

NOW THEREFORE, BE IN ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA:

Section 1. The proposed amendment to the Charter of the City of Sarasota (hereafter City Charter) set forth herein shall be submitted to the vote of the qualified electors of the City for approval at a referendum to be held on November 6, 2018. Said referendum will propose amendments to Article III, Section 7 of the City Charter and to Article IX, Section 5 of the City Charter as more fully set forth in Section 2 and Section 3 below.

Section 2. The full text of the proposed amendment to Article III, Section 7 of the City Charter is set forth below: (Proposed new text shown in underline and proposed deleted text shown in ~~strike through~~.)

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

(a) On the Friday following the ~~second~~ first Tuesday after the first Monday in ~~May~~ 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 officers 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.

(b) In the event of illness, disability, death or absence of the mayor, the vice-mayor shall act as mayor and have all the powers, duties and authority of the mayor; and in the event the vice-mayor signs any instrument in place of the mayor, then it shall be presumed without further proof that the mayor was either ill, disabled, deceased or absent from the city.

(c) In the event of illness, disability or absence from the city of both the mayor and vice-mayor, a quorum of the city commission may appoint an acting mayor for such length of time or for such particular purpose as may be necessary.

Section 3. The full text of the proposed amendment to Article IX, Section 5 of the City Charter is set forth below: (Proposed new text shown in underline and proposed deleted text shown in ~~strike through~~.)

Sec. 5. - Elections.

(a) District seats.

(1) When ~~two (2)~~ three (3) or more persons qualify as candidates for one (1) of the three (3) district seats on the city commission, the qualifiers shall have their names placed on the ballot for the city election to be held on the ~~second~~ Tuesday in ~~March~~, ten weeks prior to the general election (as defined below), to be known as the first election and to coincide with the primary election prescribed by Florida Statutes. ~~With respect to each district seat, the candidate who is supported by a majority of the voters shall be declared elected.~~

~~If no candidate is supported by a majority of the voters in the first election, with respect to any district seat, a~~ A second election shall be held on the ~~second~~first Tuesday after the first Monday in May November of each even-numbered year, to be known as the general election and as currently required by Florida Statutes for the purpose of choosing a successor to each elective federal, state, county, and district officer whose term will expire before the next general election. The two (2) candidates receiving the highest number of votes cast in the first election shall have their names placed on the ballot for the ~~second~~ general election. The candidate receiving the support of a majority of the voters in the ~~second~~ general election, in his or her respective district, shall be declared elected.

(2) When only two (2) persons qualify as candidates for one (1) of the three (3) district seats on the city commission, the qualifiers shall have their names placed on the ballot for the city election to be held on the first Tuesday after the first Monday in November of each even numbered year, to be known as the general election, and the first election shall not be held. The candidate receiving the support of a majority of the voters in the general election, in his or her respective district, shall be declared elected.

~~(2)~~ (3) When only one (1) person qualifies as a candidate for a district seat on the city commission the name of such person shall not appear on the ballot, and such person shall be declared elected and shall assume office at the same time and in the same manner as if elected in the ~~regular city~~ general election.

(b) At-large seats.

(1) When ~~three (3)~~ four (4) or more persons qualify as a candidate for the office of city commissioner for the two (2) at-large seats on the city commission, the qualifiers shall have their names placed on the ballot for the city election held on the ~~second~~ Tuesday in ~~March~~, ten weeks prior to the general election, to be known as the first election and to coincide with the primary election prescribed by Florida Statutes. The two (2) candidates receiving the highest number of votes cast in the first election who have also received the support of a majority of the voters shall be declared elected.

If no candidate receives the support of a majority of the voters in the first election, A second election shall be held on the ~~second~~ first Tuesday after the first Monday in ~~May~~ November, to be known as the general election and as currently required by Florida Statutes for the purpose of choosing a successor to each elective federal, state, county, and district officer whose term will expire before the next general election, to fill the two (2) at-large seats. The three (3) candidates receiving the highest number of votes in the first election shall have their names placed on the ballot for the ~~second~~ general election.

In the event that only one (1) candidate receives the support of a majority of the voters in the first election, the ~~second~~ election shall be held to fill one (1) at-large seat. The two (2) candidates receiving the support of the second and third highest number of voters, in the first election, shall have their names placed on the ballot for the ~~second~~ election.

In the ~~second~~ election any at-large seat that has not been filled by the election of a candidate who receives the support of a majority of the voters after the ~~second~~ election The two (2) at-large seats shall be filled by declaring the candidate or candidates elected who have received the highest number of votes cast in the ~~second~~ general election.

(2) When only three (3) persons qualify as candidates for the two (2) at-large seats on the city commission, the qualifiers shall have their names places on the ballot for the city election to be held on the first Tuesday following the first Monday in November of each even numbered year, to be known as the general election. The two candidates who receive the highest number of votes in the general election shall be declared elected.

~~(2)~~ (3) When only one (1) or two (2) persons qualify as candidates for an at-large seat on the city commission, the names of such persons shall not appear on the ballot, and such persons shall be declared elected and shall assume office at the same time and in the same manner as if elected in the first general election.

~~The minimum number of votes required for a candidate for an at-large seat to receive the support of a majority of the voters, as required herein, shall be a number which is equal to half the number of persons voting (as indicated by valid ballots cast) plus one (1).~~

(c) Commencement and length of term. Persons elected to the city commission shall assume office on the ~~third day~~ Friday following the ~~second~~ first Tuesday after the first Monday in ~~May~~ November of each even numbered year. Each person elected shall hold office for four (4) years.

Section 4. The entire text of the proposed new Article III, Section 7 of the City Charter and the entire text of the proposed new Article IX, Section 5 of the City Charter shall be published in the black line format no less than thirty (30) days nor more than sixty (60) days prior to the date of the referendum referenced in Section 1 above in a newspaper of general circulation in the City.

Section 5. The question pertaining to an amendment to the City Charter regarding a proposed change of Municipal Election Dates shall be submitted to the qualified electors of the City in the following form, which shall be printed on the ballot:

TITLE:

Charter Amendment: Change in Date of Elections for City Commission

SUMMARY:

Provides that general election for City Commission shall be held in November of even numbered years as to coincide with county, state, and federal elections; with a first election held ten weeks before the November election when there are three or more candidates for any district seat and when there are four or more candidates for the two at-large commission seats.

_____ YES, for the Amendment

_____ NO, against the amendment