

RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 05-24

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, CALLING FOR PRIMARY ELECTION AND, IF NECESSARY, A REGULAR ELECTION FOR SEAT THREE; APPLICABLE LAW; POLLING PLACES; NOTICE; CANDIDATES FOR **SEAT THREE**; CANVASSING; DECLARATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Fort Myers Beach, is incorporated under Chapter 95-494, Laws of Florida, which requires periodic elections for membership on the council.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:

Section 1. Calling for Primary Election. There is hereby called a primary election in the Town of Fort Myers Beach, to be held the 4<sup>th</sup> day of **October 2005**, for the purpose of having all of the qualified electors within the Town determine the member of the council for seat #3. The candidate for council seat #3 who receives a majority of votes cast in the primary election shall be elected. If no candidate for council seat #3 receives a majority of votes cast in the primary election, the two candidates receiving the most votes shall participate in the regular election as set forth in Section 2 below.

Section 2. Calling for Regular Election. There is hereby called a regular election in the Town of Fort Myers Beach, to be held the 8<sup>th</sup> day of **November 2005**, for the purpose of having all of the qualified electors within the Town determine the member of the council for seat 3, if necessary pursuant to Section 1 above.

Section 3. Applicable Law. Said primary and regular elections shall be conducted according to the requirements of law governing municipalities.

Section 4. Polling Places. The primary and regular elections 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 each such election.

Section 5. Notice. The publication of notice of primary and regular elections shall be in a newspaper of general circulation within the Town and first publication shall be at least 30 days prior to the election. The publication shall be made at least twice; once in the fifth week and once in the third week prior to the week in which the election is to be held.

Section 6. Candidates for **Seat Three (Primary Election)**. The names of the candidates who have qualified for Council member Seat #3, shall appear on the primary election ballot as follows:

**Council Member for Seat 3**

Dennis C. Boback  
Ray Murphy  
Howard Rynearson

Section 7. Candidates for **Seat Three (Regular Election if necessary)**. In the event that no candidate for Council member Seat #3 receives a majority of the votes cast, the names of the two candidates receiving the most votes shall appear on the general election ballot, alphabetically by surname.

Section 8. Canvassing. The appropriate election officials shall canvass the ballots and certify same to the Lee County Supervisor of Elections and the Supervisor shall in turn, certify the election results to the Town of Fort Myers Beach Council.

Section 9. Declaration. The Town Council shall declare the results thereof and such returns shall be recorded in the minutes of the Town Council at the first meeting after certification.

Section 10. Effective Date. This resolution shall take effect immediately upon its adoption by the Fort Myers Beach Town Council.

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

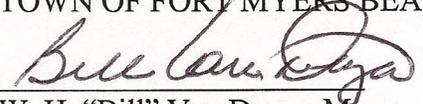
Howard Rynearson	<u>Aye</u>
Ken Katcko	<u>Absent</u>
Don Massucco	<u>Aye</u>
W. H. "Bill" Van Duzer	<u>Aye</u>
Garr Reynolds	<u>Aye</u>

APPROVED this 1st day of September, 2005.

ATTEST:

By:   
Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By:   
W. H. "Bill" Van Duzer, Mayor

Approved as to form by:

  
Anne Dalton, Town Attorney