

**CITY OF PALM COAST ORDINANCE NO. 2007-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA RELATING TO AND PROVIDING, IN ACCORDANCE WITH THE *CITY OF PALM COAST* CHARTER, FOR AN EQUITABLE ADJUSTMENT TO THE SALARIES OF THE MAYOR, VICE MAYOR AND MEMBERS OF THE CITY COUNCIL; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE IN ACCORDANCE WITH THE PROVISIONS OF THE *CITY OF PALM COAST* CHARTER.**

**WHEREAS**, the City of Palm Coast is a Florida municipal corporation existing under the laws of the State of Florida and is faced with the challenges that present themselves to the local governments of the State of Florida relating to provision of essential public services, sound growth management, and other public services for the protection of the health, safety and welfare of the citizens of the City of Palm Coast; and

**WHEREAS**, unlike most cities in Florida, which are populated by a small portion of the overall county population, the City of Palm Coast is populated by a vast majority of the citizens of Flagler County; and

**WHEREAS**, the City Council of the City of Palm Coast faces numerous and diverse governmental challenges as the City of Palm Coast grows and expands, the relationships of Federal and State governments to local governments evolve and the time required to be devoted to the position of Mayor, Vice Mayor and Member of the City Council greatly increase; and

**WHEREAS**, the responsibilities of the Mayor, Vice Mayor and Members of the City Council of the City of Palm Coast (the five (5) member City Council created and established under Section 5(1)(a)1 of the *City of Palm Coast Charter*) have continued to expand and increase and the City continues to face new, complex and dynamic

challenges having doubled in population since the date of incorporation; and

**WHEREAS**, the *City of Palm Coast Charter* at Section 6(a) (Chapter 99-448, Law of Florida, as amended by Chapter 2002-339, *Laws of Florida*) provides, in pertinent part, that:

“The Council members and Mayor shall receive compensation as established by ordinance. Such compensation shall not take effect until the date of commencement of the terms of Council members elected at the next regularly scheduled election that follows the adoption of said ordinance by at least six months.”

; and

**WHEREAS**, the demands upon the City Council of the City of Palm Coast result in a large amount of time to be devoted toward fulfilling responsibilities and duties to the City and such activities preclude these public officials from engaging in other activities and endeavors; and

**WHEREAS**, the City Council of the City of Palm Coast has reviewed a salary survey of the salaries of the mayors, vice mayors and city councils and commission of various comparable municipalities located in the State of Florida and has concluded that the salaries of the Mayor, Vice Mayor and the Members of the City Council of the City of Palm Coast merit an equitable adjustment based upon the City’s study and analysis of the various salaries of the other comparable municipalities and the fact that the current salary structure is disproportionate to the time and effort required from public service to the City of Palm Coast; and

**WHEREAS**, the salaries of the Mayor and City Council of the City of Palm Coast

do not, in any way, approximate the salaries of County officials whose representation of constituents is little, if any, more complex or time-consuming than the representation provided by the Mayor and the City Council; and

**WHEREAS**, while other local governments provide for benefits such as health insurance and retirement payments, the City of Palm Coast does not provide such benefits to its elected officials; and

**WHEREAS**, while it is recognized that not all time devoted to civic service neither can, or should be compensated in full, it is desirable, and in the public interest, to ensure that public officials are not required to have undue costs and financial burdens cast upon them as a result of public service and it is, further, recognized that some reasonable level of compensation to public officials will encourage those who might not otherwise be able to participate in local government to participate and expand the potential pool of candidates for City office; and

**WHEREAS**, all requirements of controlling State law and the provisions of the *City of Palm Coast Charter* have been complied with relative to the enactment of this Ordinance.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM COAST:**

**SECTION 1: LEGISLATIVE FINDINGS; COMPENSATION FOR MAYOR, VICE MAYOR AND MEMBERS OF THE CITY COUNCIL.**

(a). It is necessary, serves a public purpose, and is in the best interest of the citizens of the City of Palm Coast, Florida, to modify the salaries of the Mayor, Vice Mayor and Members of the City Council of the City of Palm Coast as set forth in this

Section. The findings set forth in the recitals (whereas clauses) to this Ordinance and hereby adopted as additional legislative findings.

