



GREATER NAPLES FIRE RESCUE DISTRICT
BOARD OF FIRE COMMISSIONERS
Action Item Worksheet

NEW BUSINESS

Agenda Item: III. A.
Subject: Districtwide Election Seats
Meeting Date: August 14, 2024
Prepared By: Chris Wolfe, Fire Chief

Background

In 2021, the Board unanimously approved the District taking a local bill to the Local Delegation that would make all District seats at-large. The Board then decided not to move the bill forward. The current Board is desirous to make all Board seats at-large. In 2021, District Attorney Laura Donaldson drafted a bill as outlined below.

- The local bill revised the Greater Naples Fire Rescue District’s (“District”) charter related to the election of its Board of Fire Commissioners.
- The local bill revised the District’s election scheme to provide that all commissioners are elected districtwide.
 - *Currently, two commissioners are elected from the Golden Gate Division, two commissioners are elected from the East Naples Division, and one commissioner is elected districtwide in an at-large seat. (Section 4.02 of Article IV of Section 4 of Chapter 2014-240, Laws of Florida)*
- Due to the continued growth in acreage of one division as a result of the district’s boundaries expanding four times since 2014 and new development (the South Division), revising how the commissioners are elected will ensure equity among electors districtwide in future elections.
- The new election scheme ensures that the equal protection concept of “one-person-one vote” is applicable within the District and that one voter’s vote does not have greater weight than another voter.
 - *The U.S. Supreme Court ruled in Reynolds v. Sims, 377 U.S. 533 (1964), that one person’s voting power ought to be roughly equivalent to another person’s within the same state under the Equal Protection Clause found in the Fourteenth Amendment of the U.S. Constitution.*
 - *Notwithstanding, the U.S. Supreme Court has upheld the constitutionality of a statutory scheme that restricted the right to vote to district landowners and weighted the vote according to the value of the land in Salyer Land Co. v. Tulare Lake Basin Water Storage District, 410 U.S. 719 (1973) and Ball v. James, 451 U.S. 355 (1981).*
 - *It is unclear whether the District’s reason for not having districtwide elections would be upheld under the narrow purpose and disproportionate effect criteria utilized in Ball v. James.*
 - *The local bill will ensure that there is no legal question regarding the validity of the District’s election scheme.*



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- The local bill removed obsolete language related to the District's initial governing board composition following the merger of the East Naples and Golden Gate Fire Control and Rescue Districts.

Funding Source/Financial Impact

N/A

Recommendation

It is recommended to authorize Laura Donaldson to create a local bill revising the District's charter as outlined in the AIW, and take all actions necessary to seek approval from the Collier County Legislative Delegation and passage by the Florida Legislature.

Potential Motion

I move to authorize Laura Donaldson to create a local bill revising the District's charter as outlined in the AIW, and take all actions necessary to seek approval from the Collier County Legislative Delegation and passage by the Florida Legislature.

Attachments

1. Supervisor of Elections Clarification Letter March 12, 2020
2. Email Correspondence July 1, 2021



**GREATER NAPLES FIRE RESCUE DISTRICT
ADMINISTRATIVE HEADQUARTERS**

14575 Collier Boulevard • Naples, FL 34119

Phone: (239)348-7540 Fax: (239)348-7546

Kingman Schuldt, Fire Chief

March 12, 2020

Melissa Blazier, Chief Deputy Supervisor of Elections
Collier County Supervisor of Elections
3750 Enterprise Ave.
Naples, FL 34104

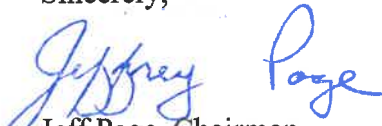
Dear Ms. Blazier,

The Greater Naples Fire Rescue District Board of Fire Commissioners took action to clarify the language in the District's enabling act regarding the Commission Seats at their March 10, 2020 meeting. The Board agreed to the following:

- Seats 1 and 2 will remain East Naples Division designated seats and only East Naples residents will vote for these seats.
- Seats 4 and 5 shall remain Golden Gate Division designated seats and only Golden Gate residents will vote for these seats.
- Seat 3 shall remain designated at-large and all Greater Naples Fire Rescue District residents will vote for this seat.
- Any elector living in the Greater Naples Fire Rescue District may run for any of the five seats.

Thank you for your patience and diligence to ensure the integrity of the Commission Seat election process for the District. Please let me know if you need any additional information or clarification regarding candidate qualifying for the Greater Naples Fire Rescue District.

