

ORDINANCE NO. 2025-40

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, SUBMITTING TO THE ELECTORS OF VENICE A PROPOSED AMENDMENT TO THE CITY CHARTER TO PROVIDE FOR THE ANNUAL SELECTION OF THE VICE-MAYOR; PROVIDING INSTRUCTIONS TO THE CITY CLERK; ESTABLISHING A BALLOT TITLE AND QUESTION; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATES

WHEREAS, prior to the passage of the 2024 general election referendum eliminating odd-year elections, the City Charter provided for a one-year term for the Council Member selected as Vice-Mayor; and

WHEREAS, as a result of the 2024 referendum, the Charter now results in a two-year term for the Vice-Mayor; and

WHEREAS, the City Council has publicly discussed and received public comment on amending the Charter to allow the annual selection of the Vice-Mayor; and

WHEREAS, the City Council has determined that the qualified electors of the City of Venice should vote on whether the Vice-Mayor should be selected annually; and

WHEREAS, Section 8.01(a) of the City Charter authorizes the City Council to adopt an ordinance placing a proposed Charter amendment on the ballot for referendum.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. Ratification of Recitals

The foregoing recitals are hereby ratified and confirmed as true and correct and are incorporated herein by reference.

SECTION 2. Findings

The City Council hereby proposes to the electorate an amendment to the City Charter as set forth in this Ordinance.

SECTION 3. Proposed Charter Amendment

Pursuant to Section 8.01(a) of the Charter, the proposed amendment is attached hereto as Exhibit "A" and incorporated herein. The ballot question is provided in Section 5.

SECTION 4. Election

The City Clerk is hereby authorized and directed to coordinate with the Supervisor of Elections of Sarasota County to place the ballot question in Section 5 on the ballot for the General Election scheduled for November 3, 2026.

The election shall be conducted in accordance with applicable Florida law and City ordinances. City officials are further authorized to take all necessary actions to effectuate the referendum, including preparation of bilingual materials and payment of associated costs.

SECTION 5. Ballot Title and Question

Ballot Title: Vice-Mayor Term Charter Amendment

Ballot Question:

Shall the City Charter be amended to provide for the annual selection of the Vice-Mayor by the City Council, instead of every two years, consistent with how often the position was selected prior to the 2024 Charter amendment that eliminated odd-year elections?

☐ YES

☐ NO

SECTION 6. Charter Amendment

The full text of the proposed amendment is attached as Exhibit "A" and incorporated herein.

SECTION 7. Implementation

If approved by a majority of the qualified electors voting in the referendum, the amendment shall become effective immediately upon certification of the election results.

SECTION 8. Conflicts

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 9. Severability

If any provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 10. Effective Date

This Ordinance shall take effect immediately upon adoption, except that the Charter amendment shall become effective as provided in Section 7.

PASSED BY THE COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 9TH DAY OF DECEMBER, 2025.

First Reading: November 18, 2025

Final Reading: December 9, 2025

ADOPTION: December 9, 2025

Nicholas Pachota, Mayor

ATTEST:

Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council, at a meeting thereof duly convened and held on the 9th day of December 2025, a quorum being present.

WITNESS my hand and the official seal of said City this 9th day of December, 2025.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney

**EXHIBIT "A" TO CITY ORDINANCE NO. 2025-xx
PROPOSED AMENDMENT TO THE CITY OF VENICE CHARTER**

QUESTION 1. SELECTION OF VICE-MAYOR

The following section of the Charter is amended to read as follows:

Sec. 3.02. - Mayor and vice-mayor.

(a) *Duties of mayor.* The mayor shall preside at meetings of the city council and shall have a vote on all matters. If the mayor is not physically present at a meeting where a physical quorum is required, the vice-mayor shall preside at the meeting if physically present or, in the alternative, one of the other city councilmembers in physical attendance elected to serve as chairperson. The mayor shall have no veto power. The mayor shall be recognized as head of city government for all ceremonial purposes; by the governor for purposes of military law; for service of process; for execution of contracts, deeds and other documents, except as otherwise delegated by the city council to the city manager or a designee; as signer of checks for payment of obligations, except as otherwise delegated by the city council to the city manager or a designee; and as the city official designated to represent the city in all agreements with other governmental entities. The mayor shall have only those administrative duties required to carry out the above responsibilities.

(b) *Vice-mayor.* A vice-mayor shall be elected by and from the members of the city council in the month of November of each calendar year~~at the first regular council meeting following the certification of the results of the city election.~~ The vice-mayor shall act as mayor during the absence or disability of the mayor.