(b). The Mayor of the City of Palm Coast, Florida shall receive the annual salary of \$11,400.00 payable in accordance with City pay periods for City employees.

(c). Each Member of the City Council of the City of Palm Coast, Florida, not serving as Mayor, shall receive the annual salary of \$9,600.00 payable in accordance with City pay periods for City employees.

**SECTION 2. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder shall nevertheless be given full force and effect, and to this end, the provisions of this Ordinance are hereby declared severable.

**SECTION 4. CODIFICATION.** This Ordinance shall be codified in the *Code of Ordinances of the City of Palm Coast*. The Code codifier is granted authority to change the words "Ordinance" and other words to reflect the Part, Section, Article, etc., assigned in the Code, except that Sections 2, 3, 4, and 5 shall not be codified.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective the date of commencement of the terms of Members of the City Council elected at the next regularly scheduled election that follows the adoption of this Ordinance by at least six (6) months.

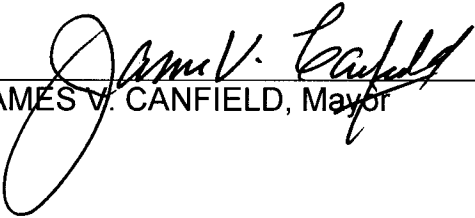
Approved on the **FIRST READING** this 20<sup>th</sup> day of March 2007.

Adopted on the **SECOND READING AFTER DUE PUBLIC NOTICE AND HEARING** this 3<sup>rd</sup> day of April 2007.

**CITY OF PALM COAST, FLORIDA**

ATTEST:

  
\_\_\_\_\_  
CLARE M. HOENI, City Clerk

  
\_\_\_\_\_  
JAMES V. CANFIELD, Mayor

**Flagler/Palm Coast  
NEWS-TRIBUNE**

Published Each Wednesday and Saturday  
Flagler County, Florida

**State of Florida,  
County of Flagler:**

Before the undersigned authority personally appeared

Linda Pierre

Who, on oath says that she is

Classified Advertising Manager

of The Flagler/Palm Coast NEWS-TRIBUNE, a twice weekly newspaper published Flagler County, Florida; that the attached copy of advertisement, being a

**Notice of Public Hearing**

in the matter of An Ordinance Concerning Salaries of Officials  
in the Court  
was published in said newspaper in the issues  
March 24, 2007

Affiant further says that The Flagler/Palm Coast News-Tribune is a newspaper published in said Flagler County, Florida, and that the said newspaper has heretofore been continuously published in said Flagler County, Florida, each Wednesday and Saturday and has been entered as second-class mail matter at the post office in Flagler Beach, in said Flagler 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 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.

*Linda Pierre*

Sworn to and subscribed before me

this 26th day of March

A.D. 2007

*Anita Marie Saunders*



**ANITA MARIE SAUNDERS**  
Notary Public, State of Florida  
My comm. expires Aug. 30, 2007  
Comm. No. DD 222131

**LEGAL ADVERTISEMENT**

**CITY OF PALM COAST  
NOTICE OF PUBLIC HEARING**  
Notice is hereby given that a public hearing will be held before the City Council of the City of Palm Coast on April 3, 2007 beginning at 6:30 p.m. in Council Chambers at 305 Palm Coast Parkway North, Palm Coast, Florida. The purpose of the hearing is to hear all interested parties and act upon the adoption of Ordinance Number 2006-xx entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA RELATING TO AND PROVIDING, IN ACCORDANCE WITH THE CITY OF PALM COAST CHARTER, FOR AN EQUITABLE ADJUSTMENT TO THE SALARIES OF THE MAYOR, VICE MAYOR AND MEMBERS OF THE CITY COUNCIL; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF PALM COAST CHARTER."  
This ordinance is available for review at Palm Coast City Hall, Two Commerce Boulevard, Palm Coast, FL.  
In accordance with the Americans with Disabilities Act, persons needing assistance to participate in these proceedings should contact Human Resource Analyst Pam Barrett, at 386-986-3720 at least 48 hours prior to the meeting.  
If any person decides to appeal any decision made by Council with respect to any matter considered at such hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.  
Legal NT4520. March 24, 2007 lt.