

ORDINANCE NO. _____

An ordinance of the City of Gainesville, Florida; proposing an amendment to the Charter Laws of the City of Gainesville; amending Article II of the Charter Laws, titled "City Commission"; establishing an increase in mayor and commissioner salaries phased in over five successive years and followed with annual salary adjustments; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing that provisions regarding salaries in Chapter 2, Article II, Code of Ordinances are deleted if the charter amendment is approved; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, pursuant to 5.01(2) of the City Charter, the City Charter Review Commission can deliver proposed charter amendments to the City Commission; and

WHEREAS, the City Charter Review Commission held at least 3 public hearings, each at least 7 calendar days apart, on this amendment, and after which a majority of the full City Charter Review Commission voted favorably on the proposed amendment; and

WHEREAS, the City Commission duly considered the charter amendment, had the opportunity to veto the proposed amendment by a two-thirds vote of the City Commission, and having not vetoed the proposed amendment, by passage of this ordinance, requests the Supervisor of Elections place the proposed amendment on the next November election ballot, subject to approval of the electorate at a municipal election; and

WHEREAS, at least 10 days' notice has been given by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the Auditorium of City Hall in the City of Gainesville; and

WHEREAS, the public hearings before the City Commission were held pursuant to the

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1 published notice described at which hearings the parties in interest and all others had an
2 opportunity to be and were, in fact, heard.

3 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY
4 OF GAINESVILLE, FLORIDA:

5 The following proposed amendment to Chapter 90-394, Laws of Florida, 1990, as
6 amended, otherwise known as the Charter Laws of the City of Gainesville, Florida, is approved for
7 submission to the electors of the City of Gainesville, Florida, for approval or disapproval at the
8 election set for Tuesday, November 3, 2020:

9 PROPOSED AMENDMENT

10 **Section 1.** 2.12 titled “Salaries” of Article II of the Charter of the City of Gainesville is
11 hereby created, which section reads as follows:

12 **2.12 – Salaries.**

13 (a) Commencing on October 1, 2021 and continuing on October 1, 2022, October 1, 2023,
14 October 1, 2024, the annual salary of the mayor will be increased by \$5,268.03 each year,
15 until on October 1, 2025 the mayor will receive the annual salary of \$70,550.06.

16 (b) Commencing on October 1, 2021 and continuing on October 1, 2022, October 1, 2023,
17 October 1, 2024, the annual salary of each other member of the city commission will be
18 increased by \$5,162.75 each year, until on October 1, 2025 each other member of the city
19 commission will receive the annual salary of \$60,550.07.

20 (c) Except as provided in (d) below, on October 1, 2026, the then current annual salary of the
21 mayor and each other member of the city commission will be adjusted by the August 2024 to
22 August 2025 percent change in the Bureau of Labor Statistics Consumer Price Index, All

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1 urban consumers, Southern region, All Items (CPI-U). Each year thereafter the salaries will be
2 similarly adjusted, utilizing the following August to August change.

3 (d) The salaries will be paid on a biweekly pay cycle from the general fund of the city in equal
4 amounts for each biweekly period of service, except for the first and last payment to each
5 mayor and other member of the commission that will be made on a pro rata basis. Such salary
6 will be calculated from the date the mayor or commissioner, respectively, takes office, and
7 will continue until the mayor or commissioner no longer holds such office.

8 (e) If employees in the city's professional pay plan do not receive a general increase in any
9 particular fiscal year, then the salaries of the mayor and city commissioners will not be
10 increased that fiscal year. If payment of a general increase for employees in the city's
11 professional pay plan is delayed in any fiscal year, then the mayor and city commissioners
12 CPI adjustment will be treated similarly.

13 **Section 2.** If the electors approve the Charter Amendment set forth in Section 1 of this
14 ordinance, then Section 2.66 of Chapter 2, Article II, Code of Ordinances, titled "Salaries" shall be
15 deleted as set forth below.

