



# City of Daytona Beach Shores

*"Life is Better Here"*

*"A Premier, Friendly Place to Be"*

## AGENDA

### CITY COMMISSION MEETING

APRIL 22, 2025

**11:30 AM, Shores Community Center, 3000 Bellemead Drive  
Daytona Beach Shores, FL 32118**

Upon being recognized, a member of the public shall proceed to the podium and give his or her name and address and may, thereafter, speak for a maximum of three minutes on any matter relevant to a specific agenda item. During "Audience Comments," a member of the public may speak on any matter relevant to City business which is not on the agenda, for a maximum of three minutes in accordance with Section 2-1.1(d) and 2-2 of the City Code. In accordance with Section 2-2, during periods set aside for public discussion any person desiring to speak shall secure a form located at the agenda table, complete the form and present it to the City Clerk so the speaker can be recognized by the presiding officer. The use of profanity, obscene language, threats or any violent or abusive conduct by any person shall constitute a violation of this section. It shall be the duty of the Director of Public Safety, upon the order of the presiding officer at any such meeting, to forcibly, if necessary, evict any person violating the provisions of this section from the Commission Chambers. Any such violation shall subject the offender, upon conviction thereof, to a fine and/or imprisonment as prescribed by Section 1-8.

**1. CALL TO ORDER BY MAYOR**

**2. ROLL CALL BY CITY CLERK**

**3. OLD BUSINESS:**

A. Ordinance 2025-06 Elections to Replace Commission Member for Vacated Seat

**4. NEW BUSINESS:**

A. Appointment to Seat 3 of the City Commission to fill the Vacancy

**5. ADJOURNMENT:**

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED.

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF DAYTONA BEACH SHORES, 2990 S. ATLANTIC AVENUE, DAYTONA BEACH SHORES, FLORIDA 32118, TELEPHONE NUMBER 386-7635364, CSCHWAB@CITYOFDBS.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 711 or 1 8009558771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.



**CITY COMMISSION AGENDA MEMORANDUM  
APRIL 22, 2025 AGENDA**

**TO:** Honorable Mayor and Members of the City Commission

**FROM:** Becky Vose, City Attorney

**PREPARED BY:** Cheri Schwab, City Clerk

**SUBJECT:** Ordinance 2025-06 Elections to Replace Commission Member for Vacated Seat

**SYNOPSIS:**

This is an ordinance that amends the City Charter, as specifically allowed by Florida law, relating to elections to fill open positions on city commission.

**FISCAL IMPACT STATEMENT:**

**BACKGROUND:**

After evaluation by City staff as to the prudent expenditure of public funds, the importance of clarity concerning election dates and the processes giving rise thereto, the City Commission's transition to holding one regular meeting per month, and the needs of the City as well as the general requirements pertaining to the administration and implementation of elections have resulted in the conclusion that it would be beneficial and in the public interest to amend the provisions of the City Charter relative to changing the dates for qualifying and for the election of members of the City Commission when vacancies occur and providing for the orderly transition of office resulting from such changes. This same City Charter provision had previously (in 2015) been amended by ordinance.

**LEGAL REVIEW:**

The City Attorney recommends approval of the Ordinance.

**RECOMMENDATION:**

**SUGGESTED MOTION:**

I move to approve/not approve Ordinance No. 2025-06 on first reading.

**ATTACHMENT:** 1. Ordinance 2025-06 Elections to replace vacated seat

2. ord 2025-06 Business Impact Statement - Change in charter - election issue

ORDINANCE 2025-06

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO THE DATES OF THE ELECTIONS TO REPLACE A COMMISSION MEMBER FOR A VACATED CITY COMMISSION SEAT; PROVIDING FOR AN AMENDMENT TO THE *CITY OF DAYTONA BEACH SHORES CITY CHARTER* WITH REGARD TO THE FILLING OF VACANCIES IN OFFICE AND ESTABLISHING ELECTION DATES; PROVIDING FOR LEGISLATIVE AND ADMINISTRATIVE FINDINGS; REVISING THE TIMING OF INTERIM APPOINTMENTS OF CITY COMMISSION MEMBERS TO PROVIDE FOR THE ORDERLY TRANSITION OF OFFICE; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS AND RESPONSIBILITY FOR IMPLEMENTATION; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the provisions of Florida law and the provisions of the *City of Daytona Beach Shores City Charter*<sup>i</sup> regulate the electoral processes of the City of Daytona Beach Shores relative to City elections; and

WHEREAS, Section 100.3605, *Florida Statutes*, relates to the conduct of municipal elections and provides as follows:

(1) The Florida Election Code, chapters 97-106, shall govern the conduct of a municipality's election in the absence of an applicable special act, charter, or ordinance provision. No charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.

(2) **The governing body of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes.** (Emphasis added).

