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**RESOLUTION NO. 2020-06**

**A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, CALLING A SPECIAL ELECTION TO FILL VACANCY OF ONE COMMISSION SEAT; PROVIDE FOR POLLING LOCATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 2016, Tracy Truppman was elected to serve as an at-large member of the Village Commission of the Village of Biscayne Park, Florida (the "Village") for a four (4) year term commencing on November 2016 and ending in November 2020; and

**WHEREAS**, on February 04, 2020, the Village Manager received a written notice of resignation for this commission seat, effective immediately; and

**WHEREAS**, the Village Manager promptly notified the Village Commission of the resignation and vacancy; and

**WHEREAS**, more than six (6) months are remaining in this unexpired Commission term; and

**WHEREAS**, Section 2.05 of the Village Charter requires such a vacancy to be filled pursuant to a special election to occur within forty-five (45) days from the date from the date of said vacancy, or as soon as allowed by the Miami-Dade County Supervisor of Elections ("Miami-Dade SOE"), but in no case to exceed ninety (90) days; and

**WHEREAS**, Section 5.01 of the Village Charter, states that special elections, when required, shall be scheduled by the Commission at such times and in such manner as shall be consistent with the Village Charter; and

**WHEREAS**, Section 100.151, *Florida Statutes* requires the Village to first provide notice to the Miami-Dade SOE of the need to call a special election to obtain consent as to an election date prior to calling the special election; and

**WHEREAS**, the Village Clerk has notified the Miami-Dade SOE of the need to hold a special election to fill the current vacancy on the Village Commission; and

**WHEREAS**, the Miami-Dade SOE has provided the Village with a proposed tentative special election date of April 14, 2020; and

**WHEREAS**, Section 100.342, *Florida Statutes*, requires the Village to publish notice of the special election in a newspaper of general circulation within the Village at least twice, once in the fifth week and once in the third week prior to the week in which the special election is to be held; and

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:**

**Section 1.      Recitals.** The above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the Village Commission.

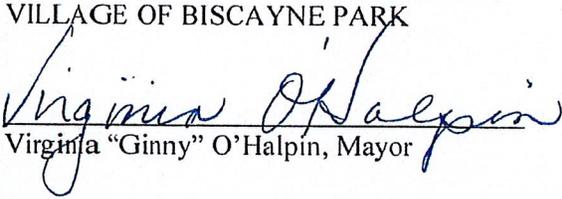


1 PASSED AND ADOPTED this 11<sup>th</sup> day of February, 2020.

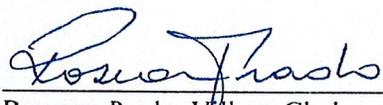
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3 The foregoing Resolution was offered by Commissioner Samaria, who moved its adoption. The  
4 motion was seconded by Mayor O'Halpin, and upon being put to a vote the vote was as follows:

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6 Virginia "Ginny" O'Halpin, Mayor YES  
7 William Tudor, Vice Mayor  
8 Macdonald "Mac" Kennedy, Commissioner YES  
9 Dan Samaria, Commissioner YES

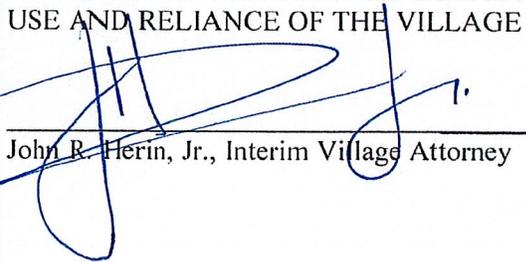
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11 VILLAGE OF BISCAYNE PARK

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14 Virginia "Ginny" O'Halpin, Mayor

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17 ATTEST:

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20 Roseann Prado, Village Clerk

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24 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
25 USE AND RELIANCE OF THE VILLAGE OF BISCAYNE PARK ONLY:

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28  
29 John R. Herin, Jr., Interim Village Attorney