16 **~~Sec. 2-66. Salaries.~~**

17 ~~(a) On June 1, 2000, the then current salary of the mayor and each member of the city commission~~
18 ~~shall be increased by 1½ percent. Commencing on October 1, 2000, the mayor shall receive the~~
19 ~~annual salary of \$35,868.00. Commencing on October 1, 2000, each other member of the city~~
20 ~~commission shall receive the annual salary of \$28,182.00. Except as provided in (c) below on~~
21 ~~October 1, 2001, the then current annual salary shall be adjusted by the August 2000 to August~~
22 ~~2001 percent change in the Bureau of Labor Statistics Consumer Price Index (1982-84 = 100)~~

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1 all urban consumers, Southern region, All Items (CPI). Each fiscal year thereafter the salary
2 shall be similarly adjusted, utilizing the following August to August change. Effective the first
3 payroll period after March 1, 2002, the then current salaries of the mayor and city
4 commissioners shall be reduced by 13.14 percent, which reduced salary shall thereafter be
5 subject to adjustment as provided for herein.

6 ~~(b) The salaries shall be paid on a biweekly pay cycle from the general fund of the city in equal~~
7 ~~amounts for each biweekly period of service, except for the first and last payment that shall be~~
8 ~~made on a prorata basis. Such salary shall be calculated from the date the commissioner or~~
9 ~~mayor respectively, takes office and shall continue until the mayor or commissioner no longer~~
10 ~~holds such office.~~

11 ~~(c) If employees in the city's professional pay plan do not receive a general increase in any~~
12 ~~particular fiscal year, then the salaries of the mayor and city commissioners shall not be~~
13 ~~increased that fiscal year. If payment of a general increase for employees in the city's~~
14 ~~professional pay plan is delayed in any fiscal year, then the mayor and city commissioners~~
15 ~~CPI adjustment shall be treated similarly.~~

16 **Section 3.** The following ballot title and question is approved for submission to the
17 electors of the City of Gainesville, Florida, for approval or rejection at the election set for Tuesday,
18 November 3, 2020:

19 CITY OF GAINESVILLE CHARTER AMENDMENT

20 INCREASING MAYOR AND COMMISSIONER SALARIES

21 “SHALL THE CITY CHARTER BE AMENDED TO INCREASE THE
22 ANNUAL SALARIES OF THE MAYOR FROM \$44,209.91 TO \$70,550.06 IN

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1 EQUAL INCREMENTS OVER FIVE YEARS FROM 2021 TO 2025 AND
2 COMMISSIONERS FROM \$34,736.32 TO \$60,550.07 IN EQUAL
3 INCREMENTS OVER FIVE YEARS FROM 2021 TO 2025, FOLLOWED WITH
4 AUTOMATIC ANNUAL ADJUSTMENTS BASED ON THE CHANGE IN THE
5 CONSUMER PRICE INDEX; AS PROPOSED BY ORDINANCE NO. _____?”

6 **Section 4.** The Supervisor of Elections is requested to place this ballot title and question
7 on the November 3, 2020 general election ballot.

8 **Section 5.** In the event that the charter amendment proposed by Section 1 of this
9 Ordinance is approved by affirmative vote of a majority of votes cast by the electors of the City of
10 Gainesville, Florida at the November 3, 2020 election, then: 1) the codifier is directed to
11 incorporate the amendments stated in Sections 1 and 2 of this Ordinance in the Charter Laws and
12 Code of Ordinances of the City of Gainesville; and 2) the Clerk of the Commission is directed to
13 file a true copy of this ordinance with the Florida Department of State.

14 **Section 6.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
15 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
16 the validity of the remaining portions of this ordinance.

17 **Section 7.** All ordinances or parts of ordinances in conflict herewith are to the extent of
18 such conflict hereby repealed.

19 **Section 8.** This ordinance shall become effective immediately upon final adoption.

20 **PASSED AND ADOPTED this _____ day of _____, 2020.**

21
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24 _____
25 LAUREN POE

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MAYOR

ATTEST:

Approved as to form and legality

CLERK OF COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this ____ day of _____, 2020.

This ordinance passed on second reading this ____ day of _____, 2020.

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