



## CITY OF UMATILLA AGENDA ITEM STAFF REPORT

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DATE: April 20, 2016

MEETING DATE: May 3, 2016

SUBJECT: Ordinance 2016 – A, Second Reading

ISSUE: Elected Official Compensation – transition from per meeting to monthly stipend

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**BACKGROUND SUMMARY:** Council adopted Ordinance 2016-A during the first reading at the April 19<sup>th</sup> meeting. The ordinance transitions the elected official remuneration from a per meeting basis to a monthly basis using a monthly rate of \$400.

Council expressed favor regarding the addition of the following language:

No elected official shall be paid any sum as compensation accruing after the date of the council member's resignation, death, recall, impeachment, or the conclusion of the council member's term of office.

Each elected official shall be allowed two absences from regular or special meetings each year with pay, and in all other absences pay may be allowed at the discretion of the city council.

**STAFF RECOMMENDATIONS:** Approval of Ordinance 2016 – A, Elected Official Compensation, second reading.

**FISCAL IMPACTS:** The F/Y 2016 Budget included a total of \$43,200 for Legislative salaries because of the unknown number of meetings that would be scheduled throughout the year. The amount that will be budgeted in future years upon adoption of this ordinance will be \$28,800.

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### COUNCIL ACTION:

Reviewed by City Attorney  Yes  No  N/A

Reviewed by City Engineer  Yes  No  N/A

**PART I - CHARTER**  
**ARTICLE III. - CITY COUNCIL**

**Section 6. - Meetings.**

The first meeting of each newly elected council shall be held at 7:00 p.m. on the first Tuesday in January, following regular city election of councilmen, after which the Council shall regularly meet at such times as may be prescribed by its rules but not less frequently than once each month. If a regularly scheduled council meeting falls on an election day or a holiday, then the meeting shall be held on Thursday following such election day or holiday. Any regular meeting may be adjourned from day to day. All regular meetings of the Council shall be open to the public and shall be conducted in an orderly manner according to accepted rules of Parliamentary procedure or upon such other rules as may be prescribed by the Council in public announcement

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3 **ORDINANCE 2016 - A**

4 **AN ORDINANCE AMENDING CHAPTER 2, ARTICLE II, SECTION 2-16 OF THE CITY OF**  
5 **UMATILLA CODE OF ORDINANCES; SETTING A NEW SCHEDULE OF COMPENSATION**  
6 **FOR THE CITY COUNCIL AND MAYOR; PROVIDING FOR A SAVINGS CLAUSE;**  
7 **PROVIDING FOR AN EFFECTIVE DATE.**

8 **WHEREAS**, the City Council of the City of Umatilla is empowered by Article III, Section 4 of the City  
9 Charter to change the rate of pay by ordinance; and

10 **WHEREAS**, per diem rate adjustments for City Council members and the Mayor were adopted by  
11 Ordinance 2008-U; and

12 **WHEREAS**, the City Council has concluded that the rate of pay for City Council members and the  
13 Mayor should be transitioned from a per meeting basis to a monthly basis;

14 **NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Umatilla, Florida as  
15 follows:

16  
17 **SECTION 1. Adoption**

18 Chapter 2, Section 2-16(1) of the City of Umatilla Code of Ordinances is hereby amended to read as  
19 follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

20 Section 2-16. Compensation.

21 The City Council and Mayor shall be compensated as follows:

- 22 (1) The city council members and mayor shall receive the sum of ~~one hundred fifty dollars~~  
23 ~~(\$150.00) per diem~~ four hundred dollars (\$400) per month for regular and special city council  
24 meetings and workshops ~~attended~~.
- 25 (2) No elected official shall be paid any sum as compensation accruing after the date of the council  
26 member's resignation, death, recall, impeachment, or the conclusion of the council member's  
27 term of office. (Borrowed with pride from Mascotte's code.)
- 28 (3) Each elected official shall be allowed two absences from regular or special meetings each year  
29 with pay, and in all other absences pay may be allowed at the discretion of the city council.  
30 (Borrowed with pride from Mount Dora's code.)
- 31 (4) In the event that the duly elected mayor is unable to fulfill the duties of the office and the president  
32 of the city council is required to fill the position as acting mayor, an additional stipend of two hundred  
33 twenty-five dollars (\$225.00) per month shall be paid to the elected official performing both duties as  
34 council president and acting mayor.
- 35 (5) The planning and zoning board members shall receive fifty dollars (\$50.00) per diem per  
36 planning and zoning board meeting attended.

