

Mr. Mayor, Commissioners, Colleagues on this Committee and Guests:

The document that follows was discussed, edited, and amended to its present form at a noticed, public meeting on December 29, 2010 of the following individuals:

- Harvey Busch, Chairman of the Mayor's Advisory Committee
- Tony LoCastro, Vice Chairman of the Mayor's Advisory Committee
- Bob Welsh, member of the Mayor's Advisory Committee
- Dennis Stubbolo and Norman Peselev newly nominated but not yet official members of the committee
- David Gartner member of two subcommittees.

Prior to this year's election, Sunny Isles Beach had not had a contested election since 2005. The events leading up to this year's election and runoff seemed to indicate the need for several changes in the election statutes.

1. All candidates for office should be fully vetted before their name appears on any ballot. By vetting I mean that at least these following items be fully verified:
 - a. Voting registration and citizenship status;
 - b. Criminal history as far back as the law allows;
 - c. Business history vis-a-vis lawsuits and bankruptcy filings as far back as the law allows;
 - d. Every entry on the application. If a candidate says they were a school principal but never was more than a teacher or says they were an account executive but was never more than a secretary those should count as violations of the ethics law and should invalidate their candidacy;
 - e. Sources of income.
2. Residential requirements should be completely overhauled and verified.
 - a. Any candidate for office should be a resident of SIB- Federal income tax address must be SIB. Any test of residency should fall in favor of SIB. For instance, if taxed on income from another state, the tax must be as a non-resident of that state;
 - b. Candidate should be a resident of SIB for at least two years with one year in the residential voting area for which the individual is a candidate and if elected must that residence for the full term of that office.
3. Filing requirements must be changed. To become a candidate one of these two requirements must be met:
 - a. Filing fee should be at least one thousand (1000) dollars,
 - b. In lieu of this amount, valid signatures from 5% of the registered voters endorsing the candidate should be required.
4. Term limits should be extended to three terms.
5. Commissioners presently must live in their district; however, they are elected by the entire city. This is clearly wrong. For instance, what if a candidate carried the precinct of their residence but lost the election? While that was the rules of this year's election, clearly the will of the

people in that precinct would not have been served. The following law should be enacted before the next election:

- a. Candidates for Commissioner must live in their voting districts according to the residency laws in 2b, will be elected only by those registered voters in that voting district, and will serve that district.
6. This year, three candidates ran as 'associates'. While there is seemingly nothing wrong with that, a legal decision must be rendered as to whether this constitutes an ad hoc party affiliation which is clearly a violation of the non-partisan nature of our City elections. The results of that decision may make certain aspects of this year's election null and void but at least such a decision can avoid a re-occurrence in future elections.

Some of these changes may require changes in either the county and/or state election laws. If so, an effort should be made by our commission to have these changes implemented. In the past, our city has led the way. Perhaps they can do so again.

We, the individuals who prepared this document would like the committee to discuss the various items and then vote to advise the Commission to seek changes in the election procedures that take place in Sunny Isles Beach.

Sincerely,

<u>Harvey Busch</u>	Norman Peselev
<u>Tony LoCastro</u>	Dennis Stubbolo
<u>Bob Welsh</u>	David Gartner