

ORDINANCE NO: 25-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA, FIXING THE TIME FOR HOLDING A SPECIAL ELECTION TO FILL A VACANCY IN THE OFFICE OF CITY COMMISSIONER; SETTING THE SPECIAL ELECTION FOR JANUARY 27, 2026, IN CONJUNCTION WITH THE REGULAR MUNICIPAL ELECTION FOR MAYOR AND TWO CITY COMMISSIONERS; ESTABLISHING QUALIFYING DATES AND PROCEDURES; PROVIDING FOR BALLOT STRUCTURE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Florida City Charter Section 5.04(a) provides that regular municipal elections shall be held on the fourth Tuesday of January in each even numbered year; and

WHEREAS, the regular municipal election scheduled for January 27, 2026, will include the election of one (1) Mayor and two (2) City Commissioners for four-year terms; and

WHEREAS, Vice Mayor Sharon Butler was duly elected to the office of City Commissioner in the 2024 regular municipal election for a four-year term; and

WHEREAS, Florida Statutes Section 99.012(3)(d) provides that the written resignation must be effective no later than the earlier of the following dates: (1) the date the officer would take office, if elected; or (2) the date the officer's successor is required to take office; and

WHEREAS, Vice Mayor Sharon Butler has submitted her resignation from the office of City Commissioner in order to qualify as a candidate for the office of Mayor pursuant to Florida Statutes Section 99.012(3)(a), which prohibits any person from qualifying as a candidate for more than one public office with concurrent terms; and

WHEREAS, the City Commission has adopted Resolution No. 2025-69 calling a special election to fill the vacancy in the office of City Commissioner created by the resignation of Vice Mayor Sharon Butler; and

WHEREAS, Section 5.04(b) of the Florida City Charter provides that "Special elections shall be held in the same manner as the general municipal elections except that the City Commission, by ordinance, shall fix the time of holding such special elections"; and

WHEREAS, the Miami-Dade County Supervisor of Elections has advised that all qualified candidate oaths must be provided to their office by the conclusion of qualifying on Friday, December 12, 2025, to be included on the January 27, 2026, ballot; and

WHEREAS, the Miami-Dade County Supervisor of Elections has consented to conducting the special election in conjunction with the regular municipal election on January 27, 2026; and

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WHEREAS, conducting the special election in conjunction with the regular municipal election will maximize voter participation and minimize costs to the City; and

WHEREAS, the combined regular and special elections will result in voters electing a total of four (4) officials: one (1) Mayor for a four-year term, two (2) City Commissioners for regular four-year terms, and one (1) City Commissioner for the unexpired term.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLORIDA CITY, FLORIDA:

SECTION 1. TIME OF SPECIAL ELECTION FIXED. Pursuant to Section 5.04(b) of the Florida City Charter, the time for holding the special election called by Resolution No. 2025-69, is hereby fixed for January 27, 2026, to be held in conjunction with the regular municipal election for Mayor and two City Commissioners.

SECTION 2. COMBINED ELECTION. The January 27, 2026, election shall include:

a) REGULAR MUNICIPAL ELECTION:

- One (1) Mayor for a four-year term
- Two (2) City Commissioners for regular four-year terms

b) SPECIAL ELECTION:

- One (1) City Commissioner to fill the unexpired term

SECTION 3. QUALIFYING PERIOD. a) The qualifying period for ALL candidates (regular election and special election) shall begin on Wednesday, December 3, 2025, at 8:30 A.M. and end on Friday, December 12, 2025, at 12:00 Noon. b) Candidates for the regular City Commissioner seats shall qualify for the four-year terms. c) Candidates for the special election must specifically designate their intent to run for the unexpired term at the time of qualifying. d) All candidate qualifying documents and oaths must be submitted to the Miami-Dade County Supervisor of Elections by the close of qualifying on Friday, December 12, 2025, at 12:00 Noon. e) Qualifying shall take place at Florida City Hall, 404 West Palm Drive, Florida City, Florida 33034, during regular business hours.

SECTION 4. BALLOT DESIGNATION AND STRUCTURE. The ballot for the January 27, 2026, election shall contain the following separate and clearly designated contests:

a) REGULAR MUNICIPAL ELECTION:

- Mayor - Vote for One (1) - Four-year term
- City Commissioner - Vote for Two (2) - Regular four-year terms

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b) SPECIAL ELECTION:

- City Commissioner (Special Election to Fill Vacancy) - Vote for One (1) - Unexpired term ending January 2028

SECTION 5. SEPARATE CANDIDATE LISTINGS. The City Clerk shall provide to the Miami-Dade County Supervisor of Elections: a) A listing of candidates for Mayor (four-year term) b) A listing of candidates for the regularly scheduled City Commissioner race (Vote for 2) for four-year terms c) A separate listing of candidates for the Special Election to fill a vacancy (Vote for 1) for the unexpired remaining term

SECTION 6. ELECTION PROCEDURES. Both the regular municipal election and the special election shall be conducted in the same manner in accordance with all applicable provisions of Florida Statutes, the Florida City Charter, and the Florida City Code of Ordinances.

