

City of Opa-locka

*Commission Chambers
215 Perviz Avenue
Opa-locka, FL 33054*



CHARTER REVIEW BOARD Agenda

**Thursday, March 17, 2022
6:00 PM**

Charter Review Board Members

**Chair Jannie Russell
Vice Chair Nikisha Williams
Board Member Christina Banks
Board Member Mykeisha Fenn
Board Member John Riley
Board Member Audrey Edmonson
Board Member Frank Vega**

**CITY OF OPA-LOCKA
“The Great City”**

CHARTER REVIEW BOARD MEETING

Thursday, March 17, 2022

6:00 p.m.

AGENDA

- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. INVOCATION:**
- 4. PLEDGE OF ALLEGIANCE:**
- 5. ADDITIONS/CHANGES/DELETIONS:**
Request to add, change or delete items from the agenda
- 6. APPROVAL OF MINUTES:**
Charter Review Board Meeting Minutes – March 3, 2022
- 7. PUBLIC COMMENT:**
Please limit to no more than three (3) minutes
- 8. MEMORANDUM FROM CITY CLERK:**
- 9. PRESENTATIONS:**
 - 1. Lynn S. Tipton, Director**
Florida League of Cities University
Re: Forms of Government
 - 2. Robert Anathan, Budget Administrator**
City of Opa-locka
Re: City of Opa-locka Financial Oversight Status
 - 3. Gerri Lazarre, Financial Consultant**
City of Opa-locka
Re: Opa-locka Elected Officials Benefits

- 10. REVIEW / DISCUSSION ON ARTICLE I THROUGH VIII OF THE CHARTER:** *Continuation from previous Charter Review Board Meeting on March 3, 2022 (Section 2.5 of the City Charter)*
- 11. ITEMS FOR NEXT MEETING AGENDA:**
- 12. ADJOURNMENT:**

NEXT MEETING DATE
Thursday, April 7, 2022 at 6:00 p.m.

Pursuant to F.S. 286.0105, if a person decides to appeal any decision made by the Board, Agency or Commission with respect to the proceedings, and that, for such purpose, that person 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.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance at least two (2) business days prior to the meeting to request such accommodation. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD).

Procedures for Public Participation

Participation at Charter Review Board Meetings

The Charter Review Board will meet in-person while allowing virtual participation via Zoom.

Charter Review Board Meeting location for in-person meetings

Charter Review Board Meetings are held in the Auditorium at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida, with offsite participants joining by Zoom.

How to watch the meeting

Members of the public are encouraged to watch the public meeting at <https://www.youtube.com/user/CityofOpaLocka>

How to participate

Charter Review Board Meetings are held in-person with virtual participation; members of the public wishing to address the Commission on any agenda item may do so in person or virtually.

To participate virtually, please register prior to the start of the meeting at www.opalockafl.gov.

APPROVAL OF MINUTES

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES

CHARTER REVIEW BOARD MEETING

Thursday, March 3, 2022

6:00 p.m.

1. CALL TO ORDER:

Board Chair Jannie Russell called the meeting to order at 6:05 PM on Thursday, March 3, 2022 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the Charter Review Board were present: Board Member Christina Banks, Board Member Mykeisha Fenn, Board Member John Riley, Board Member Frank Vega, Board Vice Chair Nikisha Williams and Board Chair Jannie Russell. Board Member Audrey Edmonson arrived at 6:11 PM. Also in attendance were City Attorney Burnadette Norris-Weeks and City Clerk Joanna Flores.

3. INVOCATION:

The invocation was delivered by Board Member Riley.

4. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited in unison.

5. PUBLIC COMMENT:

Please limit to not more than three (3) minutes

Board Chair Russell stated that City Clerk Flores and the City Attorney Norris-Weeks are present to give the Board any information they may need, and she expressed appreciation for any help they can give. The Chair also thanked each and every Board Member for volunteering their time to continue making the City great. She said that as the Board goes through their process, they want to make sure that they are diligent in their work and do the best they can and what is right for the City. Chair Russell asserted that no one is on the Board to be in charge and are going to work together to get through the process because she believes all of them are there to make Opa-locka better. She concluded by acknowledging that they may not always see it through the same lens, but she thinks they are all trying to reach the same goal to make the City great.

