

RESOLUTION NUMBER 06-20

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS  
BEACH, FLORIDA, CALLING FOR ELECTION; QUALIFYING, APPLICABLE LAW;  
POLLING PLACES, NOTICE; CANVASSING; DECLARATION  
AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, Article V of the Town Charter provides for the regular election of the members of council on the second Tuesday in March with a run-off election thereafter if no candidate receives a majority of votes for that office; and

WHEREAS, Town Ordinance 06-17 changed the date for the 2007 regular election for Council seats #1 and #2 to the first Tuesday in March, 2007 and the run-off, if any for the aforesaid seats to the first Tuesday in May, 2007, in accordance with Florida law.

IT IS HEREBY RESOLVED AS FOLLOWS:

Section 1. Calling for Election. There is hereby called an election in the Town of Fort Myers Beach, Florida, to be held the 13<sup>th</sup> day of March, 2007, for the purpose of having all of the qualified electors within the Town to determine the members of the council for seats #1 and #2. If no candidate receives a majority of votes for an individual seat, there shall be a runoff election for such seat(s) on May 1, 2007, in coordination with the Lee County Supervisor of Elections.

Section 2. Qualifying Period. The period of qualifying as a candidate for council seats #1 or #2 commences at noon on January 22, 2007 and ends at noon on January 26, 2007.

Section 3. Applicable Law. Said election shall be conducted according to the requirements of Florida law governing municipalities.

Section 4. Polling Places. The election shall be held at the precinct polling places heretofore designated by the Supervisor of Elections in Lee County, Florida. The polls shall be opened and closed as provided by law and the ballot shall contain the names of the candidates to be voted upon in said election.

Section 5. Notice. The publication of notice of election shall be in a newspaper of general circulation within the Town. First publication shall be at least 10 days prior to the qualifying period.

Section 6. Canvassing. The appropriate election officials shall canvass the ballots and certify same to the Lee County Supervisor of Elections. The Supervisor shall, in turn, certify the election results to the Town Council of the Town of Fort Myers Beach.

Section 7. Declaration. The Town Council shall declare the results thereof and such returns shall be recorded in the minutes of the first Town Council meeting after certification.

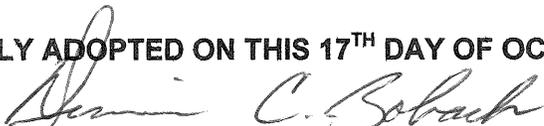
Section 8. Effective Date. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by Councilmember Meador and seconded by Vice Mayor Massucco, and upon being put to a vote, the result was as follows:

Dennis C. Boback, Mayor	aye
Don Massucco, Vice Mayor	aye
Charles Meador, Jr.	aye
Garr Reynolds	aye
William Shenko, Jr.	aye

**TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH**

**DULY ADOPTED ON THIS 17<sup>TH</sup> DAY OF OCTOBER, 2006.**

By: 

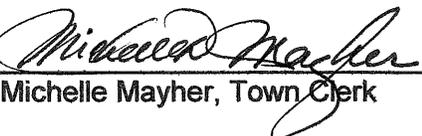
Dennis C. Boback, Mayor

Approved as to legal sufficiency:

ATTEST:

By: 

Anne Dalton, Esquire  
Town Attorney

By: 

Michelle Mayher, Town Clerk