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**WHEREAS**, on March 2, 2023, the City Commission gave direction to the city attorney to draft an ordinance that revises section 2-66 of the Code of Ordinances, which establishes City Commissioner salaries; and

**WHEREAS**, the intent of this ordinance is to amend the methodology regarding salaries for the mayor and city commission, and return to a methodology consistent with that which was in place prior to the adoption of Ordinance No. 2022-758 on December 15, 2022; and

**WHEREAS**, at least 10 days' notice has been given by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings to be held in the City Commission Auditorium, City Hall, City of Gainesville; and

**WHEREAS**, the public hearings were held pursuant to the published notice described at \_\_\_\_\_, which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

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

**Section 1.** Section 2-66 of Article II of Chapter 2 of the Code of Ordinances is amended to read as follows:

(a) In Fiscal Year 2023-24, the annual salary of the mayor is \$51,399.94, and the annual salary of each other member of the commission is \$40,386.49. Except as provided in (c) below, for each

1 subsequent fiscal year, the then current annual salary shall be adjusted by the preceding August  
2 to August percent change in the Bureau of Labor Statistics Consumer Price Index (1982-84 =  
3 100) all urban consumers, Southern region, All Items (CPI).

4 (b) The salaries shall be paid on a biweekly pay cycle from the general fund of the city in equal  
5 amounts for each biweekly period of service, except for the first and last payment that shall be  
6 made on a prorata basis. Such salary shall be calculated from the date the commissioner or  
7 mayor, respectively, takes office and shall continue until the mayor or commissioner no  
8 longer holds such office.

9 (c) If employees in the city's professional pay plan do not receive a budgeted base increase in any  
10 particular fiscal year, then the salaries of the mayor and city commissioners shall not be  
11 increased that fiscal year. If payment of a base increase for employees in the city's  
12 professional pay plan is delayed in any fiscal year, then the mayor and city commissioners  
13 CPI adjustment shall be treated similarly.

14 ~~(a) Definitions.~~

15 ~~(1) The "Annual factor" means 1 plus the lesser of:~~

16 ~~A. The average percentage increase in the salaries of state career service employees~~  
17 ~~for the current fiscal year as determined by the Department of Management~~  
18 ~~Services or as provided in the General Appropriations Act; or~~

19 ~~B. Seven percent.~~

20 ~~(2) "Cumulative annual factor" means the product of all annual factors certified under~~  
21 ~~section 145.19, Fla. Stat., prior to the fiscal year for which salaries are being~~  
22 ~~calculated.~~

23 ~~(3) "Initial factor" means a factor of 1.292.~~

(4) “Enhanced base salary” is the base salary listed in the table below (based upon the estimated population of the City of Gainesville, as published by the U.F. Bureau of Economic & Business Research, or a comparable credible source selected by the Human Resources Department) plus the product of the population in excess of the minimum population times the group rate. The Enhanced base salary is compensation for population increments over the minimum for each population group.

Table 1

Pop. Group	City Pop. Range		Base Salary	Group Rate
-	Minimum	Maximum	-	-
I	0	9,999	\$4,500	\$0.150
II	10,000	49,999	6,000	0.075
III	50,000	99,999	9,000	0.060
IV	100,000	199,999	12,000	0.045
V	200,000	399,999	16,500	0.015
VI	400,000	999,999	19,500	0.005
VII	1,000,000	-	22,500	0.000

(5) “Adjusted salary” shall be the product, rounded to the nearest dollar, of the Enhanced base salary multiplied by the Initial factor, then multiplied by the Cumulative annual factor, and then multiplied by the Annual factor.

(b) Calculation of salary.

(1) Each member of the city commission shall receive a salary that is equal to the amount of the Adjusted salary based upon the most recent population data available to the Human Resources Department at the time the budget is developed in May of each year.

(2) The Human Resources Department shall certify the Annual factor and Cumulative annual factor and shall use the same factors as the Florida Department of Management Services,

1 ~~to the extent possible. If, after due diligence, the Human Resources Department is unable to~~  
2 ~~obtain the Annual factor and Cumulative annual factor from the Florida Department of~~  
3 ~~Management Services, or other department of the State of Florida which is responsible for~~  
4 ~~determining the factors, the Human Resources Department shall use the Annual factor and~~  
5 ~~Cumulative annual factor from the most recent year that the Florida Department of Management~~  
6 ~~Services certified the factors.~~

7 ~~(3) In any given year, the mayor's salary shall be that of a commissioner plus 25% of the~~  
8 ~~commissioner salary.~~

9 ~~(c) Frequency of pay. The annual salaries calculated according to the formula in this section will~~  
10 ~~become effective beginning the first full biweekly pay period in January of each year. The~~  
11 ~~salaries shall be paid on a biweekly pay cycle from the general fund of the city in equal amounts~~  
12 ~~for each biweekly period of service, except for the first and last payment that shall be made on a~~  
13 ~~prorata basis. Such salary shall be calculated from the date the commissioner or mayor~~  
14 ~~respectively, takes office and shall continue until the mayor or commissioner no longer holds~~  
15 ~~such office.~~

16 **Section. 2.** Ordinance No. 2022-758 is repealed in its entirety, and shall not become  
17 effective.

18 **Section 3.** It is the intention of the City Commission that the provisions of Section 1 of  
19 this Ordinance shall become and be made a part of the Charter and the Code of Ordinances of the  
20 City of Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be  
21 renumbered or relettered in order to accomplish such intentions.

22 **Section 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance  
23 or the application hereof to any person or circumstance is held invalid or unconstitutional, such

1 finding shall not affect the other provisions or applications of this ordinance that can be given  
2 effect without the invalid or unconstitutional provision or application, and to this end the  
3 provisions of this ordinance are declared severable.

4 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
5 such conflict hereby repealed.

6 **Section 6.** This ordinance shall become effective immediately upon adoption.

7 **PASSED AND ADOPTED THIS \_\_\_\_\_ day of April, 2023.**

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10 \_\_\_\_\_  
11 HARVEY L. WARD, JR.  
12 MAYOR

13  
14 Attest:

Approved as to form and legality:

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17  
18 \_\_\_\_\_  
19 OMICHELE D. NATTIEL-WILLIAMS  
20 CITY CLERK

\_\_\_\_\_

DANIEL M. NEE  
CITY ATTORNEY

21  
22  
23 This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2023.

24  
25 This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2023.