

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: 2010-033

1. Requested Motion:

Move to adopt Resolution 10-11 certifying the results of the Town Election on March 9, 2010 for Council Seats One and Two and Determining Council Seat Assignments

Meeting Date:

March 15, 2010

Why the action is necessary:

This action follows the election requirements of the Town Charter.

What the action accomplishes:

This action effectuates the Town Election of March 9, 2010, as required by the Town Charter.

2. Agenda:

Consent
 Administrative

3. Requirement/Purpose:

Resolution
 Ordinance
 Other

4. Submitter of Information:

Council
 Town Staff
 Town Attorney

5. Background:

The Town Charter requires that the terms of Councilpersons are for a period of three (3) years, and that an election be held at the end of that three (3) year period for to determine the next Councilperson for that Council position. The Town held an election on March 9, 2010, to determine the new Councilpersons for seats one and two. This Resolution is required to formally seat those Councilpersons.

6. Alternative Action:

There is no alternative action which is compliant with the Town Charter.

7. Management Recommendations:

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director	Town Clerk
	AD/SM					

9. Council Action:

Approved Denied Deferred Other

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 10-11

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, CERTIFYING THE RESULTS OF THE TOWN ELECTION FOR SEATS ONE AND TWO; DETERMINATION OF SEAT ASSIGNMENTS; DECLARATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the State Constitution and Chapter 166 of the 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 empowers the Town Council to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town Charter requires periodic elections for membership on the council; and

WHEREAS, pursuant to the above authority, the Town Council of the Town of Fort Myers Beach, Florida called an election in the Town of Fort Myers Beach, which was duly held on the 9th day of March, 2010, for the purpose of having all of the qualified electors within the Town determine the members of the Town Council for seats #1 and #2.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH, FLORIDA:

Section 1. Certification of Results of Election. It is hereby certified that the appropriate election officials have canvassed the ballots and certified same to the Lee County Supervisor of Elections and the Supervisor has in turn, certified the election results to the Town Council of the Town of Fort Myers Beach, Florida.

Section 2. Candidates For Town Council The votes received by the candidates for Council member Seats 1 and 2 are as follows:

<u>NAME</u>	<u>NUMBER OF VOTES</u>	<u>PERCENTAGE</u>
LARRY KIKER	_____ Votes	_____ %
JOSEPH KOSINSKI	_____ Votes	_____ %
ALAN MANDEL	_____ Votes	_____ %

Section 3. Determination of Council Seat Assignments. In accordance with the provisions of Section 2 of Town Ordinance 07-06, assignment of open seat numbers to Councilmembers shall be alphabetically by incoming Councilmembers' last names.

Section 4. Declaration. The Town Council hereby declares _____ elected as Council member for **Seat #1**, and _____ elected as Councilmember for **Seat #2**.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach, Florida.

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

Larry Kiker, Mayor _____	Herb Acken, Vice Mayor _____
Bob Raymond _____	Tom Babcock _____
Jo List _____	

APPROVED THIS 15th DAY OF MARCH, 2010.

ATTEST:

TOWN OF FORT MYERS BEACH

By: _____
Michelle D. Mayher, Town Clerk

By: _____
Larry Kiker, Mayor

Approved as to form by:

Anne Dalton, Town Attorney