

ORDINANCE 1258

AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA AMENDING THE CITY OF POLK CITY CHARTER ARTICLE III; SECTION C-8 COMPENSATION; AMENDING COMPENSATION FOR COUNCIL MEMBERS; PROVIDING FOR AN ELECTION DATE; PROVIDING FOR REFERENDUM QUESTIONS; PROVIDING FOR SEVERABILITY OF CHARTER AMENDMENTS; PROVIDING FOR REPEAL OF ALL ORDINANCES OR SEGMENTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY FLORIDA:

Section 1. Article III Section C-8. The Charter of the City of Polk City is hereby amended to read as follows:

C-8. Compensation.

- A. The City Council Members of the city shall receive the sum of fifty dollars (\$50.00) per month and the Mayor-Council Member shall receive the sum of (\$100.00) per month as compensation for their respective services to the city during the time they hold office. The compensation of Council Members will be increased each year based on the Federal Cost of Living Index formula.
- B. All Council Members shall be authorized to receive reimbursement for expenses incurred in connection with performing official duties for the city, and a fund shall be provided in the annual budget for the purpose; provided, however, that the city in no way shall be obligated for the payment of such expenses unless and until the City Council shall have expressly approved the same in an open public meeting.
- C. Council members shall be paid on the second payroll period of each month. Council members shall not receive the monthly compensation for any month they are absent from the regularly scheduled meeting.

Section 2. The referendum on these ballot questions shall be at the next general election held on the first Tuesday in April, 2010.

Section 3. Referendum Questions. The following referendum questions shall be placed on the ballot for the election in Section 3 above:

CHARTER AMENDMENT #1

DO YOU APPROVE AMENDING THE CITY OF POLK CITY CHARTER TO PROVIDE FOR COUNCIL MEMBERS FORFIET MONTHLY COMPENSATION FOR ANY MONTH A MEMBER IS ABSENT FROM THE REGULARLY SCHEDULED COUNCIL?

YES (FOR APPROVAL OF AMENDMENT)

NO (FOR REJECTION OF AMENDMENT)

Section 5. Severability of Charter Amendments. The Charter Amendments set forth in this Ordinance are severable, and the City Charter shall be amended to include either or both of the two proposed amendments subject to the approval of the electors.

Section 6. Effective Date. If approved by referendum, each proposed Charter Amendment shall become effective immediately.

Section 7. Ordinances in Conflict. All ordinances or segments of ordinances in conflict herewith are hereby repealed.

Section 8. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining segments of this Ordinance.

Section 9. Effective Date. This Ordinance shall take effect immediately upon its passage.

INTRODUCED AND PASSED on first reading this the ____ day
of _____ 2009.

City Council of the City of Polk City

Donald L. Penton, Mayor

ATTEST

Patricia Jackson, City Clerk

PASSED AND CERTIFIED AS TO PASSAGE on the second reading this the ____ day
of _____ 2009.

City Council of the City of Polk City

Donald L. Penton, Mayor

ATTEST

Patricia Jackson, City Clerk

APPROVED AS TO CONTENT AND FORM

Jeffrey Sullivan, City Attorney