induce or attempt to induce an individual to refrain from voting or registering to vote; and/or induce or attempt to induce an individual to refrain from acting as a legally authorized election official or poll watcher.

A person may not knowingly destroy, mutilate, or deface a voter registration form or election ballot or obstruct or delay the delivery of a voter registration form or election ballot.

VOTER REGISTRATION

The deadline to register to vote for the 2024 General Election is **Tuesday, February 20, 2024**.

For additional information, regarding voter registration, including the option to register online, visit the Collier County Supervisor of Elections webpage [Register to Vote](#).

EARLY VOTING

Early Voting will be held daily from 10:00 a.m. – 6:00 p.m. on Saturday, March 9, 2024 through Saturday, March 16, 2024.

EARLY VOTING LOCATIONS

The City of Naples General Election on March 19, 2024 will be held in conjunction with the Presidential Preference Primary, therefore, **all 11 early voting sites in Collier County will be available for voters to cast a ballot**. The complete list of early voting locations and addresses can be found at Colliervotes.gov/Election-Info/Vote-Early.

Note: The early voting site within the City of Naples is the [Norris Center](#) located at 755 8th Ave S, Naples FL 34102.

VOTE BY MAIL

Any registered voter can cast their ballot by mail and no longer requires an excuse to do so. Voting by mail is an easy and convenient way for our seasonal and permanent residents to participate in the 2024 General Election. Voters can request their Vote-by-Mail ballot from the Collier County Supervisor of Elections website at www.colliervotes.gov/Voters/Vote-by-Mail.

POST-ELECTION

EXPENDING FUNDS FROM THE CAMPAIGN ACCOUNT

After withdrawing, becoming unopposed, or after the election, you may expend funds from the campaign account to:

- Purchase “thank you” advertising for up to 75 days;
- Pay for items which were obligated;
- Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports;
- Dispose of surplus funds as provided in the following section; and/or
- Reimburse any loans that were provided to the campaign account.

DISTRIBUTION OF SURPLUS FUNDS

You must dispose any remaining campaign funds within 90 days after the date you withdraw your candidacy, become an unopposed candidate, eliminated as a candidate, or are elected to office ([Fla. Stat. 106.141\(1\)](#)) and file a Campaign Treasurer’s Report (Termination Report) reflecting the disposition of all remaining funds..

Under Fla. Stat. 106.141(4)(a), you can dispose of any remaining funds by any of the following means or combination thereof:

- Return pro rata to each contributor the funds that have not been spent or obligated.
- Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of s. 501(c)(3) of the Internal Revenue Code.
- Give the funds that have not been spent or obligated to the City of Naples to be deposited in the general fund.
- If elected to office, you may transfer funds from the campaign account to an office account up to limits listed under [Fla. Stat. 106.141\(5\)](#). This fund must be used only for legitimate expenses in connection with your position as a public official.

REMOVAL OF POLITICAL SIGNS

Signs must be removed within seven days of the election.

PUBLIC RECORDS

Officers-elect are required to comply with the Public Records Laws of Chapter 119, Florida Statutes, upon election. [Fla. Stat. 119.035](#)

(1) It is the policy of this state that the provisions of this chapter apply to officers-elect upon their election to public office. Such officers-elect shall adopt and implement reasonable measures to ensure compliance with the public records obligations set forth in this chapter.

(2) Public records of an officer-elect shall be maintained in accordance with the policies and procedures of the public office to which the officer has been elected.

(3) If an officer-elect, individually or as part of a transition process, creates or uses an online or electronic communication or recordkeeping system, all public records maintained on such system shall be preserved so as not to impair the ability of the public to inspect or copy such public records.

(4) Upon taking the oath of office, the officer-elect shall, as soon as practicable, deliver to the person or persons responsible for records and information management in such office all public records kept or received in the transaction of official business during the period following election to public office.



