


SARASOTA COUNTY GOVERNMENT

Office of the County Attorney

TO: Sarasota County Commission
FROM: Frederick J. Elbrecht, County Attorney 
DATE: December 7, 2021
SUBJECT: **Ordinance Calling for a Special Election for Proposed Amendment to Section 2.1A of Article II of the Sarasota County Charter**

RECOMMENDED MOTION(S) OR ACTION(S):

(Public Hearing) To adopt Ordinance No. 2021-113 calling for a special election to consider a proposed amendment to Section 2.1A of Article II of the Sarasota County Charter relating to election of County Commissioners.

BACKGROUND/ANALYSIS:

On November 16, 2021, the Board of County Commissioners (the "Board") authorized the advertising of a public hearing to consider Ordinance No. 2021-113, calling for a special election to consider a proposed amendment to Section 2.1A of Article II of the Sarasota County Charter to change the County Commission elections to county-wide voting.

Section 7.1 of the Sarasota County Charter provides four mechanisms for amending the Charter: (i) by a petition, signed by at least five percent (5%) of the number of registered voters in Sarasota County; (ii) by a special law enacted by the legislature; (iii) an ordinance; or (iv) a recommendation by the Charter Review Board. The Board is proposing a change from voting for a single member of the Commission to a return to voting county-wide for all five Commissioners by ordinance.

The ordinance and referendum would amend the Charter to reflect the following changes (strikethrough shows deletions and underline shows additions):

Section 2.1A Composition, Election and Term of Members

There shall be a Board of County Commissioners which shall consist of five members serving staggered terms of four years. One Commissioner residing in each district shall be elected by qualified voters ~~in the district in which they reside~~ of the County. A Commissioner who is removed from his or her district as a result of redistricting may serve out the balance of his or her term as a representative of his or her former district.

No Commissioner shall serve more than two consecutive terms on the Board. For purposes of this limitation, any period of service on the Board of less than eighteen (18) months shall not be deemed to constitute a term of service. Further, a Commissioner who has serviced two consecutive terms may thereafter serve additional term(s) only after a lapse of service in office of at least two years. No previous terms or term which is in

progress as of the effective date of the Amendment shall be considered a term of service for purposes of the limitations contained herein.

The election date for this referendum shall be March 8, 2022, to coincide with another scheduled countywide election.

Following comments from the Board, the Office of the County Attorney has revised the ballot question as follows:

Shall each member of the Board of County Commissioners be elected county-wide, thereby allowing voters to vote for all five County Commissioners as each office comes up for election, rather than voters only being able to elect a single County Commissioner from the district in which the voter resides as presently exists in Article II, Section 2.1A of the Sarasota County Charter?

RELEVANT PRIOR BOARD ACTION:

1. November 16, 2021- The Board authorized advertisement of Ordinance 2021-113. (5-0 vote)

OUTREACH:

N/A

PROCUREMENT ACTION:

N/A

FUNDING:

N/A

STRATEGIC PLAN ALIGNMENT:

Goal: Great Place to Live

BCC Policy Item: Post Census Redistricting and Single Member District Review

NEXT STEPS:

If approved, the proposed Charter amendment would amend the method by which County Commissioners are elected. Currently, each County Commissioner is elected in single-member districts where voters only vote for one County Commissioner. The amendment would change this to each County Commissioner being elected by voters county-wide and every voter will be able to vote for all five County Commission seats.

STAFF RECOMMENDATION(S):

To consider Ordinance No. 2021-113.

ATTACHMENTS:

1. Proposed Ordinance 2021-113
2. Advertisement