

## MEMORANDUM

**TO:** Mayor & Council Members  
**FROM:** Debbie Renner, City Clerk  
**DATE:** July 14, 2009  
**SUBJECT:** 2009 Municipal Elections

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### PURPOSE

To present Resolution No. 551-09, calling for the 2009 municipal elections for your consideration.

### BACKGROUND

As you are aware, the revised City Charter adopted February 26, 2009 provides for the first time for election of City Council members by District. The change to district representation is to be phased in over the 2009 and 2011 election cycles. The seats/districts up for election in 2009 are Districts 4 and 5 and At-Large Seat 6.

The Charter requires that the City Council formally notify the Supervisor of Elections, by Resolution, of the upcoming Election dates.

One final change affecting elections this year is the switch from holding primary and general elections to a system of a general election followed by a run-off if necessary. The date for the 2009 General election is September 22<sup>nd</sup> followed by a Run-off on November 3<sup>rd</sup> if a clear winner is not decided in the General election.

The qualifying period for both elections is from 9:00 a.m. on August 10<sup>th</sup> to 12:00, noon on August 20<sup>th</sup>.

**RESOLUTION NO. 551-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, CALLING FOR A GENERAL ELECTION FOR DISTRICTS 4, 5 AND AT-LARGE COUNCIL MEMBER POSITION (FORMERLY SEAT 6), AND A RUN-OFF ELECTION IF NECESSARY 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.**

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**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	_____	Donald C. Sherrill	_____
Paul Rasch	_____	Tom Abraham	_____
Tom Laputka	_____	Jeff H. Allebach, Vice Mayor	_____
Harley Strickland, Mayor	_____		

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.**

**ATTEST:**

**AUTHENTICATED:**

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

\_\_\_\_\_  
Harley Strickland, Mayor

Approved as to form and legal sufficiency:

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W. E. Reischmann, City Attorney