Memo

Office of the City Clerk

TO: City Council Candidates
FROM: Patricia L. Rambosk, MMC, City Clerk
DATE: September 13, 2023
SUBJECT: Meeting agendas | Packets and Streaming Videos

Candidates for City Council frequently ask about the distribution of agenda packets so they may be kept fully informed of issues being considered by the Council. Council agendas, meeting packets, minutes and videos are available at no charge on the City's website under Naples TV www.naplesgov.com.

Good luck in your endeavor to serve the City of Naples.

LAWS AND POLICIES OF THE CITY COUNCIL

Below you will find several of the City's laws and policies that govern the City Council.

ARTICLE 2 – THE COUNCIL, OF THE CHARTER OF THE CITY OF NAPLES

Section 2.1 – Number; Selection; Term

(1) The council shall consist of a mayor and six (6) councilmembers.

(2) The mayor and councilmembers in office when this Charter becomes effective shall continue in office until the expiration of their respective terms.

(3) ... a mayor shall be elected from the qualified electors of the city for a period of four (4) years, or until his successor is duly elected at a general municipal election as provided herein. No person elected as mayor shall be eligible for reelection as mayor for the term immediately succeeding his or her second full consecutive term as mayor.

(4) At each election to be held under this Charter, three councilmembers shall be chosen. The three candidates receiving the highest number of votes shall hold office for four years or until their successors are duly elected at a general municipal election as provided herein. Thereafter, councilmembers shall be elected at each general municipal election, as provided herein, to fill the seats of the councilmembers whose terms expire, effective when their successors take office. No person elected as a councilmember shall be eligible for reelection as councilmember for the term immediately succeeding his second full consecutive term as councilmember.

Section 2.5 - Salary of the Mayor and Members of City Council

The salary of the mayor shall be \$54,100.00 per year, plus a stipend of \$400.00 per month, payable in equal monthly installments.

The salary of each of the councilmembers shall be \$43,300.00 per year, plus a stipend of \$300.00 per month, payable in equal monthly installments.

Health benefits for the mayor and councilmembers shall be and remain equivalent to those of employees in the city's general health insurance plan. The mayor or councilmembers may individually elect to reject all or any part of their salary. No member of the city council, including the mayor, shall hold any other office in the city government except as herein provided.

Section 2.6 - Interest

No councilmember shall be excused from voting upon any matter coming before [the] council except where such matters involve the consideration of his own official conduct, or where his financial interests are involved, in which case he shall be disqualified from voting.

Section 2.10 - Members of Council Not to Interfere

No councilmember shall direct or request the appointment of any person to, or his removal from, office by the city manager or by any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the city except as provided in this Charter. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the city manager and neither the council, nor any member thereof shall give orders to any subordinates of the city manager, either publicly or privately.

LAWS AND POLICIES OF THE CITY COUNCIL (Cont.)

CODE OF ORDINANCES OF THE CITY OF NAPLES

Section 2-408, Article V – Boards, Commissions, and Committees, - Oversight by City Council

The city council is responsible for oversight of all boards, commissions, and committees. To that end, minutes of the boards, commissions and committees will be provided to the city council. Citizens have the right to file grievances to the city council. Substantive issues may not be appealed to the city council, except where those issues would normally come to the city council for final determination.

Section 2-51, Article II, Division 2 - Meetings - Regular Meetings

The city council shall hold regular meetings no less than twice each month. The meetings shall usually be held on the first and third Wednesdays of each month at 8:30 a.m.; however, the city council may, on a majority vote of the members present at a regular meeting, cancel a regular meeting, and reschedule the meeting at a time fixed by the majority. The city council may, by ordinance, schedule additional regular meetings of the city council when the business of the city so dictates, and such additional regular meetings shall be held on a day and time fixed in the ordinance.

Section 2-52, Article II, Division 2 - Meetings - Special Meetings

The city council may hold special meetings at any time pursuant to due notice being given in writing by the mayor or a majority of the city council. The notice shall specify the object of the special meeting.

