



## City of North Port

### ORDINANCE NO 2018-22

**AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, CHAPTER 2 – ADMINISTRATION, ARTICLE II – CITY COMMISSION, DIVISION 1 – GENERALLY, SECTION 2-23 – DECLARATION OF COMPENSATION, PAYMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODING OF AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of North Port Charter, Article III, Section 3.03 requires that any ordinance changing the compensation of commissioners will not take effect until the next general election; and

**WHEREAS**, the City Commission desires to have future commissioners' annual compensation increases or reductions associated with population levels and an associated methodology; and

**WHEREAS**, the Florida Legislature's Office of Economic and Demographic Research has developed a methodology to consider population levels in determining salaries of Florida's elected county constitutional officers and school district officials.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**

#### **SECTION 1. FINDINGS.**

- 1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set forth herein.

#### **SECTION 2. ADOPTION.**

- 2.01 The City Commission hereby approves and adopts the following amendments and additions in strikethrough and underline format to the Code of the City of North Port, Florida:

**"Chapter 2 – ADMINISTRATION**

...

**Article II. – CITY COMMISSION**

**DIVISION 1. – GENERALLY**

**Sec. 2-23 - Declaration of ~~compensation~~ salary; payment.**

~~The North Port City Commissioner compensation~~ Each city commissioner's annual salary shall be paid as follows:

- (1) ~~On the last pay date of each month, commissioners shall be paid for that current month unless a commissioner chooses to~~ Each commissioner shall be paid biweekly, using the calculation of his/her the commissioner's annual income salary divided by 52 weeks 26 pay periods. After an initial selection, a commissioner's pay schedule may only be changed ten days prior to his/her annual anniversary date.
- (2) If a commissioner leaves office ~~mid-month, his/her~~ mid-pay period, the commissioner's salary compensation shall be prorated. The calculation shall be determined by the commissioner's last day in office, divided by the number of calendar days in the month-pay period.
- (3) If a commissioner begins office ~~mid-month, his/her~~ mid-pay period, the commissioner's salary compensation shall be prorated. The calculation shall be determined by the commissioner's first day in office, divided by the number of calendar days in the month-pay period.
- (4) Salary calculation.

- a. ~~Compensation Salary for the each city commission commissioner shall be \$2,431.01 per month, and for the mayor shall be \$2,531.01 per month. Any further changes shall be in compliance with article III, section 3.03 of the North Port City Charter. calculated using the formula below, designed for county commissioners and set forth in the Salaries of Elected County Constitutional Officers and School District Officials, published annually by the Office of Economic and Demographic Research ("EDR Publication"):~~

$$\text{Annual Salary} = (C + ((A - B) \times D)) \times E \times F \times G$$

Using the following values:

A - Population Estimate: As defined in the applicable year's official population estimate from the Bureau of Economic and Business Research ("BEBR")

B - Group Population Minimum: As defined below

C - Group Base Salary: As defined below

D - Group Rate: As defined below

E - Initial Factor: As defined in the applicable year's EDR Publication

F - Certified Annual Factor: As defined in the applicable year's EDR Publication

G - Certified Cumulative Annual Factor: As defined in the applicable year's EDR Publication

<u>Group Numbers</u>	<u>Population Minimum</u>	<u>Population Maximum</u>	<u>Base Salary</u>	<u>Group Rate</u>
<u>I</u>	<u>0</u>	<u>9,999</u>	<u>\$1,187</u>	<u>0.150</u>
<u>II</u>	<u>10,000</u>	<u>49,999</u>	<u>\$2,687</u>	<u>0.075</u>
<u>III</u>	<u>50,000</u>	<u>99,999</u>	<u>\$5,687</u>	<u>0.060</u>
<u>IV</u>	<u>100,000</u>	<u>199,999</u>	<u>\$8,687</u>	<u>0.045</u>
<u>V</u>	<u>200,000</u>	<u>399,999</u>	<u>\$13,187</u>	<u>0.015</u>
<u>VI</u>	<u>400,000</u>	<u>999,999</u>	<u>\$16,187</u>	<u>0.005</u>
<u>VII</u>	<u>1,000,000</u>		<u>\$19,187</u>	<u>0.000</u>

- b. The mayor's annual salary shall include an additional \$1,200.00.
- c. Each commissioner's salary shall be recalculated annually as set forth herein, with the new salary to take effect each October 1. The commission, by supermajority vote, may forego an annual increase.

..."

### **SECTION 3. SEVERABILITY.**

- 3.01 If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

### **SECTION 4. CONFLICTS.**

- 4.01 In the event of any conflicts between the provisions of this ordinance and any other ordinance or portions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

**SECTION 5. CODING OF AMENDMENTS.**

- 5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. These editorial notations shall not appear in the codified text.

**SECTION 6. EFFECTIVE DATE.**

- 6.01 Pursuant to the City of North Port Charter, Article III, Section 3.03, the amendments to Section 2-23, subsection (4) of the Code of the City of North Port, Florida shall take effect on November 6, 2018, the date of the next general election. All other provisions of this Ordinance shall take effect immediately upon adoption by the City Commission of the City of North Port, Florida.

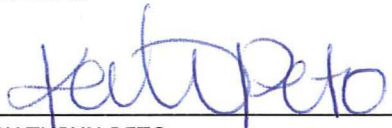
READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public session this 11th day of September 2018.

PASSED and ADOPTED by the City Commission of the City of North Port, Florida on second and final reading in public session this 4 day of October 2018.

CITY OF NORTH PORT, FLORIDA

  
\_\_\_\_\_  
VANESSA CARUSONE  
MAYOR

ATTEST:

  
\_\_\_\_\_  
KATHRYN PETO  
INTERIM CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:

  
\_\_\_\_\_  
AMBER L. SLAYTON  
CITY ATTORNEY

