Legislative # 210370

1	RESOLUTION NO. 210370		
2 3 4 5 6 7 8 9	A resolution of the City Commission of the City of Gainesville, Florida, instructing the Mayor to issue a proclamation calling a special election to be held on Tuesday, November 16, 2021 to elect a City Commissioner (At-Large B) due to a vacancy created by resignation; establishing the qualifying dates for the special election; providing directions to the City Clerk; and providing an effective date.		
10 11	WHEREAS, at a Special Meeting of the City Commission held on August 23, 2021, Commissioner		
12	Gail Johnson announced her intention to resign from the office of City Commissioner (At-Large B);		
13	and		
14	WHEREAS, on September 2, 2021, Commissioner Gail Johnson filed a written irrevocable		
15	resignation with the City Clerk establishing a vacancy date of October 2, 2021; and		
16	WHEREAS, this resignation creates a vacancy in the Commissioner (At-Large B) office the term of		
17	which ends when a successor in office is elected and qualified after the regular election in 2024;		
18	and		
19	WHEREAS, 2.04(4)(b) of the City Charter states "Vacancies in office shall be filled in one of the		
20	following ways: (a) If less than 6 months remain in the unexpired term or until the next regular		
21	election, the commission by a majority vote of the remaining members shall choose and		
22	appoint a successor, who is otherwise eligible under section 2.03 of this act, to serve until a		
23	newly elected commissioner is qualified. (b) If more than 6 months remain in the unexpired		
24	term and a general election is not scheduled within 6 months, the commission shall fill the		
25	vacancy by a special election to be held not more than 60 days after the occurrence of the		
26	vacancy; and		
27	WHEREAS, in accordance with the City Charter, a Special Election must now be held no later		
28	than December 1, 2021; and		

WHEREAS, the City Commission discussed this Special Election at its Regular Meeting on
 September 2, 2021 and approved certain dates for qualifying, early voting, the election and a
 run-off election, if necessary; and

WHEREAS, Sections 9-4 and 9-5 of the Code of Ordinances of the City of Gainesville provide that special elections shall be ordered by a resolution of the City Commission instructing the Mayor to issue a proclamation calling the special election, with such proclamation published in a newspaper of general circulation at least 30 days prior to the special election.

8 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, 9 FLORIDA:

SECTION 1. The Mayor of the City of Gainesville, Florida, shall issue a proclamation calling a special election on Tuesday, November 16, 2021, to allow the registered electors of the City of Gainesville to vote to elect a City Commissioner (At-Large B) to serve for a term of office ending when a successor in office is elected and qualified after the regular election held in 2024.

14 **SECTION 2.** Any person who meets the eligibility requirements described in Article II of the 15 Charter may become a candidate for the office of City Commissioner (At-Large B) by filing the 16 necessary qualifying papers as provided in Florida Statutes with the Supervisor of Elections, at 17 any time after noon on Monday, September 20, 2021, but not later than noon on Friday, 18 September 24, 2021. Provided, however, as a condition precedent to having their name printed 19 on the ballot for the Special Election such person shall pay to the Supervisor of Elections the 20 election assessment imposed by Section 99.093(1), Florida Statutes, or be exempted from such 21 payment of assessment pursuant to the provisions of Section 99.093(2), Florida Statutes. Any 22 person who is seeking election as a write-in candidate shall not be required to pay a filing fee or 23 submit a petition. A write-in candidate shall not be entitled to have their name printed on any

1	ballot; however, space for their name	to be written in shall be provided on the ballot. No	
2	person may qualify as a write-in cand	lidate if the person has also otherwise qualified for	
3	nomination or election to such office.	All write-in candidates must submit their qualifying	
4	paperwork to the Supervisor of Elections	s by the end of the qualifying period set out above.	
5 6	SECTION 3 . The City Clerk is authorized to publish the proclamation and notice of the Specia		
7	Election as prescribed by law.		
8	SECTION 4. This resolution shall become effective immediately.		
9 10 11 12 13	PASS AND ADOPTED this 16 th day of Sep	tember, 2021.	
14		LAUREN POE	
15		MAYOR	
16			
17	Attest:	Approved as to form and legality:	
18 19			
20			
21			
22	OMICHELE D. GAINEY	NICOLLE M. SHALLEY	
23	CITY CLERK	CITY ATTORNEY	