

1 **CITY OF LAKE CITY, FLORIDA**

2 **ORDINANCE NUMBER 2024-2288**

3 **AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA CALLING FOR A**
4 **REFERENDUM QUESTION TO BE PLACED BEFORE THE QUALIFIED**
5 **ELECTORS OF THE CITY OF LAKE CITY AT A SPECIAL ELECTION TO BE HELD**
6 **ON TUESDAY, NOVEMBER 5, 2024; PROVIDING A CHARTER**
7 **REFERENDUM QUESTION DETERMINING WHETHER THE MEANS BY**
8 **WHICH THE CITY COUNCIL MAY ESTABLISH THE COMPENSATION OF THE**
9 **MAYOR AND MEMBERS OF THE CITY COUNCIL SHALL BE LIMITED**
10 **EXCLUSIVELY TO ADOPTION OF A STAND ALONE RESOLUTION OF THE**
11 **CITY COUNCIL WHERE THE SUBJECT MATTER OF SUCH RESOLUTION IS**
12 **LIMITED TO THE QUESTION OF SUCH COMPENSATION, AND**
13 **PERMITTING THE City COUNCIL TO FURTHER IMPLEMENT SUCH**
14 **CHARTER PROVISION BY ORDINANCE; PROVIDING FOR REQUISITE**
15 **BALLOT LANGUAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR**
16 **SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

17 **WHEREAS**, Section 302 of the Charter of the City of Lake City (“Charter”) presently provides the City
18 Council has the authority to set the salaries of the mayor and members of the city council by ordinance;
19 and

20 **WHEREAS**, the City has applied Section 302 of the Charter via the annual budget approval process which
21 process does not necessarily allow for a stand-alone vote by the City Council on the single subject of the
22 compensation of the mayor and members of the city council; and

23 **WHEREAS**, Florida Statute 166.031 provides that a governing body of a municipality may, by ordinance,
24 submit to the electors a proposed amendment to its charter; and

25 **WHEREAS**, the City Council of the City of Lake City desires to submit one (1) referendum question to the
26 city’s qualified electors that, if approved, would strike the present provision of Section 302 of the Charter
27 authorizing establishment by ordinance the annual salaries of the mayor and members of the city council,
28 and instead establish that (i) the Mayor and City Council may only establish or change the compensation
29 of the mayor and members of the city council by adoption of a stand-alone resolution where the subject
30 matter of such resolution is limited to the question of such increase in compensation, and (ii) the city
31 council and mayor may further implement the provisions of the newly adopted charter provision by
32 ordinance; and

33 **WHEREAS**, if the proposed amendment to Section 302 of the Charter were disapproved the annual
34 compensation of the mayor and members of the city council would continue to be set by ordinance; and

35 **WHEREAS**, the City Council desires to hold an election on said referendum question on November 5, 2024;
36 now, therefore,

37 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA:**

38 **Section 1.** A referendum of the City’s qualified electors is hereby called to be held on Tuesday,
39 November 5, 2024, for the purpose of submitting to such electors the referendum question, as more
40 particularly set forth below, determining whether (i) the mayor and city council may only establish or
41 change the compensation of the mayor and members of the city council by adoption of a stand-alone
42 resolution where the subject matter of such resolution is limited to the question of such establishment or
43 change in compensation, and (ii) the city council and mayor may further implement the provisions of the
44 newly adopted charter provision by ordinance; or, alternatively whether annual compensation of the
45 mayor and members of the city council shall continue to be set by ordinance.

46 **Section 2.** The question pertaining to whether the City’s Charter shall be amended to require that the
47 mayor and city council (i) may only establish or change the compensation of the mayor and members of
48 the city council by adoption of a stand-alone, single-subject resolution, and (ii) permitting the city council
49 and mayor to adopt by ordinance further provisions implementing the newly adopted charter provision;
50 or alternatively shall continue to provide that compensation of the mayor and members of the city council
51 shall be set by ordinance shall be submitted to the qualified electors of the City in substantially the
52 following form which shall be printed on both English language and Spanish language ballots in one of the
53 following forms, as appropriate:

54 **SHALL MAYORAL AND CITY COUNCIL COMPENSATION BE DETERMINED**
55 **BY SINGLE SUBJECT, STAND ALONE RESOLUTION**

56 Shall the city’s charter be amended to provide the compensation of the
57 mayor and members of the city council shall only be established or
58 changed by adoption of a stand-alone, single-subject resolution, and
59 further permitting the city council and mayor to adopt an ordinance to
60 further implement the provisions of the foregoing charter provision, if
61 adopted?

62 _____ **YES** to amend the charter as stated above.

63 _____ **NO** to continue establishment by ordinance the
64 annual salaries of the mayor and members of the city
65 council.

66 **LA COMPENSACIÓN DEL ALCALDE Y DEL CONCEJO MUNICIPAL SE**
67 **DETERMINARÁ EN UN ÚNICO ASUNTO, RESOLUCIÓN INDEPENDIENTE**

68 ¿Se deben enmendar los estatutos de la ciudad para proporcionar la
69 compensación del alcalde y los miembros del concejo municipal? Sólo se
70 establecerá o cambiará mediante la adopción de una resolución
71 independiente de un solo tema, y además permitirá que el concejo
72 municipal y el alcalde adopten una ordenanza. para implementar aún
73 más las disposiciones de la disposición constitucional anterior, si se
74 adopta?

75 _____ **SÍ** para modificar la carta como se indicó
76 anteriormente.

77 _____ **NO** a continuar estableciendo mediante ordenanza
78 los salarios anuales del alcalde y miembros del
79 concejo municipal.

80 **Section 3.** If the referendum is approved by the qualified electors of the City, the following provisions of
81 the Charter shall be amended as follows:

82 **Article II, Section 302, Paragraph (d):**

83 (d) Compensation of the mayor and members of the city council. ~~The council~~
84 ~~shall have the authority by ordinance to set the annual salary of the mayor,~~
85 ~~councilmembers and its members.~~

86 (1) The exclusive means of establishment of, or change in the
87 compensation of the mayor and/or the members of the city council
88 shall be by resolution which resolution shall have as its only subject the
89 matter of establishment of and/or changes to the compensation of the
90 mayor and members of the city council.

91 (2) Such ordinances as are necessary and prudent to effectively implement
92 the foregoing paragraph d(1) may be adopted in furtherance of same.

93 **Section 4.** All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent they
94 conflict with this Ordinance, repealed.

95 **Section 5.** It is the declared intent of the Lake City City Council that, if any section, sentence, clause,
96 phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or
97 inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality
98 shall not affect the remaining provisions of this Ordinance and the remainder of this Ordinance, after the
99 exclusion of such part or parts, shall be deemed to be valid.

100 **Section 6.** This Ordinance shall be effective immediately upon adoption on second reading.

101 **APPROVED, UPON THE FIRST READING,** by the City Council of the City of Lake City at a regular
102 meeting, on the ____ day of July, 2024.

103 **PUBLICLY NOTICED,** in a newspaper of general circulation in the City of Lake City, Florida, by the
104 City Clerk of the City of Lake City, Florida on the ____ day of July, 2024.

105 **APPROVED UPON THE SECOND READING, AND ADOPTED ON FINAL PASSAGE,** by an affirmative
106 vote of a majority of a quorum present of the Lake City City Council, at a regular meeting this ____ day of
107 July, 2024.

BY THE MAYOR OF THE CITY OF LAKE CITY, FLORIDA

Stephen M. Witt, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF
THE CITY OF LAKE CITY, FLORIDA:

Audrey Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney