

## ORDINANCE 24-01

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA, SUBMITTING TO REFERENDUM AMENDMENTS TO THE CHARTER OF THE CITY OF MARCO ISLAND AT ARTICLE III, "LEGISLATIVE," SECTION 3.03, "COMPENSATION," OF THE CITY OF MARCO ISLAND CHARTER TO PROVIDE FOR AN INCREASE IN THE SALARY FOR THE CHAIRMAN AND COUNCIL MEMBERS, RESPECTIVELY, WHICH SALARY INCREASES SHALL COMMENCE IN THE 2026-27 FISCAL YEAR; AND AN ANNUAL GENERAL WAGE ADJUSTMENT EQUAL TO THE COST OF LIVING INCREASE PROVIDED TO CITY EMPLOYEES EACH YEAR THEREAFTER; PROVIDING FOR A NOTICE OF AN ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH THE CODE OF ORDINANCES AND THE CHARTER OF THE CITY OF MARCO ISLAND, FLORIDA, AS WELL AS THE STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF MARCO ISLAND, ON THE MARCH 19, 2024 PRESIDENTIAL PREFERENCE PRIMARY ELECTION BALLOT; AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY'S CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides for a methodology of Charter amendments supplementary to and not in conflict with the Charter of the City of Marco Island; and

**WHEREAS**, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the City Council of the City of Marco Island, Florida, in an ordinance format; and

**WHEREAS**, the City Council has recommended modifications to Article III, "Legislative," Section 3.03, "Compensation," and in particular has recommended the

amendments to the City of Marco Island Charter to provide for an increase in the salaries paid to the Chairman and Councilmembers of the City of Marco Island, commencing with the 2026-27 Fiscal Year, and then an annual cost of living increase thereafter equal to the cost of living increase provided to City employees.

**WHEREAS**, the City Council deems the proposed amendment to the City Charter, as detailed herein, to be in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, THAT:**

**Section 1.** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**Section 2.** Article III, entitled, “Legislative,” shall be revised by amending Section 3.03, “Compensation,” of the Charter of the City of Marco Island, as follows:

**Section 3.03. - Compensation.**

Commencing with the 2026-27 Fiscal Year, the salary of each Council Member, except for the Chairman, shall be \$11,500.00 ~~6,000.00~~ per year, payable in equal monthly installments. Commencing with the 2026-27 Fiscal Year, the salary of the Chairman shall be \$17,200.00 ~~9,000.00~~ per year, payable in equal monthly installments. Thereafter, the salary for the Council Members and the Chairman shall be increased on an annual basis, in an amount equal to the cost of living increase provided to all City employees.

**Section 3.** The Ballot Title shall be as follows:

**THE SALARY FOR ELECTED OFFICIALS SHALL BE INCREASED AND INCLUDE A COST OF LIVING ADJUSTMENT**

**Section 4.** At the Presidential Preference Primary Election on March 19, 2024, the following question shall be placed on the ballot for consideration by the qualified electors of the City of Marco Island, Florida, and shall be read as follows:

The City Charter currently provides for salary for all members of the City Council, and has not been adjusted since 1997. Shall the salary for the Chairman be increased from \$9,000 to \$17,200 per year, and the salary for Councilors be increased from \$6,000 to \$11,500 per year commencing with the 2026-27 Fiscal Year, and thereafter provide for an annual general wage adjustment equal to the cost of living provided to City employees.

YES

NO

**Section 5. Effectiveness.**

A. That the Charter Amendment and amendments to the Code of Ordinances, which are provided herein shall become effective only if the majority of the qualified electors voting on the Charter Amendment vote in favor of its adoption, and it shall be considered adopted and effective upon the certification of the election results.

**Section 6. Advertisement.** The City Clerk of the City of Marco Island is hereby authorized and directed to advertise the referendum election contemplated herein all in accordance with the Code of Ordinances of the City of Marco Island, Florida, as well as the State of Florida Election Code.

**Section 7. Conflict.** All ordinances or parts of ordinances in conflict are repealed to the extent of such conflict.

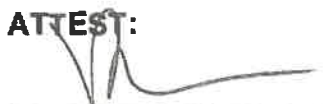
**Section 8. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 9. Codification.** It is the intention of the City Council that the provisions of this Ordinance shall become and be made a part of the City of Marco Island Code, and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

**Section 10. Effective Date.** This Ordinance shall become effective immediately upon adoption at its second reading.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 8<sup>th</sup> day of January 2024.

ATTEST:

  
\_\_\_\_\_  
Joan Taylor, City Clerk

CITY OF MARCO ISLAND, FLORIDA

By:   
\_\_\_\_\_  
Jared Grifoni, Chairman

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Alan L. Gabriel, City Attorney

## NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the City of Marco Island, Florida, proposes to adopt the following ordinance and will hold a public hearing on the ordinance in the Community Room, 51 Bald Eagle Drive, Marco Island, Florida, at or after 5:30 PM on January 8, 2024, or as soon after as it can be heard. The meeting or public hearing may be continued by from time to time as required:

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The proposed ordinance may be inspected by the public Monday-Friday from 8:00 AM to 5:00 PM, excepting city holidays by calling the City Clerk's Office, (239) 389-5010. The public is hereby advised that members of the City Council may be present at the meeting and may discuss the request and proposed Petition.

If a person decides to appeal any decision made by the Board, Agency, or City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, 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. (FS 286.0105). This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor

does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk, Joan Taylor at (239)-389-5010 at least 48 hours prior to the meeting.

City of Marco Island, Florida

Joan Taylor, City Clerk