



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 19-00470

City Council

10/24/2019

DISCUSSION ITEM

FROM: City Council Member Sherri Myers

SUBJECT:

DISCUSSION ITEM - AMENDMENT TO SECTION 3.01 - ELECTION OF OFFICERS, OF THE CITY COUNCIL RULES AND PROCEDURES.

SUMMARY:

Currently Section 3.01 of Council Rules and Procedures states in part:

Nominations for the offices of President and Vice President of the City Council shall be submitted in writing to the City Clerk by individual members in November each year no later than five (5) days prior to the Council meeting held to elect those officers as provided in the City Charter....A member may nominate himself or herself...If more than one member is nominated, voting shall be by written ballot and if one member does not receive the affirmative vote of a majority of the existing membership of Council, the member receiving the lowest number of votes shall be eliminated and balloting shall continue until the officer is elected by such a majority.

Section 4.03 (e) of the City Charter - President, Vice President of City Council - states in part:

The City Council shall elect one of its Members as president and another as vice president on the fourth Tuesday in November of each year....

There is a desire to have a discussion about amending the process of selection of the President and Vice President to a rotational basis by district.

The City Attorney has opined as follows:

I've looked at the information you provided and the common definitions of the term "elect" in both Black's Law Dictionary and Merriam-Webster Dictionary. In Black's, the term "elect" means "to select a choice from among more than one" and "to select someone to hold an office or position." In Merriam-Webster, the term means "to select by vote for an office, position, or membership" and "to make a selection of; to choose." Based on those definitions, and the language of the Charter requiring an election for the positions of president and vice-president for City Council, I interpret the Charter to require a selection of someone to be president (and vice-president) from an option of candidates. Thus I am of the opinion that a pre-determined rotation system improperly removes the act of electing someone to fulfill those positions from the process. I don't believe a rotation system is permissible under the current Charter.

However, this discussion item will address the possibilities of amendment without violating the City Charter.

PRIOR ACTION:

2010 - City Charter approved by referendum

February 14, 2019 - Council Rules and Procedures amended and approved in total

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

1) None

PRESENTATION: No