

1. Resolution 2024-22, declaring the position of Seat 3 on the Palm Bay City Council vacated as of June 28, 2024, due to the resignation of Randy Foster.



## LEGISLATIVE MEMORANDUM

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

**FROM:** Terese Jones, City Clerk

**THRU:** N/A

**DATE:** July 11, 2024

**RE:** Resolution 2024-22, declaring the position of Seat 3 on the Palm Bay City Council vacated as of June 28, 2024, due to the resignation of Randy Foster.

### SUMMARY:

Attached please find a resolution declaring the vacancy of City Council Seat 3, which was held by Randy Foster. Mr. Foster submitted his resignation on June 28, 2024.

Pursuant to Section 50.55 of the Palm Bay Code of Ordinances, the majority of the remaining members of Council shall fill the vacancy through the appointment process within sixty (60) days (September 9, 2024). In addition, Section 50.55(2) states that the vacancy shall be announced at two (2) regular meetings (July 18<sup>th</sup> and August 1<sup>st</sup>) to solicit applications, with the appointment potentially being made at the August 13<sup>th</sup> regular Council meeting. Should Council fail to fill the vacancy within sixty (60) days, the position will remain vacant until the November 2024 general election.

### REQUESTING DEPARTMENTS:

Legislative

### FISCAL IMPACT:

None.

### STAFF RECOMMENDATION:

Motion to adopt the resolution declaring the vacancy of City Council Seat 3.

### ATTACHMENTS:

1. Resolution

## RESOLUTION 2024-22

**A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, DECLARING THE POSITION OF SEAT 3 ON THE PALM BAY CITY COUNCIL VACATED AS OF JUNE 28, 2024, DUE TO THE RESIGNATION OF RANDY FOSTER; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 28, 2024, Randy Foster submitted his resignation from the position of Seat 3 on the Palm Bay City Council, and

**WHEREAS**, pursuant to Section 3.06 of the Palm Bay City Charter, "The office of a councilmember shall become vacant upon death, resignation, removal from office in any manner authorized by law or by forfeiture of that office, and such vacancy is to be declared, by resolution stating cause, by the remaining members of the council at a regular or special council meeting."

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this resolution.

**SECTION 2.** Seat 3 of Palm Bay City Council, to which Randy Foster was elected, is hereby declared vacated as of June 28, 2024, by virtue of Randy Foster submitting his resignation.

**SECTION 3.** This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2024-XX, of the City Council of the City of Palm Bay, Brevard County, Florida, held on \_\_\_\_\_, 2024.

\_\_\_\_\_  
Rob Medina, MAYOR

ATTEST:

\_\_\_\_\_  
Terese M. Jones, CITY CLERK