

RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 07-08

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, PROVIDING NOTICE OF QUALIFICATION OF CANDIDATES FOR SEATS ONE AND TWO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, 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 of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, Article V of the Town Charter provides for the regular election of the members of council on the second Tuesday in March with a run-off election thereafter if no candidate receives a majority of votes for that office; and

WHEREAS, Florida Statute 100.3605 provides that the governing body of a municipality may, by ordinance, change the date for election of members of the governing body of the Town and provide for orderly transition of office resulting from such date changes; and

WHEREAS, Town Ordinance 06-17 provides that the 2007 regular election for Town Council seats #1 and #2 will be held on the second Tuesday in March, 2007, for the reasons set forth in said Ordinance; and

WHEREAS, the Town Clerk has certified that two (2) candidates have qualified for Council member seat #1 and two (2) candidates have qualified for Councilmember seat #2 for the election to be held in March, 2007.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. Candidates for **Seat One**. The names of the candidates who have qualified for Council member Seat # 1, shall appear on the ballot as follows:

**Council Member for Seat 1**

Herbert Arthur Acken  
Patricia (Pat) Smith

Section 2. Candidates for **Seat Two** The names of the candidates who have qualified for Council member Seat #2, shall appear on the ballot as follows:

**Council Member for Seat 2**

Larry Kiker  
Garr Reynolds

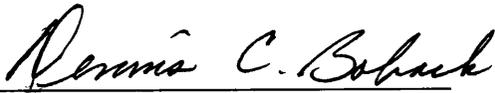
Section 3. Effective Date. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach, Florida.

The foregoing Resolution was adopted by the Town Council upon a motion by Councilmember Shenko and seconded by Councilmember Reynolds, and upon being put to a vote, the result was as follows:

Dennis C. Boback, Mayor	aye
Don Massucco, Vice Mayor	aye
Charles Meador, Jr.	aye
Garr Reynolds	aye
William Shenko, Jr.	aye

DULY PASSED AND ADOPTED this 5<sup>th</sup> day of February, 2007.

**TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH**

By:   
Dennis C. Boback, Mayor

Approved as to legal sufficiency:

ATTEST:

By:   
Anne Dalton, Esquire  
Town Attorney

By:   
Michelle D. Mayher, Town Clerk