Introduced by the Council President Newby:

RESOLUTION 2022-428

A RESOLUTION CONCERNING THE DISTRICT 9 COUNCIL MEMBER VACANCY; PROVIDING FOR A SPECIAL ELECTION THAT SHALL BE HELD PURSUANT TO SECTION 5.06, *CHARTER*, TO FILL SAID VACANCY; PROVIDING FOR A QUALIFYING PERIOD FROM 12:00 P.M. ON MONDAY, JUNE 13, 2022 THROUGH 12:00 P.M. FRIDAY, JUNE 17, 2022, FOR A FIRST ELECTION TO BE HELD ON TUESDAY, AUGUST 23, 2022, AND FOR A GENERAL ELECTION, IF NECESSARY, TO BE HELD ON TUESDAY, NOVEMBER 8, 2022; PROVIDING FOR THE ESTABLISHMENT OF A QUALIFYING BY PETITION DEADLINE; REQUESTING EMERGENCY PASSAGE UPON INTRODUCTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Council Member for District 9 has submitted a letter of resignation pursuant to section 99.012(3)(d), *Florida Statutes*, to run for an elected position in the Florida Legislature; and

WHEREAS, the effective date of the resignation was designated as being the earlier of either the date he would take office in the Florida Legislature, if elected, or the date his District 9 successor would take office; and

WHEREAS, pursuant to section 99.012(3)(d), *Florida Statutes*, the resignation is irrevocable, creating a vacancy in the District 9 Council seat as of the resignation effective date; and

WHEREAS, Section 5.06 of the Charter of the City of Jacksonville provides that upon a vacancy occurring under these circumstances, a

special election may be called by resolution of the Council; and

WHEREAS, because of such vacancy and the benefits attributed to the constituents and citizens of District 9 by having a district Council Member represent their interests, economy of resources can best be achieved if the Council makes simultaneous provisions for the special election of the District 9 seat in conjunction with the State-wide, multi-county, County and District offices primary election set for Tuesday, August 23, 2022 and general election on Tuesday, November 8, 2022; now therefore

BE IT RESOLVED by the Council of the City of Jacksonville:

Section 1. Special Elections Called – District 9 Council Seat; Qualifying Period, First Election and General Election Provided for. The Council hereby declares the vacancy in the District 9 seat of the City Council as the result of the resignation of Council Member Dennis effective the earlier of either the date he would take office in the Florida Legislature, if elected, or the date his District 9 successor would take office; that a Special First Consolidated Government Election in accordance with the provisions of Section 5.06, *Charter of the City of Jacksonville,* will be held on **Tuesday, August 23, 2022,** for the purpose of electing the District 9 Council Member for such vacated Office, to serve the unexpired term of the previous District 9 Council Member. If no candidate receives a majority of the votes of the Special First Election, then, in that event, the two candidates with the highest vote totals in the Special First Election shall participate in a Special General Election to be held on **Tuesday, November 8, 2022.** In the event more than one candidate receives the second highest vote total, then each such candidates' name, as well as the name of the candidate with the highest vote total, shall be on the ballot for the Special General Election. The qualifying period for candidates to be voted upon in the Special First Election hereby called shall begin at **12:00 p.m.**

on Monday, June 13, 2022, and close at **12:00 p.m. on Friday, June 17, 2022.**

Section 2. Establishing the Candidate Qualifying by Petition Deadline. For those candidates seeking to qualify for this special election for the District 9 City Council seat via the voter petition process, the Council hereby establishes the candidate qualifying by petition deadline to be **12:00 p.m. on Friday, June 3, 2022.**

Section 3. Requesting Emergency Passage Pursuant to Council Rule 4.901 Emergency. Emergency passage of this legislation upon introduction is requested. The nature of the emergency is that a vacancy has been created in the Office of the District 9 City Council seat and time is needed for a qualifying period and to establish the candidates to be included on the printed August ballot, as well as sufficient time to afford the Duval County Supervisor of Elections the opportunity to properly assess petitions and meet the ballot printing deadlines.

Section 4. Effective Date. This Resolution shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared by: Mary E. Staffopoulos

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