

Agenda Item No. R - 9

VILLAGE OF ROYAL PALM BEACH
Agenda Item Summary

AGENDA ITEM: Appointment of Mayor and adoption of Resolution No. 24-23 confirming Council's action.

ISSUE: Village Mayor, Fred Pinto, suddenly and unexpectedly passed away on September 14, 2024 leaving a vacancy on the Village Council in the Mayor's seat. Chapter 2. Administration, Sec. 2-18(a) of the Village Code of Ordinances authorizes the Village Council to appoint a successor into the vacancy until the next general election.

RECOMMENDED ACTION:

Initiator	Village Manager Approval	Agenda Date	Village Council Action
		10/17/24	

RESOLUTION NO. 24-23

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, FILLING BY APPOINTMENT A VACANCY IN THE SEAT OF MAYOR CREATED BY THE SUDDEN AND UNEXPECTED PASSING OF MAYOR FRED PINTO, WHICH APPOINTMENT IS IN ACCORDANCE WITH CHAPTER 2. ADMINISTRATION, SEC. 2-18. OF THE CODE OF ORDINANCES OF THE VILLAGE OF ROYAL PALM BEACH; PROVIDING THAT THE PERSON APPOINTED TO FILL THE VACANCY IN THE SEAT OF MAYOR SHALL HOLD OFFICE UNTIL THE NEXT GENERAL ELECTION WHEN A SUCCESSOR SHALL BE ELECTED TO SERVE THE REMAINING UNEXPIRED TERM OF THE MAYOR'S SEAT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village of Royal Palm Beach Mayor, Fred Pinto, suddenly and unexpectedly passed away on September 14, 2024 leaving a vacancy in the Mayor's seat; and

WHEREAS, the Village Council of the Village of Royal Palm Beach is vested with the authority and discretion to fill said vacancy by appointment until the next general election at which time a successor shall be elected to serve the remaining unexpired term of the Mayor's seat; and

WHEREAS, the Village Council of the Village of Royal Palm Beach desires to exercise its authority and discretion, as provided in Chapter 2. Administration, Article II. Village Council, Sec. 2-18(a) of the Village Code of Ordinances, and fill said vacancy by appointment until the next general election at which time a successor shall be elected to serve the remaining unexpired term of the Mayor's seat.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AS FOLLOWS:

Section 1: The Village Council of the Village of Royal Palm Beach, Florida, hereby appoints _____ to serve as Mayor and fill the current vacancy in the Mayor's seat until the next general election when a successor shall be elected to serve the remaining unexpired term of the Mayor's seat.

Section 2: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 17th day of October, 2024.

VICE MAYOR JEFF HMARA

ATTEST:

DIANE DISANTO, VILLAGE CLERK

Discussion on Mayor Seat Vacancy

The Purpose of this agenda item is to give the Council the opportunity to discuss the current vacancy in the seat of Mayor created by the untimely passing of Mayor Pinto, and to make a decision on whether or not to make an appointment by resolution into the vacancy.

Sec. 2-18 of the Village Code provides that “if there shall be a vacancy in any elective office, the village council, or so much of it as shall remain, shall have the power, by resolution, to fill such vacancy by the appointment of an alternate person to hold such office until the next general election when a successor shall be elected and take office.”

Sec. 2-18 authorizes, but does not require, the Council to make this appointment. Whether or not an appointment is made, the Mayor’s seat will be on the March 2025 ballot to elect a successor.

The difference between making an appointment and not making an appointment is that if an appointment is made and a current Councilmember is appointed into the Mayor’s seat vacancy now, then the subsequent vacancy created by that appointment is effective immediately and that vacancy can likewise be advertised and placed on the March 2025 ballot.

However, if no appointment is made, and if either or both of the Councilmembers in Seats 1 or 3 (Mr. Hmara and Ms. Samios) desire to run for Mayor, they will have to file a “Resign to Run” letter at least 10 days prior to start of qualifying making their resignation effective no later than the date they would assume the Mayor’s seat (if elected) or the date their successor takes the seat they vacated (if not elected). These vacancies could then be filled after March 2025 by the appointment process as opposed to the election process. If an appointment was not made, the vacancy or vacancies would remain until the March 2026 election.

If either or both of the Councilmembers in Seats 2 or 4 (Ms. Rodusky or Mr. Valuntas) desire to run for Mayor, they would simply have to qualify to run for Mayor instead of their current seat which is up for re-election in 2025 anyway since the terms of their current seat and the new term in the Mayor’s seat do not overlap.

No matter what, Seats 2, 4, and the Mayor will be on the 2025 ballot. Either Seat 1 or 3 (from the Council appointment into the Mayor’s vacant seat now) could likewise also be on the 2025 ballot if one of those is appointed into the Mayor seat vacancy now.

Following Council discussion, staff is seeking direction from the Council on whether or not to prepare a resolution for the next available Village Council meeting to effectuate an appointment into the current Mayor seat vacancy through March 2025.