45 **SECTION 2. Inclusion in the Code.** It is the intention of the City Council of the City of Umatilla and it  
46 is hereby provided that the provisions of this Ordinance shall be made a part of the Umatilla Code of  
47 Ordinance; that the sections of this ordinance may be renumbered or relettered to accomplish such  
48 intention; and that the word “ordinance” may be changed to “section,” “article,” or other appropriate  
49 designation.  
50

51 **SECTION 3. Severability and Conflicts.** If any portion of this ordinance is declared invalid or  
52 unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of  
53 this ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder  
54 of this ordinance shall continue in full force and effect as if it were enacted without including the portion  
55 found to be invalid or unenforceable.  
56

57 **SECTION 4. Effective Date:** This Ordinance shall take effect immediately upon adoption.  
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59 **PASSED AND ORDAINED** at a regular meeting of the City Council of the City of Umatilla, Florida,  
60 this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
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64  
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66  
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68 \_\_\_\_\_  
69 Brian Butler  
70 Mayor

71 Attest:

Approved as to Form:

74 \_\_\_\_\_  
75 Karen Howard, CMC  
76 City Clerk  
77

\_\_\_\_\_   
Kevin Stone  
City Attorney

81 Passed First Reading: \_\_\_\_\_

82 Passed Second Reading: \_\_\_\_\_  
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84  
85

[Seal]

NORTH LAKE OUTPOST  
Published Weekly  
Umatilla, Lake County, FLORIDA

STATE OF FLORIDA

COUNTY OF LAKE

Before the undersigned authority personally appeared *Matt A. Newby*, who on oath says that he or she is Publisher of the North Lake Outpost, a weekly newspaper published at 131 North Central Avenue, Umatilla, in Lake County, Florida; that the attached copy of advertisement, being a legal notice in the matter of the CITY OF UMATILLA CODE OF ORDINANCE 2016-A, NOTICE OF PUBLIC MEETING, to be held on April 19, 2016 and May 3, 2016 at 7:00 p.m., was published in said newspaper in the issue of 4-14-16.

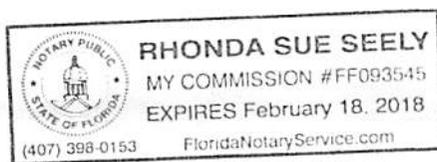
Affiant further says that the said publication is a newspaper published at 131 North Central Avenue, Umatilla, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as periodicals matter at the post office in Umatilla, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 14<sup>th</sup> day of APRIL 2016, by MATT A. NEWBY, who is personally known to me or has produced \_\_\_\_\_ as identification.

*Rhonda Sue Seely* (Signature of Notary Public)

RHONDA SUE SEELY (Print, Type, or Stamp Commissioned Name of Notary Public)

\_\_\_\_\_  
(Notary Public)



NOTICE OF PUBLIC HEARING  
ORDINANCE 2016 - A

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE II, SECTION 2-16 OF THE CITY OF UMATILLA CODE OF ORDINANCES; SETTING A NEW SCHEDULE OF COMPENSATION FOR THE CITY COUNCIL AND MAYOR; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Readings of the proposed ordinance will be considered at the Umatilla City Council meetings on April 19, 2016 and May 3, 2016 at 7:00 p.m. The meetings will be held in the City Council Chambers at 1 S. Central Avenue, Umatilla, Florida.

The proposed Ordinance may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at City Hall. For further information call (352) 669-3125.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

A person who decides to appeal any decision made by any board, agency, or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105).

The City of Umatilla is an equal opportunity provider and employer.

Karen H. Howard, CMC  
City Clerk  
nb-1-4-14