

**ORDINANCE NO. 0-33 -2024**

**AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA, AUTHORIZING A REFERENDUM TO VOTE ON PROPOSED CITY CHARTER AMENDMENTS REGARDING CITY COUNCIL MEMBER=S COMPENSATION; INCREASING CITY MANAGER SPENDING AUTHORIZATION; AUTHORIZING THE CITY MANAGER TO DECLARE EMERGENCIES AS HEAD OF THE CITY GOVERNMENT UNDER EMERGENCY SITUATIONS; REMOVING REQUIREMENT THAT CITY ATTORNEY BE A RESIDENT OR HAVE AN OFFICE IN THE CITY; REQUIRE REVIEWS OF THE CITY CHARTER EVERY TEN (10) YEARS; AND PROVIDING FOR A PREAMBLE TO THE CITY CHARTER WITHOUT THE NECESSITY OF A REFERENDUM; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the current City Charter Section 11.01, the City Council appointed a Charter Review Committee which studied the Charter and made recommendations to the Council to amend same as set forth below; and

**WHEREAS**, the City Council desires to accept the Committee=s recommendation and schedule a referendum on such proposed amendments to the Charter, and to add a preamble to the City=s existing Charter by City Council approval herein.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AS FOLLOWS:**

**Section 1.**The City Council hereby authorizes and directs that a referendum be held of qualified City electors to the proposed City Charter Amendments, except Section 2.19, set forth below:

**ARTICLE II. - CITY COUNCIL**

**Section 2.09. - Compensation.**

The salary of council members, together with the manner of payment shall be established at seven thousand two hundred dollars (\$7,200.00) ~~six thousand dollars (\$6,000.00)~~ per year payable monthly, effective October 1, ~~2014~~ 2025. The Mayor shall receive an additional one hundred twenty dollars (\$120.00) ~~one hundred dollars (\$100.00)~~ per month for their term as Mayor commencing October 1, ~~2014~~ 2025.

**Section 2.19. - Independent Audit.**

The council shall cause the management letter and balance sheet for the fiscal year to be available at the Green Cove Springs Public Library and at City Hall in accordance with the Florida Public Records requirements, ~~within fourteen (14) days following receipt of the report from the auditor.~~

**Note: No vote of citizens is required for this change due to legislative change.**

## **ARTICLE III. - CITY MANAGER**

### **Section 3.08 - Powers and duties.**

- G. Supervise and be responsible for the disbursement of all monies and have control over all expenditures to ensure that budget appropriations are not exceeded. Expenditures of over ~~twenty-five~~ fifty thousand dollars ~~(\$25,000.00)~~ (\$50,000.00) shall be approved by the city council. The city manager may authorize expenditures of up to ~~twenty-five~~ fifty thousand dollars ~~(\$25,000.00)~~ (\$50,000.00) provided the same are budgeted expenditures, but the city council shall have the authority to set a lesser amount for the maximum authorized expenditure by the city manager;
- Q. In the event of war, riot, civil commotions, operational disasters, public health and safety disasters or natural disasters, the city manager may authorize reasonable and necessary emergency expenditures and during such emergency the city manager, the city manager shall be temporarily recognized as head of the city government and have the authority to issue a local state of emergency declaration. The city council shall thoroughly review all such emergency expenditures and approve any local state of emergency declarations within a reasonable time thereafter.

## **ARTICLE IV. - GENERAL ADMINISTRATION**

### **Section 4.03. - City attorney.**

The council shall appoint an officer of the city who shall have the title of city attorney. The compensation of the city attorney shall be fixed by the council. He shall act as legal advisor to and attorney for the council, the city manager, and all city departments, offices and agencies. He shall represent the city in all legal proceedings (unless the city is represented by an attorney where provided without charge to the city), and shall perform any other professional duties prescribed by this Charter, ordinance, or by action of the council. He shall be a lawyer admitted to practice before all courts of the State of Florida and the federal district court. ~~Such attorney shall be a resident or have an office within the city.~~ The city shall have the power to employ an additional attorney for a particular case or matter when it deems necessary.

**ARTICLE XI.- CHARTER REVIEW**

**Section 11.01.- Mandatory.**

At least once each ten (10) ~~five (5)~~ years the city council shall cause a review to be made of the entire city Charter. Such review shall be made by registered electors of the city.

**Section 2. BALLOT SUMMARY AND BALLOT TITLE.** The proposed Charter amendments herein shall be presented for voting in English and Spanish by ballot title, which may differ from its legal title and must otherwise conform to the requirements of law as follows:

**Proposed Amendment 1.**

Ballot Title: Increase compensation for City Council Members.

Ballot Summary: Shall City Charter Section 2.09 be amended to increase City Council Member=s salary from \$6,000.00 to \$7,200.00 per year and increase the Mayor=s extra salary from \$100.00 to \$120.00 per month?

Yes \_\_\_\_\_

No \_\_\_\_\_

**Proposed Amendment 2.**

Ballot Title: Increase budgeted spending authority of City Manager from \$25,000.00 to \$50,000.

Ballot Summary: Shall City Charter Section 3.08 G. be amended to allow the City Manager to authorize budgeted expenditures up to \$50,000.00 instead of \$25,000.00 as currently established?

Yes \_\_\_\_\_

No \_\_\_\_\_

**Proposed Amendment 3.**

Ballot Title: Allowing the City Manager the authority to issue a local state of emergency declaration.

Ballot Summary: Shall City Charter Section 3.08 Q. be amended to give the City Manager the authority to issue a local state of emergency declaration during events such as war, riot, civil commotions, and natural disasters?

Yes \_\_\_\_\_

No \_\_\_\_\_

**Proposed Amendment 4.**

Ballot Title: Allowing the City Attorney to have an office and residence outside of the City limits.

Ballot Summary: Shall City Charter Section 4.03 be amended so as not to require the City Attorney to reside or have an office within the City limits?

Yes \_\_\_\_\_

No \_\_\_\_\_

**Proposed Amendment 5.**

Ballot Title: Requiring review of City Charter to be made at least every ten (10) years.

Ballot Summary: Shall City Charter Section 11.01 be amended to require that the City Council cause a review of the City Charter at least every ten (10) years instead of every five (5) years?

Yes \_\_\_\_\_

No \_\_\_\_\_

**Section 3. PREAMBLE** The following preamble shall be placed before the City Charter in the Green Cove Springs City Code Book:

We, the people of the City of Green Cove Springs, Florida, under the constitution and laws of the State of Florida, enact this charter for the purpose of protecting the safety and general welfare of the people and provide for the benefits of local self-government, while preserving our rich history and the unique quality of life for current and future generations.

**Section 4. REPEALER**. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 5. SEVERABILITY**. The various parts, sections and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 6. EFFECTIVE DATE**. This Ordinance shall become effective upon passage, and all Charter Amendments approved by the voters shall also be effective immediately upon passage.

**INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

\_\_\_\_\_  
Steven Kelley, Mayor

ATTEST:

\_\_\_\_\_  
Erin West, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

---

Steven Kelley, Mayor

ATTEST:

---

Erin West, City Clerk

APPROVED AS TO FORM ONLY:

---

L. J. Arnold, III, City Attorney

