

COUNCILOR VACANCY APPOINTMENT PROCESS RECOMMENDATION

I BACKGROUND:

On May 16, 2024, Councilor Greg Folley announced his resignation from the Marco Island City Council effective November 5, 2024 (Election Day) to run for the State Representative, District 81 position. Councilor Folley submitted a copy of his resignation to the City Clerk and a copy to the Governor.

Section 3.05(3) of the City Charter provides the following process for filling a council vacancy:

“If the remainder of the unexpired term is 28 months or less, the remaining Council Members shall, within sixty (60) days following the occurrence of such vacancy, by majority vote of the Council Members, appoint a person to fill the vacancy for the remainder of the unexpired term.”

Councilor Folley’s term would have expired November 2026. 24 months of Councilor Folley’s term is left vacant based on his November 5, 2024, resignation. A replacement member shall be appointed by the City Council within sixty (60) days following the occurrence of the vacancy which is no later than January 6, 2025.

II ELIGIBILITY FOR SERVING ON CITY COUNCIL

- Shall be a qualified elector of the City and must have been a resident of the City for at least one year
- Shall not have served on the City Council for more than eight years during his/her lifetime

III PROCESS RECOMENDATION

- Replicate the last utilized vacancy appointment process (2020 City Council Councilor Sam Young resignation):
 1. November 6 – 19th, 2024 Noon, applications will be accepted.
 - a. Utilizing an application process based on eligibility to generate a pool of candidates.
 - b. Applications will be available on the City Website or paper copies to be available at City Hall.
 - c. Announce the appointment opportunity via City’s social media press releases.
 - d. Application accepted by the City Clerk
 2. November 18, 2024 -- Regular scheduled City Council meeting:
 - a. The New City Council, (including the newly sworn in members), discuss and agree to the Appointment process.
 3. December 2, 2024 - Special called City Council meeting:
 - a. Applicants will be narrowed down to 2 finalists (by paper ballot voting). The Clerk will announce the results at this meeting.
 - b. Voting will occur, utilizing at a minimum two separate rounds. For each round, the winning candidate will have the majority vote. If there is a tie, voting will

continue until there is a majority vote. During each voting round, each Councilor will indicate their top candidate, the winning candidate will be removed from the candidate pool and the next voting round shall commence until there are two finalists.

4. December 3 – 5, 2024: Schedule individual appointments for each Councilor to interview each finalist over this 3-day period.
5. December 9, 2024-- Regular City Council meeting:
 - a. Invite the 2 finalists to make remarks and answer questions. After remarks period, Council to vote by paper ballot. The City Clerk announces the results at that meeting. A majority vote shall determine the next appointed Councilor. If there is a tie, voting will continue until there is a majority vote.
 - b. The newly appointed member to be sworn in during the December 9th Council meeting.

PROPOSED