SECTION 7. RUNOFF ELECTIONS. If runoff elections are required for any position (Mayor, regular City Commissioner seats, or special election seat), they shall be held on Tuesday, February 17, 2026, which is twenty-one (21) days after the January 27, 2026 election, as provided in Section 5.04(a) of the City Charter.

SECTION 8. NOTICE. The City Clerk shall: a) Publish notice of the regular municipal election as required by law and include:

- Regular election for Mayor (four-year term)
- Regular election for two City Commissioners (four-year terms)
- The candidate qualifying period begins Wednesday, December 3, 2025, at 8:30 A.M. and ends Friday, December 12, 2025, at 12:00
- Any required runoff election will be held on Tuesday, February 17, 2026

b) Publish notice of the Special election for one City Commissioner (unexpired term). In compliance with Florida Statutes, Section 100.342 the City Clerk is authorized and directed to publish notice of the adoption of this Ordinance and of the provisions hereof, **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**, in newspaper(s) of general circulation in the City of Florida City, Florida, which notices shall be substantially as set forth in the following form:

**NOTICE OF A SPECIAL MUNICIPAL ELECTION
TO ELECT A CANDIDATE TO THE OFFICE OF CITY COMMISSIONER TO BE
HELD ON TUESDAY, JANUARY 27, 2026, IN THE CITY OF FLORIDA CITY,
FLORIDA PURSUANT TO ORDINANCE NO. 2025-**

Notice is hereby given that a Special Election will be held on Tuesday, January 27, 2026, from 7 a.m. until 7 p.m., in the City of Florida City, Florida, at the polling places in the several

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election precincts designated by the Miami-Dade County Supervisor of Elections, at which election the qualified electors participating therein will vote to elect a City Commissioner for the City of Florida City, Florida.

Candidate qualifying for the Special Municipal Election will take place at Florida City City Hall, 404 West Palm Drive, Florida City, Florida 33034, during regular business hours starting on Wednesday, December 3, 2025, at 8:30 A.M. and ending on Friday, December 12, 2025, at 12:00 Noon

Any required runoff election will be held on Tuesday, February 17, 2026

Voter registration of persons desiring to vote in the General Municipal Election shall be in accordance with the laws of the State of Florida. Each person desiring to become a registered voter shall be responsible for properly filling out the registration form and submitting it to the Miami-Dade County Supervisor of Elections. For more information regarding voter registration, contact Miami-Dade County Supervisor of Elections at (305) 499-8683 or visit www.votemiamidade.gov.

Voters desiring to participate in the Special Election by using a Vote-by-Mail ballot shall cast their Vote-by-Mail ballots in accordance with the provisions of the laws of the State of Florida. Please contact the Miami-Dade County Supervisor of Elections to ensure that your Vote-By-Mail ballot request has not expired. A request for a Vote-by-Mail ballot to be mailed to a voter must be received by the Miami-Dade County Supervisor of Elections no later than 5:00 P.M. on the 12th day before the election. For more information regarding voting by using a Vote-by-Mail ballot, contact the Miami-Dade County Supervisor of Elections at (305) 499-8683 or visit www.votemiamidade.gov.

SECTION 9. SUBMISSION TO SUPERVISOR OF ELECTIONS. The City Clerk shall immediately transmit this executed ordinance to the Miami-Dade County Supervisor of Elections for inclusion of both the regular municipal election and special election on the 2026 Election Calendar.

SECTION 10. ELECTION EXPENSES. The City of Florida City, Florida shall pay all expenses for conducting this special election and will pay such expenses to Miami-Dade County or directly to all persons or firms, upon receipt of invoice or statement approved by the Miami-Dade County SOE.

SECTION 11. CITY CANVASSING BOARD. The special election and regular municipal election shall be canvassed by the City Canvassing Board, in accordance with Section 5.08 of the City Code.

SECTION 12. CODIFICATION. This ordinance shall be codified in the Code of Ordinances of the City of Florida City.

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SECTION 13. SEVERABILITY. If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision.

SECTION 14. EFFECTIVE DATE. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING this 25th day of November, 2025.

PASSED AND ADOPTED ON SECOND READING this 9th day of December, 2025.

OTIS T. WALLACE, Mayor

ATTEST:

JENNIFER A. EVELYN, CITY CLERK

Approved as to form and legal sufficiency:

REGINE MONESTIME, CITY ATTORNEY

Offered By: Mayor

Motion to adopt by _____ seconded by _____

FINAL VOTE AT ADOPTION ON FIRST READING: 11/25/25

Mayor Otis T. Wallace	_____
Vice Mayor Sharon Butler	_____
Commissioner Eugene D. Berry	_____
Commissioner James Gold	_____
Commissioner Walter Thompson	_____

FINAL VOTE AT ADOPTION ON SECOND & FINAL READING: 12/09/25

Mayor Otis T. Wallace	_____
Vice Mayor Sharon Butler	_____
Commissioner Eugene D. Berry	_____
Commissioner James Gold	_____
Commissioner Walter Thompson	_____