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Reply to: Venice

M E M O R A N D U M

DATE: November 22, 2024

TO: Mayor Pachota and City Council Members

CC: Ed Lavalley, City Manager
Kelly Michaels, City Clerk

FROM: Kelly M. Fernandez, City Attorney

SUBJECT: Vice-Mayor Term

Due to the passage of the City referendum eliminating odd-year elections, it has come to my attention that the Charter provision addressing the position of Vice-Mayor should be reviewed. As presently worded, the Vice-Mayor is selected after “the certification of the results of the city election”, which now results in a 2-year term. Sarasota County and the City of Sarasota also do not have odd-year elections, but select a Vice-Chair and Vice-Mayor, respectively, on an annual basis according to the wording of their Charters.

If the City Council desires to select a Vice-Mayor annually, a Charter amendment will be required which will necessitate an ordinance passed by Council and a referendum question on the next available ballot. No action is needed if a 2-year Vice-Mayor term is acceptable. To assist, I have provided below the relevant provisions of the City of Venice Charter, Sarasota County Charter, and

Lakewood Ranch
6853 Energy Court
Lakewood Ranch, Florida 34240

Venice
236 Pedro Street
Venice, Florida 34285

City of Sarasota Charter.

City of Venice Charter:

Sec. 3.02. - Mayor and vice-mayor.

(a) [...]

(b) Vice-mayor. A vice-mayor shall be elected by and from the members of the city council 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.

City of Sarasota Charter:

Sec. 7. - Mayor, vice mayor and acting mayor.

(a) On the Friday following the first Tuesday after the first Monday in November of each year, or thereafter when necessary to fill a vacancy, the city commission shall elect one (1) of its members as mayor and another of its members as vice-mayor of the city. In case the members of the City Commission are unable to agree upon the selection of the mayor and/or the vice-mayor within five (5) days after the time fixed herein or within five (5) days after any vacancy occurs, such offices shall be chosen by lot, conducted by the city auditor and clerk, who shall certify the result of such lot in the minutes of the city commission.

Sarasota County Charter:

2.1D *Chairman*. The Board of County Commissioners shall elect one of its members as chairman by majority vote. This election shall be held in the month of December of each calendar year. [...]

2.1E *Vice Chairman*. The Board of County Commissioners shall elect one of its members as Vice Chairman who shall have all rights and duties of the Chairman during the absence of the Chairman.