; and

WHEREAS, the *City of Daytona Beach Shores City Charter* provides as follows with regard to vacations of office and the election process that relates to the replacement of Commission Members who have vacated their office:

**Sec. 2.05. - Filling of vacancies.**

The unexpired term of a vacated seat of a Commissioner or the Mayor shall be filled at the next Municipal General Election to be held by the Volusia County Supervisor of Elections when held in odd years or the next State General Election to be held in November of even years.

For the interim period until the General Election at which a vacancy in the office of a Commissioner or a Mayor, vacancies in the office of Commissioner or a Mayor shall be filled within thirty (30) days by the appointment of a successor by the majority vote of the remaining members of the City Commission. If the majority of the remaining members of the City Commission fail to fill the vacancy through appointment within the thirty-day period, a special election to fill the vacancy shall be called and held in a manner coordinated by the City Clerk with the Supervisor of Election and adopted by resolution of the City Commission.

Should the City Commission fail to provide for an election within the time required by this Charter, such election may be ordered by any court of competent jurisdiction.

The qualifying for candidates for a special election to fill a vacancy shall be the same as provided for regular elections in this Charter.

Any successor who fills a vacancy, whether by appointment or election, must have and possess all of the qualifications established by this Charter for the office being filled.

; and

**WHEREAS**, evaluation by City staff as to the prudent expenditure of public funds, the importance of clarity concerning election dates and the processes giving rise thereto, the City Commission's transition to holding one regular meeting per month, and the needs of the City as well as the general requirements pertaining to the administration and implementation of elections have resulted in the conclusion that it would be beneficial and in the public interest to amend the provisions of the *City of Daytona Beach Shores City Charter* relative to changing the dates for qualifying and for the election of members of the governing body of the City (the City Commission) when vacancies occur and providing for the orderly transition of office resulting from such changes; and

**WHEREAS**, the provisions of Section 166.021 (4), *Florida Statutes*, provide as follows:

The provisions of this section shall be so construed as to secure for municipalities the broad exercise of home rule powers granted by the constitution. It is the further intent of the Legislature to extend to municipalities the exercise of powers for municipal governmental, corporate, or proprietary purposes not expressly prohibited by the constitution, general or special law, or county charter

and to remove any limitations, judicially imposed or otherwise, on the exercise of home rule powers other than those so expressly prohibited. However, nothing in this act shall be construed to permit any changes in a special law or municipal charter which affect the exercise of extraterritorial powers or which affect an area which includes lands within and without a municipality or any changes in a special law or municipal charter which affect the creation or existence of a municipality, the terms of elected officers and the manner of their election **except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates**, the distribution of powers among elected officers, matters prescribed by the charter relating to appointive boards, any change in the form of government, or any rights of municipal employees, without approval by referendum of the electors as provided in s. 166.031. Any other limitation of power upon any municipality contained in any municipal charter enacted or adopted prior to July 1, 1973, is hereby nullified and repealed." (**Emphasis** added).

; and

**WHEREAS**, the aforesaid provisions of statutory law were enacted into law in 1995 by the Florida Legislature by means of the passage of House Bill 2209 (Chapter 95-178, *Laws of Florida*); and

**WHEREAS**, House Bill 2209 (Chapter 95-178, *Laws of Florida*) was passed by the Florida House of Representatives by a vote of 118-0 and by the Florida Senate by virtue of a vote of 37-0 and, a review of the legislative history of the legislation, indicates that all committee votes on the legislation were unanimously in favor of the legislation; and

**WHEREAS**, a review of the legislative staff reports for House Bill 2209 (Chapter 95- 178, *Laws of Florida*) and its companion bill (Senate Bill 1720) results in the conclusion that numerous public policy arguments were advanced in favor of the legislation and that the bill was advanced in order to enhance the electoral processes of Florida municipalities ; and

**WHEREAS**, the Florida Attorney General has opined that the legislative changes to Section 100.3605(2), *Florida Statutes*, as enacted in 1995 by the passage of House Bill 2209 (Chapter 95-178, *Laws of Florida*), allow municipalities to amend their charters to change the election dates and qualifying periods for candidates including any changes in terms of offices necessitated by such amendment such as an extension of terms of office without a referendum election, see Attorney General Opinion 2000-61, dated October 6, 2000, issued to Mr. Frank Comparetto, Jr., City Attorney for the City of Mulberry; Attorney General Opinion 2003-52, dated November 3, 2003, issued to Mr. James C. Brady, on behalf of the Mayor and City Council of the City of Fort Lauderdale; and Attorney General Opinion 2007-34, dated July 24, 2007, issued to Mr. Robert D. Pritt, City Attorney for the City of Naples which legal authority was also noted in Attorney General Opinion 2008-38, dated July 23, 2008, issued to Ms. Maura J. Kiefer, City Attorney for the City of Indian Rocks Beach; Attorney General Opinion 2013-05, dated April 1, 2013, issued to Mr. Thomas J. Wohl, City Attorney for the City of Arcadia; and

