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**RESOLUTION NO. 210370**

**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.**

**WHEREAS**, at a Special Meeting of the City Commission held on August 23, 2021, Commissioner Gail Johnson announced her intention to resign from the office of City Commissioner (At-Large B); and

**WHEREAS**, on September 2, 2021, Commissioner Gail Johnson filed a written irrevocable resignation with the City Clerk establishing a vacancy date of October 2, 2021; and

**WHEREAS**, this resignation creates a vacancy in the Commissioner (At-Large B) office the term of which ends when a successor in office is elected and qualified after the regular election in 2024; and

**WHEREAS**, 2.04(4)(b) of the City Charter states “Vacancies in office shall be filled in one of the following ways: (a) If less than 6 months remain in the unexpired term or until the next regular election, the commission by a majority vote of the remaining members shall choose and appoint a successor, who is otherwise eligible under section 2.03 of this act, to serve until a newly elected commissioner is qualified. (b) If more than 6 months remain in the unexpired term and a general election is not scheduled within 6 months, the commission shall fill the vacancy by a special election to be held not more than 60 days after the occurrence of the vacancy; and

**WHEREAS**, in accordance with the City Charter, a Special Election must now be held no later than December 1, 2021; and

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

4 **WHEREAS**, Sections 9-4 and 9-5 of the Code of Ordinances of the City of Gainesville provide  
5 that special elections shall be ordered by a resolution of the City Commission instructing the  
6 Mayor to issue a proclamation calling the special election, with such proclamation published in  
7 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:**

10 **SECTION 1.** The Mayor of the City of Gainesville, Florida, shall issue a proclamation calling a  
11 special election on Tuesday, November 16, 2021, to allow the registered electors of the City of  
12 Gainesville to vote to elect a City Commissioner (At-Large B) to serve for a term of office ending  
13 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

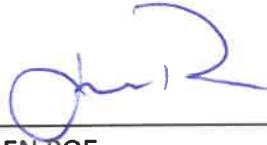
1 ballot; however, space for their name to be written in shall be provided on the ballot. No  
2 person may qualify as a write-in candidate if the person has also otherwise qualified for  
3 nomination or election to such office. All write-in candidates must submit their qualifying  
4 paperwork to the Supervisor of Elections by the end of the qualifying period set out above.

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6 **SECTION 3.** The City Clerk is authorized to publish the proclamation and notice of the Special  
7 Election as prescribed by law.

8 **SECTION 4.** This resolution shall become effective immediately.

9 **PASS AND ADOPTED** this 27<sup>th</sup> day of September, 2021.

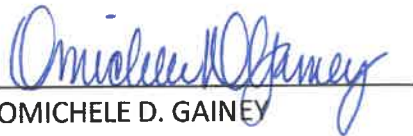
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LAUREN POE  
MAYOR

Attest:

Approved as to form and legality:



OMICHELE D. GAINES  
CITY CLERK



NICOLLE M. SHALLEY  
CITY ATTORNEY