

RESOLUTION NO. 09-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA, AMENDING RESOLUTION 03-2023 ESTABLISHING PROCEDURES FOR FILLING VACANCIES ON THE CITY COUNCIL AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 3.07 of the City Charter provides that, in the event of a vacancy on the City Council, howsoever such vacancy may occur, the remaining members of City Council must fill such vacancy temporarily by majority vote; and

WHEREAS, neither the City Charter, nor the City's Code of Ordinances, nor any previous resolution of the City established procedures by which the filling of such a vacancy should occur; and;

WHEREAS, the City Council has had need to fill vacant Council seats in the past, recognizes that vacancies are likely to occur in the future, and consequently believes that an established procedure for the filling of vacancies is desirable and necessary; and

WHEREAS, on June 13, 2023, the City Council adopted Resolution 03-2023 to establish such procedures; and

WHEREAS, upon review, the City Council desires to amend Resolution 03-2023 as stated herein to clarify and improve such procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA, THAT RESOLUTION 03-2023 IS HEREBY AMENDED AS FOLLOWS:

Section 1. Upon the existence of a vacancy on City Council pursuant to City Charter § 3.07 or upon the City Council's acceptance of the written resignation of the Mayor or any member of the Council, the City Manager shall cause to be published on the City's Home website as well as on the City Council website along with a press release to the Seminole Beacon, a notification of such vacancy approved by the City Attorney. The notification shall invite persons interested in filling the vacancy to apply for appointment within fifteen (15) days of the notification.

Section 2. Persons interested in filling the vacancy shall be directed to submit a statement of interest and complete an application with the City Clerk on a form provided by the City for such purpose.

Section 3. The City Clerk shall confirm that applicants are qualified pursuant to the City Charter to hold the office in the event of appointment. If an applicant is not so qualified, he or she shall be informed of same and the application shall be removed from consideration by the Clerk.

Section 4. The applications of the qualified persons shall be provided to the remaining City Council members in the usual manner as part of the agenda package for the next regular business meeting of the Council.


Section 5. At such business meeting, the applicants shall be invited to make presentations not exceeding five (5) minutes to the City Council. Public comment shall be received by the City Council following all presentations.

Section 6. Following the presentations by the applicants and public comment, the City Council shall appoint a qualified applicant utilizing the same method by which the City Council annually appoints a vice mayor. Councilmembers shall vote for their preferred qualified applicant. If a qualified applicant receives a majority of votes, then such applicant shall be appointed to fill the vacancy. If no qualified applicant receives a majority of votes upon the first vote, then the City Council shall continue to vote until a qualified applicant receives a majority of votes. The qualified applicant first receiving a majority of the votes shall be appointed to fill the vacancy. It is the intention of the City Council that these proceedings be entirely compliant with Chapter 286, Fla Stat., and no secret ballots or other voting mechanisms which are not fully transparent shall be permitted.


Section 7. Persons appointed to fill any vacancy are required to comply with any and all financial disclosure requirements.

Section 8. Persons appointed to fill a vacancy are not precluded from running for that or other City Council seats, subject to the provisions of Florida's "resign to run" law, § 99.012, Fla. Stat.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA, THIS 25 DAY OF September, 2023.


Leslie Waters, Mayor

ATTEST:


Ann Marie Mancuso, CMC
City Clerk

Approved as to form:

Jay Daigneault, City Attorney