Section 2-54, Article II, Division 2 - Meetings – Quorum; Absentees; Public Meetings

(a) A majority of the members of the city council shall constitute a quorum to transact any business, but a less number may meet and adjourn from time to time and, if necessary, may compel the attendance of absent members by attachment and arrest by the chief of police or by imposition of such fine or penalty as may be fixed by ordinance.

(b) All meetings of the city council shall be open to the public.

CITY COUNCIL RULES OF PROCEDURE

Resolution 2023-15153

CANDIDATE RESOURCES

CITY OF NAPLES

www.naplesgov.com

Patricia Rambosk, City Clerk (239-213-1015) prambosk@naplesgov.com

[Naples Code of Ordinances - Elections/Article 13](#)

DEPARTMENT OF STATE - DIVISION OF ELECTIONS

The Division of Elections oversees the interpretation of and provides guidance on Florida's elections laws. It also provides advisory opinions to supervisors of elections, candidates, local officers having election-related duties, political parties, political committees, or other persons or organizations engaged in political activity, conducts audits with respect to reports and statements, and prescribes rules and regulations to carry out the provisions of Chapter 106, Florida Statutes.

Under Fla. Stat. 97.012(15), the Division of Elections has authority to conduct preliminary investigations into any allegations of irregularities or fraud involving voter registration or voting, or candidate or issue petition activities. The Department may then report its findings to the Office of Statewide Prosecution or to the State Attorney for the judicial circuit in which the alleged violation occurred for prosecution, where warranted. Please note that "elections fraud" does not include violations of Chapter 106, Florida Statutes, which are instead enforced by the Florida Elections Commission. The Division of Elections reports to the Florida Elections Commission any apparent violations of Chapter 106.

Should you observe or witness a potential case of elections fraud, please complete and submit a complaint form so it may be further investigated.

Florida Division of Elections

500 South Bronough Street
R. A. Gray Building Room 316
Tallahassee, FL 32399
850-245-6200

Voter Fraud Hotline (in English and Español)

1.877.868.3737, M-F 8:00 a.m. - 5:00 p.m. (EST)

*If you are hearing or speech impaired, please contact the Division using the Florida Relay Service, 1.800.955.8771 (TDD) or 1.800.955-8770 (Voice). For more information visit the [Florida Relay Service](#).

Elections Fraud Complaint Form [\(DS-DE 34\)](#)

Other complaint forms can be found on the [Complaint Forms page](#).

[Division of Elections Candidate and Campaign Treasurer Handbook for 2024 Election Cycle](#)

[The Florida Election Code \(includes changes enacted after the 2023 Legislative Session\)](#)

[Florida Division of Elections | Frequently asked questions](#)

CANDIDATE RESOURCES (Continued)

Florida Elections Commission

107 W. Gaines Street
Collins Building Suite 224
Tallahassee, FL 32399
Phone: 850-922-4539
www.fec.state.fl.us

Florida Elections Commission Complaint Form ([FEC Form 1](#))

[Florida Elections Commission Frequently Asked Questions](#)

[Common Violations and Appeals](#)

Collier County Supervisor of Elections

Rev. Dr. Martin Luther King Jr. Building
3750 Enterprise Avenue, Naples, FL 34104
Hours: M-F 8:00 a.m. - 5:00 p.m.
Phone: 239-774-9468
www.colliervotes.gov

[Become City/County Election Worker](#)

[Precinct Finder](#)

[Register to Vote](#)

[Vote-by-Mail Ballot](#)

Federal Elections Commission

www.fec.gov

Florida Attorney General

myfloridalegal.com

Florida State Courts

www.flcourts.org

Florida Commission on Ethics

www.ethics.state.fl.us

[Financial Disclosure Information](#)

[Chapter 112 - Code of Ethics for Public Officers](#)

Best of luck to you in this endeavor!

