



Agenda Item Details

Meeting	May 13, 2026 - City Commission Meeting
Category	12. POLICY FORMATION AND DIRECTION
Subject	12.02 Sunset Review of City Commission Policy 144, Filling Commission Vacancies Policy -- James O. Cooke, IV, City Treasurer-Clerk
Access	Public
Type	Action
Fiscal Impact	No
Recommended Action	Option 1 - Adopt revised Commission Policy 144, as presented.

Public Content

For more information, please contact: Jim Cooke, City Treasurer-Clerk, (850) 891-8130.

Statement of Issue

Amended in June 2025, Section 14 of the City Charter now provides that, within 60 days after a vacancy in the office of city commissioner or mayor, the City Commission shall fill such vacancy with the appointment of an interim commissioner. If the Commission fails to timely appoint an interim commissioner within this 60-day window, the Charter provides that the Governor fill said vacancy. Interim appointees serve until the next regularly scheduled municipal election. City Commission Policy 144 (CP144) is being updated to reflect the 60-day Charter update and to make certain other changes in connection with filling of commission vacancies.

History/Facts & Issues

In 2002, the unexpected death of City Commissioner Charles Billings led the Commission to formalize a process to select a qualified, eligible elector to fill a vacancy, in an interim capacity, until the next regularly scheduled election. Prior to 2002, it was commonplace for the surviving commissioners to seek out a former city commissioner to return and fill-in on a short-term basis. However, this practice fell out of favor and the commission wished to codify an orderly process for how the surviving commissioners would fill an unanticipated vacancy.

Since the adoption of CP144 in 2002, the appointment process for filling an unanticipated vacancy has generally involved publishing newspaper notices of the vacancy, publishing vacancy information to the city website, soliciting applications from local electors wishing to serve, verifying residency & registered-electors status of the applicants via consultation with the Supervisor of Elections staff, and conducting one or more city commission meetings to winnow down the applicant pool to a “short list” of candidates, and providing an opportunity for the short-listed candidates to address the City Commission. The process has culminated in a final meeting where the City Commission follows the nomination procedures outlined in City Commission Policy 144 and elects a successor to serve in an interim capacity until the next regular election.

Prior to adoption of Ordinance 25-O-14 in June 2025, Section 14 of the Charter provided 20 calendar days for the above-mentioned process to occur. Adoption of Ordinance 25-O-14 extended the time to 60 days and was intended to eliminate past concerns of a “rushed” process that, in 2018, led to a special meeting begin held late into the evening on New Year’s Eve.

The revised policy implements the Charter amendment enacted by Ordinance 25-O-14 and also adds provisions that will strengthen the policy against any further legal challenges under the open-meetings Sunshine Law. The previous policy was the subject of a legal challenge in 2019, but the City prevailed in that matter. However, that action highlighted unintended weaknesses in the 2002 language, which have been strengthened in the proposed version. Lastly, some of the 2002 language was identified as problematic from a constitutional dual-officeholding viewpoint. This concern has been addressed by specifying that a sitting commissioner resigns his or her commission seat when elected to fill a mayoral vacancy.

Options

1. Adopt revised Commission Policy 144, as presented.
2. Provide other direction.

Attachments

Attachment 1 - Proposed 144CP – Clean Copy

Attachment 2 - Proposed 144CP – Strike & Add

[Attach 1 - CP144 draft amendments.pdf \(267 KB\)](#)

[Attach 2 - Revisions in Strike-Add.pdf \(78 KB\)](#)