

2021 DEC -9 AM 9:37

ORDINANCE NO. 2021-113

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA CALLING FOR A SPECIAL ELECTION TO CONSIDER A PROPOSED AMENDMENT TO THE SARASOTA COUNTY CHARTER INITIATED BY ORDINANCE PURSUANT TO SECTION 7.1 OF ARTICLE VII OF THE CHARTER; PROVIDING FINDINGS; SETTING FORTH PROPOSED CHARTER AMENDMENT TO AMEND SECTION 2.1A OF THE CHARTER RELATING TO ALLOWING FOR ONE COMMISSIONER RESIDING IN EACH DISTRICT TO BE ELECTED BY QUALIFIED VOTERS COUNTY-WIDE; CALLING FOR A SPECIAL ELECTION TO BE HELD ON MARCH 8, 2022, TO CONSIDER THE PROPOSED CHARTER AMENDMENT; PROVIDING FOR POLLING PLACES; PROVIDING FOR ELECTION OFFICIALS TO CONDUCT THE ELECTION PURSUANT TO GENERAL LAW; PROVIDING FOR DATES AND HOURS FOR VOTING; PROVIDING FOR BALLOT QUESTION; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR POSTING OF PROPOSED AMENDMENT AT POLLING PLACES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR FILING WITH THE SUPERVISOR OF ELECTIONS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

SECTION 1. Findings. The Board of County Commissioners of Sarasota, Florida, hereby makes the following findings:

- A. Pursuant to Section 7.1 of Article VII of the Charter, the Board of County Commissioners may, on its own initiative, propose that an amendment to the Sarasota County Charter be submitted to referendum by adopting an ordinance which sets forth the proposed Charter amendment, the ballot title and ballot summary for the referendum and calls for a special election.
- B. If approved, the proposed amendment would amend Section 2.1A of Article II of the Charter to change the method by which County Commissioners are elected from each County Commissioner being elected only by voters from within the single member district within which they reside to each County Commissioner being elected by voters county-wide.

SECTION 2. Proposed Charter Amendment. Subject to referendum approval, Section 2.1A of Article II of the Charter shall be amended to read as follows:

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 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 served 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.

SECTION 3. Special Election Called. A special election is hereby ordered and called to be held throughout Sarasota County on March 8, 2022, for the purpose of submitting to the qualified electors residing within Sarasota County the question of approval or rejection of the Charter amendment set forth herein.

SECTION 4. Polling Places. The special election shall be held at the polling places designated in Sarasota County by the Supervisor of Elections.

SECTION 5. Election Officials. The election officials to conduct said election shall be appointed and certified by the Supervisor of Elections pursuant to applicable general law.

SECTION 6. Dates and Hours for Voting. All qualified electors residing within Sarasota County may vote in said election. Absentee voting shall be permitted upon compliance with applicable provisions of general law.

- A. Early Voting: Designated early voting sites shall be open in accordance with Section 101.657, Florida Statutes.
- B. Election Day (March 8, 2022): The polls shall be open on the date of the special election from 7:00 a.m. to 7:00 p.m.

SECTION 7. Ballot Question. The ballot question to be voted upon in the special election shall be in substantially the following form:

SARASOTA COUNTY CHARTER AMENDMENT TO CHANGE COUNTY COMMISSION ELECTIONS TO COUNTY-WIDE VOTING

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?

_____ YES, for the Charter amendment

_____ NO, against the Charter amendment

SECTION 8. Notice of Election. The Clerk to the Board of County Commissioners shall publish a notice of the election in a newspaper with general circulation published in Sarasota County, Florida. The notice shall be published once in the fifth week prior to the week of the special election and once in the third week prior to the week of the special election with the first publication to be at least thirty (30) days before the date of the election. All notices of said election already published in accordance with this section are hereby ratified. The notice shall be in substantially the following form:

NOTICE OF SPECIAL ELECTION

NOTICE is hereby given that a special election will be held on the 8th day of March, 2022 in Sarasota County, Florida at the polling places designated within the voting precincts of Sarasota County for the purpose of determining the following question:

SARASOTA COUNTY CHARTER AMENDMENT TO CHANGE COUNTY COMMISSION ELECTIONS TO COUNTY-WIDE VOTING

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?

_____ YES, for the Charter amendment

_____ NO, against the Charter amendment

Polls will be open at the voting places on the dates of such special election from 7:00 a.m. to 7:00 p.m. All qualified voters residing within Sarasota County may vote in said election. Early voting and vote-by-mail voting will be permitted upon compliance with the applicable provisions of general law. A copy of the Charter amendment may be picked up at any one of the locations of the Sarasota County Supervisor of Elections: Sarasota County Terrace Building, 101 South Washington Boulevard, Sarasota, Florida; Biscayne Plaza, 13640 Tamiami Trail, North Port, Florida; or R.L. Anderson Administrative Building, Room 114, 4000 Tamiami Trail, Venice, Florida.

KAREN E. RUSHING, Clerk of the Circuit Court
and Ex-Officio Clerk of the Board of County
Commissioners of Sarasota County, Florida

SECTION 9. Posting of Proposed Amendment at Polling Places. The Supervisor of Elections shall conspicuously post at each polling place during the hours that the polls are open a copy of this Ordinance. The proposed amendment of Section 2.1A of the Charter is indicated by ~~strikethrough~~ and underline text as set forth below:

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 served 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.

SECTION 10. Severability. If any section, paragraph, sentence, clause, part or provision of any of the proposed amendment is held to be invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 11. Effective Date. This Ordinance shall take effect immediately upon filing with the office of the Florida Secretary of State. If approved by the voters, the Charter amendment will go into effect upon certification of the election.

SECTION 12. Filing with the Supervisor of Elections. The Clerk to the Board of County Commissioners is hereby directed to file a certified copy of this Ordinance with the Supervisor of Elections on January 10, 2022.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota, Florida, this 7th day of December, 2021.

**BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA**

By: [Signature]
Chairman

ATTEST:

KAREN E. RUSHING, Clerk of Circuit
Court and Ex-Officio Clerk of the Board
of County Commissioners of Sarasota
County, Florida

By: [Signature]
Deputy Clerk

STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL
SEAL THIS DATE 12-10-2021
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: [Signature]
DEPUTY CLERK
SARASOTA
02021-113