**WHEREAS**, Article VIII Section 2(b) of the *Constitution of the State of Florida* states that municipalities shall have the governmental powers to enable them to conduct municipal government, perform municipal functions, render municipal services and exercise any power for municipal purposes except when expressly prohibited by law; and

**WHEREAS**, the City Commission of the City of Daytona Beach Shores desires that the elections of the City of Daytona Beach Shores be conducted in an atmosphere that provides the upmost stability in terms of when elections will occur and related matters; and

**WHEREAS**, this Ordinance is enacted pursuant to the home rule powers of the City of Daytona Beach Shores as set forth at Article VIII, Section 2, of the *Constitution of the State of Florida*; Chapter 100, *Florida Statutes*; Chapter 166, *Florida Statutes*, and other applicable controlling law; and

**WHEREAS**, the section of the *City of Daytona Beach Shores City Charter* amended by this Ordinance was previously amended by the adoption of Ordinance 2015-03.

**WHEREAS**, for purposes of this Ordinance, underlined type shall constitute additions to the original text, \*\*\* shall constitute ellipses to the original text and ~~strikethrough~~ shall constitute deletions to the original text.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA THAT:**

**SECTION ONE: LEGISLATIVE AND ADMINISTRATIVE FINDINGS AND INTENT.**

(a). The City Commission of the City of Daytona Beach Shores hereby adopts and incorporates into this Ordinance the recitals (whereas clauses) set forth herein as the legislative and administrative findings and intent of the City Commission.

(b). The City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

**SECTION TWO: AMENDMENT OF SECTION 2.05, CITY OF DAYTONA BEACH SHORES CITY CHARTER.** Section 2.05 of the *City of Daytona Beach Shores City Charter* is amended to read as follows (legislatively coded text):

**Sec. 2.05. – Filling of vacancies**

The unexpired term of a vacated seat of a Commissioner or the Mayor shall be filled at the next ~~Municipal General Election to be held by the Volusia County Supervisor of Elections when held in odd years or the next State General Election~~ to be held in November of even years.

For the interim period until the General Election at which a vacancy in the office of a Commissioner or a Mayor is to be filled, vacancies in the office of

Commissioner or a Mayor shall be filled, within ~~sixty (60)~~~~thirty (30)~~ days after the City Clerk provides written notice to the City Commission of the vacancy, by the appointment of a successor by the majority vote of the remaining members of the City Commission. If the majority of the remaining members of the City Commission fail to fill the vacancy through appointment within the ~~sixty-day~~~~thirty-day~~ period, a special election to fill the vacancy shall be called and held in a manner coordinated by the City Clerk with the Supervisor of Election and adopted by resolution of the City Commission.

Should the City Commission fail to provide for an election within the time required by this Charter, such election may be ordered by any court of competent jurisdiction.

The qualifying for candidates for a special election to fill a vacancy shall be the same as provided for regular elections in this Charter.

Any successor who fills a vacancy, whether by appointment or election, must have and possess all of the qualifications established by this Charter for the office being filled.

**SECTION THREE: IMPLEMENTING ADMINISTRATIVE ACTIONS.** The City Manager, City Clerk and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to bring into effect the provisions of this Ordinance as such officials may deem appropriate in their respective roles and functions under the *City of Daytona Beach Shores City Charter*.

**SECTION FOUR: SAVINGS; EFFECT OF ORDINANCE.** The prior actions of the City of Daytona Beach Shores in terms of the matters relating to *City of Daytona Beach Shores City Charter* amendments, the conduct of elections and actions of the electorate of the City of Daytona Beach Shores in the process of electing public officials, as well as any and all related matters and processes and procedures of the City pertaining thereto, are hereby ratified and affirmed.

**SECTION FIVE: CODIFICATION; SCRIVENER'S ERRORS.**

- (a). The provisions of this Ordinance shall not be codified except for Section Two.
- (b). The sections, divisions and provisions of this Ordinance may be renumbered or relettered as deemed appropriate by the Code codifier.
- (c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

**SECTION SIX: CONFLICTS.** All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION SEVEN: SEVERABILITY.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION EIGHT: EFFECTIVE DATE.** This Ordinance shall take effect immediately upon enactment.

**CITY OF DAYTONA BEACH SHORES, FLORIDA**

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**NANCY MILLER, MAYOR**

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**KURT SWARTZLANDER, CITY MANAGER    CHERI SCHWAB, CITY CLERK**

**Approved as to form and legality:**

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**GRETCHEN R. H. VOSE, CITY ATTORNEY**

**Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

**Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

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<sup>i</sup> The pertinent provisions of the City Charter relating to the normal City election cycles read as follow:

**Sec. 6.01. - State election law applicable.**

All general laws of Florida relating to elections and the registration of persons qualified to vote therein which are not in conflict with this charter shall be the same for the City of Daytona Beach Shores, [and] are hereby adopted as parts hereof.

