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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) On June 1, 2000, the then current salary of the mayor and each member of the city commission  
shall be increased by 1½ percent. Commencing on October 1, 2000, the mayor shall receive the

1 annual salary of \$35,868.00. Commencing on October 1, 2000, each other member of the city  
2 commission shall receive the annual salary of \$28,182.00. Except as provided in (c) below on  
3 October 1, 2001, the then current annual salary shall be adjusted by the August 2000 to August  
4 2001 percent change in the Bureau of Labor Statistics Consumer Price Index (1982-84 = 100)  
5 all urban consumers, Southern region, All Items (CPI). Each fiscal year thereafter the salary  
6 shall be similarly adjusted, utilizing the following August to August change. Effective the first  
7 payroll period after March 1, 2002, the then current salaries of the mayor and city  
8 commissioners shall be reduced by 13.14 percent, which reduced salary shall thereafter be  
9 subject to adjustment as provided for herein.

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

15 (c) If employees in the city's professional pay plan do not receive a general increase in any  
16 particular fiscal year, then the salaries of the mayor and city commissioners shall not be  
17 increased that fiscal year. If payment of a general increase for employees in the city's  
18 professional pay plan is delayed in any fiscal year, then the mayor and city commissioners  
19 CPI adjustment shall be treated similarly.

20 (a) Definitions.

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

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

B. ~~Seven percent.~~

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

(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	<del>0-</del>	<del>9,999</del>	<del>\$4,500</del>	<del>\$0.150</del>
II	<del>10,000</del>	<del>49,999</del>	<del>6,000</del>	<del>0.075</del>
III	<del>50,000</del>	<del>99,999</del>	<del>9,000</del>	<del>0.060</del>
IV	<del>100,000</del>	<del>199,999</del>	<del>12,000</del>	<del>0.045</del>
V	<del>200,000</del>	<del>399,999</del>	<del>16,500</del>	<del>0.015</del>
VI	<del>400,000</del>	<del>999,999</del>	<del>19,500</del>	<del>0.005</del>
VII	<del>1,000,000</del>	<del>-</del>	<del>22,500</del>	<del>0.000</del>

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

4 ~~(b) Calculation of salary.~~

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

8           ~~(2) The Human Resources Department shall certify the Annual factor and Cumulative~~  
9 ~~annual factor and shall use the same factors as the Florida Department of Management Services,~~  
10 ~~to the extent possible. If, after due diligence, the Human Resources Department is unable to~~  
11 ~~obtain the Annual factor and Cumulative annual factor from the Florida Department of~~  
12 ~~Management Services, or other department of the State of Florida which is responsible for~~  
13 ~~determining the factors, the Human Resources Department shall use the Annual factor and~~  
14 ~~Cumulative annual factor from the most recent year that the Florida Department of Management~~  
15 ~~Services certified the factors.~~

16           ~~(3) In any given year, the mayor’s salary shall be that of a commissioner plus 25% of the~~  
17 ~~commissioner salary.~~

18 ~~(c) Frequency of pay. The annual salaries calculated according to the formula in this section will~~  
19 ~~become effective beginning the first full biweekly pay period in January of each year. The~~  
20 ~~salaries shall be paid on a biweekly pay cycle from the general fund of the city in equal amounts~~  
21 ~~for each biweekly period of service, except for the first and last payment that shall be made on a~~  
22 ~~prorata basis. Such salary shall be calculated from the date the commissioner or mayor~~

1 ~~respectively, takes office and shall continue until the mayor or commissioner no longer holds~~  
2 ~~such office.~~

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

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

9 **Section 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance  
10 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
11 finding shall not affect the other provisions or applications of this ordinance that can be given  
12 effect without the invalid or unconstitutional provision or application, and to this end the  
13 provisions of this ordinance are declared severable.

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

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

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

19 \_\_\_\_\_  
20 HARVEY L. WARD, JR.  
21 MAYOR  
22  
23

24 Attest:

Approved as to form and legality:

25 \_\_\_\_\_  
26  
27  
28 \_\_\_\_\_

1    OMICHELE D. NATTIEL-WILLIAMS    DANIEL M. NEE  
2    CITY CLERK    CITY ATTORNEY

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4  
5    This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2023.

6  
7    This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2023.