Sincerely,


Jeff Page, Chairman

cc: GNFD Board of Fire Commissioners

JP/nc

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Board of Fire Commissioners

Charlie Cottiers, Kevin Gerrity, Tom Henning, Jeff Page, Dave Stedman

BlazierMelissa

From: BlazierMelissa
Sent: Thursday, July 1, 2021 9:29 AM
To: BlazierMelissa; CarpenterDave
Subject: FW: GNFD Questions

FYI

Melissa Blazier, CERA, MFCEP
Chief Deputy Supervisor of Elections

Jennifer J Edwards
Supervisor of Elections
Rev Dr Martin Luther King Jr Building
3750 Enterprise Ave
Naples FL 34104
239-252-8333
FAX 239-252-8934

Our website has changed to: www.CollierVotes.gov

My email address has recently changed to: Melissa.Blazier@CollierVotes.gov Please make updates as necessary.

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From: Kingman Schuldt <kschuldt@gnfire.org>
Sent: Friday, March 6, 2020 11:42 AM
To: BlazierMelissa <Melissa.Blazier@colliercountyfl.gov>
Subject: RE: GNFD Questions

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Thanks you

Kingman D. Schuldt | Fire Chief
Greater Naples Fire Rescue District
14575 Collier Blvd.
Naples, FL 34119
(239) 348-7540
www.GreaterNaplesFire.org

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From: BlazierMelissa
Sent: Friday, March 06, 2020 11:41 AM
To: Kingman Schuldt
Cc: Tara Bishop ; BlazierMelissa
Subject: FW: GNFD Questions

Good morning,
Jennifer asked that I resend this email to you all. Let me know if you need anything else. Thanks, Melissa

Melissa Blazier, CERA, MFCEP
Chief Deputy Supervisor of Elections

Jennifer J Edwards
Supervisor of Elections
Rev Dr Martin Luther King Jr Building
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Naples FL 34104
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From: Kingman Schuldt <kschuldt@gnfire.org>
Sent: Tuesday, December 3, 2019 1:38 PM
To: BlazierMelissa <Melissa.Blazier@colliercountyfl.gov>
Cc: Tara Bishop <tbishop@gnfire.org>
Subject: RE: GNFD Questions

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Melisa,

Thank you for bringing your questions to our attention. We will initiate staff analysis and communicate with our Board for input. We (Director Bishop most likely) will be in touch.

Kingman D. Schuldt | Fire Chief
Greater Naples Fire Rescue District
14575 Collier Blvd.
Naples, FL 34119
(239) 348-7540
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From: BlazierMelissa
Sent: Tuesday, December 03, 2019 12:16 PM
To: Kingman Schuldt
Cc: BlazierMelissa ; EdwardsJennifer ; CarpenterDave
Subject: GNFD Questions

Chief Schuldt,

In order for our office to provide quality service to potential GNFD commission candidates, we have the following questions that will need to be addressed by the GNFD prior to 2020 candidate qualifying.

Section 4.02 states that . . . The foregoing provisions establish, after the November 2018 election, a board having five commissioners with 4-year staggered terms. Seats 1 and 2 shall be elected as at-large seats for the East Naples Division. Seats 4 and 5 shall be elected as at-large seats for the Golden Gate Division. Seat 3 shall be elected as an at-large seat for the district as a whole. Therefore, going forward, are all five commissioners elected at-large **or** are the commissioners in seats 1 and 2 elected by the electors residing within the East Naples Division, seats 4 and 5 elected by the electors residing within the Golden Gate Division and seat 3 elected by the electors residing within the entire district?

Section 4.03 states that . . . In accordance with chapter 191, Florida Statutes, each member of the board must be a qualified elector at the time he or she qualifies and continually throughout his or her term. We need guidance as it relates to residency requirements for each commission seat. If the commissioners in seats 1, 2, 4 and 5 are in fact elected by the electors residing within those specific divisions then are the candidates running for those division specific seats required to reside within the divisions? If so, what are the specific residency requirements if any?

The official candidate qualifying period begins at noon on June 8, 2020 and ends at noon on June 12, 2020 and therefore, we'll need these questions answered during the first quarter of 2020, well in advance of candidate qualifying.

If you have any questions, please feel free to contact me directly and we look forward to your response.
Thanks, Melissa

Melissa Blazier, CERA, MFCEP
Chief Deputy Supervisor of Elections

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