**Sec. 6.02. - General election.**

There shall be a general municipal election in November 2010, and every two years thereafter. The general elections shall be established by the Florida Election Code as it may be amended from time to time. The candidate receiving the plurality of votes cast in the general election shall be declared elected.

**Sec. 6.03. - Nonpartisan elections.**

All qualifications and elections for the office of mayor or commissioner shall be conducted on a nonpartisan basis without regard for or designation of political party affiliations of any nominee on the ballot. Reference in general law to political parties and party primaries shall not be applicable in the elections of the mayor and members of the city commission.

**Sec. 6.04. - Procedure for filing as a candidate for mayor and commissioner.**

(a) A person meeting the qualifications of office provided in Section 2.02 of this charter and seeking to become a candidate for the office of mayor or commissioner may do so by filing a sworn qualification statement with the city clerk which shall state the following:

(1) The name and occupation of the person whose name is presented for a place on the election ballot; and the address of his or her place of residence in the city;

(2) That he or she is a candidate for the office of commissioner, designating the seat number of the position being sought, or that he or she is a candidate for the office of mayor for the city;

(3) That he or she is a qualified elector of the City of Daytona Beach Shores; and

(4) That he or she shall be willing to serve if elected.

(b) Such qualification statement shall be filed with the city clerk during the qualification period as defined by the charter in a form prescribed by the city clerk.

(c) No person shall be a candidate for mayor and commissioner at the same time, and no person shall occupy both offices at the same time.

**Sec. 6.05. - Uniform filing and election dates.**

(a) Any election relating to a municipal office shall be held in each even-numbered year as established by the Florida Election Code as stated in Section 6.02.

(1) Any other required or permitted municipal election shall be scheduled in accordance with law. However, the Supervisor of Elections, after consultation with the affected municipalities, may change any election date in order to avoid a conflict with a religious holiday.

(b) Candidates shall file such papers and pay such fees as may be required by law with the city clerk during normal business hours.

**Sec. 6.06. - Canvassing board.**

The city commission shall certify election results.

# Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Daytona Beach Shores has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Daytona Beach Shores may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

## Proposed ordinance’s title/reference:

**AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO THE DATES OF THE ELECTIONS TO REPLACE A COMMISSION MEMBER FOR A VACATED CITY COMMISSION SEAT; PROVIDING FOR AN AMENDMENT TO THE *CITY OF DAYTONA BEACH SHORES CITY CHARTER* WITH REGARD TO THE FILLING OF VACANCIES IN OFFICE AND ESTABLISHING ELECTION DATES; PROVIDING FOR LEGISLATIVE AND ADMINISTRATIVE FINDINGS; REVISING THE TIMING OF INTERIM APPOINTMENTS OF CITY COMMISSION MEMBERS TO PROVIDE FOR THE ORDERLY TRANSITION OF OFFICE; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS AND RESPONSIBILITY FOR IMPLEMENTATION; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

## Applicable Exemptions:

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
  - Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

**Business Impact Estimate:**

**The City of Daytona Beach Shores hereby publishes the following information:**

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

The Ordinance amends the Charter of the City of Daytona Beach Shores relating to the dates of the elections to replace a commission member for a vacated city commission seat. The purpose of the ordinance is to serve the public health, safety, morals and welfare of the city and its residents.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

This Ordinance has no direct compliance costs.

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

There are no new fees or charges associated with this Ordinance.

- (c) An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

There will be no regulatory costs associated with this Ordinance.

**3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

This Ordinance is unlikely to have an impact on businesses in the City of Daytona Beach Shores.

**4. Additional information the governing body determines may be useful (if any):**

None

***Note:** The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.*



**CITY COMMISSION AGENDA MEMORANDUM  
APRIL 22, 2025 AGENDA**

**TO:** Honorable Mayor and Members of the City Commission

**FROM:** Becky Vose, City Attorney

**PREPARED BY:** Cheri Schwab, City Clerk

**SUBJECT:** Appointment to Seat 3 of the City Commission to fill the Vacancy

**SYNOPSIS:**

Following current procedure, the City Commission will select someone to fill Seat 3 and serve until the next general election scheduled for November 2026.

**FISCAL IMPACT STATEMENT:**

**BACKGROUND:**

The city commission must fill the vacated Seat 3 within the designated time frame.

**LEGAL REVIEW:**

**RECOMMENDATION:**

**SUGGESTED MOTION:**

I move to appoint XX as City Commissioner to fill the vacant Seat 3 for the remainder of the term.

**ATTACHMENT:** None