



CITY OF
FORESTPARK

City Council Agenda Item

Title of Agenda Item: Council Discussion Regarding the Resignation of Councilmember Dabouze Antoine, Ward 2, and Requirements for a Special Election, Executive Offices

Submitted By: Ricky L. Clark, Jr., City Manager

Date Submitted: September 23, 2024

Work Session Date: September 25, 2024

Council Meeting Date: September 25, 2024

Background/History:

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In response to the unforeseen and immediate resignation of Councilman Antoine, a Special Called Meeting has been scheduled for tomorrow at 6:00 p.m. This meeting is of critical importance, as the governing body must decide whether to initiate a Special Election to fill the vacancy created by Councilman Antoine's departure. The term for this vacant seat is set to expire on December 31, 2025. The decision at hand is whether to hold the Special Election in November of this year or defer it until March 2025.

Sec. 5.17 – Special Elections and Vacancies:

According to Section 5.17 of the city's charter, in the event of a vacancy in the office of mayor or council member for any reason, the remaining city council members are obligated to call a Special Election to fill the remainder of the unexpired term. However, if such a vacancy occurs within six months of the term's natural conclusion, the council is granted the discretion to appoint a successor to serve the remaining term. Any special election, when called, must be conducted in full compliance with the Georgia Municipal Election Code, Chapter 3 of Title 21 of the Official Code of Georgia Annotated (O.C.G.A.), as amended.

State law dictates a specific timeline for conducting special elections. Should the governing body opt to hold the Special Election in November—an option that staff strongly advises against—the official election call must be issued no fewer than 29 days prior to the election date. If the November election proves impractical, the next available window for holding a Special Election would be March 2025. Tomorrow's meeting will provide the governing body the opportunity to deliberate on and select the most appropriate and feasible path forward.

Staff Recommendation:

In keeping with the approach endorsed by the governing body last year, I recommend that Clayton County be entrusted with overseeing the election process. As the sole certified election superintendent currently on staff, I believe that delegating this responsibility to the County will ensure the highest standard of electoral integrity, while

also mitigating any potential conflicts of interest that could arise from my direct involvement in an election process concerning my supervisors.

Furthermore, the associated costs will be minimal and comparable to those agreed upon last year when the County was approved to manage the election, although that election did not ultimately take place. I have already initiated contact with Clayton County to obtain a cost estimate for this Special Election.

It is important to highlight that, while Clayton County would handle the general administration of the election, the City Clerk will retain responsibility for managing the qualifying process for candidates, as has been standard protocol in past elections.

Action Requested from Council:

Cost: \$

Budgeted for: _____ Yes _____ No

Financial Impact:
