

RESOLUTION NO. 551-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, CALLING FOR A GENERAL ELECTION TO BE HELD ON SEPTEMBER 22, 2009 FOR DISTRICTS 4, 5 AND AT-LARGE COUNCIL MEMBER POSITION (FORMERLY SEAT 6), AND, IF NECESSARY, A RUN-OFF ELECTION TO BE HELD ~~SEPTEMBER 22, 2009~~ AND NOVEMBER 3, 2009 RESPECTIVELY; LISTING THE QUALIFYING PERIOD DURING WHICH PERSONS MAY FILE FOR SAID ELECTIONS; OFFICIALLY NOTIFYING THE SUPERVISOR OF ELECTIONS OF SAID DATES; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

Amended on floor 7/14/09

WHEREAS, Section 4.05 of the City Charter, "NOTICE OF ELECTION" provides that the Council shall, by Resolution, provide official notice to the Supervisor of Elections at least forty-five days prior to any regular or special election; and

WHEREAS, the City of Orange City has scheduled a general election and a run-off election, if necessary, on September 22, 2009 and November 3, 2009 respectively, to fill the expiring Seats for Districts 4 and 5 and the At-Large Council Member position (formerly Seat 6); and

WHEREAS, the City Charter, as amended on February 26, 2009, begins a transition to election by Districts with the 2009 municipal Council elections; and

WHEREAS, in accordance with the revised City Charter, candidates for the seats for Districts 4 and 5 must fulfill all charter requirements, including residency, for qualification to be placed on the ballot.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:

SECTION 1. That the City Council of the City of Orange City shall hold a General Election on Tuesday, September 22, 2009 for election to the seats for Districts 4 and 5 and the At-Large Council Member position (formerly Seat 6).

SECTION 2. If no candidate for any one race on the ballot receives a majority vote in the General Election, a Runoff Election will be held for that Seat on November 3, 2009.

SECTION 3. That the time for qualifying for each of the elected positions listed above shall be from 9:00 a.m. on Monday, August 10, 2009 through 12:00 Noon,

Thursday, August 20, 2009. Qualifying papers will be accepted in the office of the City Clerk during this time period.

SECTION 4. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5. In accordance with Section 4.05 of the City Charter (Notice of Election), the City Clerk shall send a copy of this Resolution to the Supervisor of Elections, Volusia County, Florida, as notice of the elections set forth herein.

SECTION 6. That this Resolution shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS:

Jim Mahoney	<u>Absent</u>	Donald C. Sherrill	<u>yes</u>
Paul Rasch	<u>yes</u>	Tom Abraham	<u>yes</u>
Tom Laputka	<u>yes</u>	Jeff H. Allebach, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

ADOPTED THIS 14th DAY OF July, 2009.

ATTEST:

Deborah J. Renner
Deborah J. Renner, CMC, City Clerk

AUTHENTICATED:

Harley Strickland
Harley Strickland, Mayor

Approved as to form and legal sufficiency:

W. E. Reischmann
W. E. Reischmann, City Attorney