Board Chair Russell opened Public Comment.

There being no members of the public to address the Board Members, Chair Russell closed Public Comment.

6. ADDITIONS/CHANGES/DELETIONS:

Request to add, change or delete items from the agenda

There were none.

7. DISCUSSION ON ARTICLE I THROUGH VIII OF THE CHARTER:

Board Chair Russell thanked the Information Technology Department for being present and then asked City Attorney Norris-Weeks to deliver an opening statement.

City Attorney Norris-Weeks asked for a moment of silence to honor the loss of Mrs. Jannie Russell's father. Upon conclusion of the moment of silence, the City Attorney stated that she and City Clerk Flores spoke with Board Chair Russell earlier that day about going through the Charter and making sure everyone felt comfortable with it before they dive into issues. City Attorney Norris-Weeks then reviewed the Preamble and Citizens Bill of Rights.

Board Member Riley expressed his appreciation that the Citizens Bill of Rights was read and said that his issue is that the City violates these things consistently. The Board Member said that the due process guaranteed by Section 13 of the Code of Ordinances and the Constitution is never adhered to and offered the example of business licenses. He added that he believes the reason lawsuits are lost is because the City doesn't adhere to its own ordinances and pays no attention to the City's Charter.

City Attorney Norris-Weeks stated that she doesn't want to go too far off track and wants to see if they can get through the Charter. The City Attorney said that maybe Board Chair Riley was right on some things, but the City doesn't lose lawsuits over and over again, and she thinks the City's been doing well in the last couple of years. She suggested that questions and comments can be saved until the end.

Board Member Riley stated that the Members of the Charter Review Board can go through the Charter at any time, as it is their purpose, but he said that he doesn't understand going line by line at a meeting.

Board Chair Russell informed her colleagues on the Board that she spoke with City Attorney Norris-Weeks and City Clerk Flores to set some order to how they wanted to go through the process. Asserting that she thinks everyone was appointed to the Board because the City Commissioner who appointed them felt they could do the job, she

acknowledged that Mr. Riley and a few others are more experienced with the Charter. Chair Russell said that going through the Charter first will give the Board a flow. The Chair also recognized that time is of the essence, but they want to take their time. She added that the Board might get to a section and realize it doesn't line up with what they heard in another section. Board Chair Russell stated that she doesn't want to be directing the ship entirely and asked to hear the will of the Board about allowing the City Attorney to go through the Charter and process. She added that she thinks some issues can be taken up by the Board because they are going to be issues that they have to take up with the City Commission, asking if her colleagues on the Board agree with her.

Board Member Edmonson stated that she totally agrees with what Chair Russell said, adding that any board and especially one reviewing the Charter, needs to know exactly what is in the Charter as well as everything else. The Board Member said she is looking at it and knows everything that is in there, but she realizes that everybody doesn't know, and they don't want someone to say that they didn't know. She suggested that the Board listen and let the City Attorney take them through it.

Board Vice Chair Williams stated that she thinks it's helpful to have City Attorney Norris-Weeks go through the Charter.

Board Member Fenn stated that she too thinks it's necessary for the Board Members to know what's in the Charter and added that the Citizens should also know so that they are able to speak on it as well.

Board Chair Russell stated that they might miss something, and they can bring it back at the next meeting the Board has. The Chair thanked Board Member Riley and asked City Attorney Norris-Weeks to move forward.

City Attorney Norris-Weeks informed the Board that generally speaking, charters are as streamlined as possible, advising as a general rule that they don't want to put a lot of stuff in the Charter. The City Attorney said that she thinks when the cleanup was done in 2012 to streamline the Charter, it was done to make it more akin to what is seen in other city charters. Noting that the current Charter is not tons of pages, she explained that it was by design because they want it to be a living breathing document and something that cannot be inflexible. Attorney Norris-Weeks added that typically ordinances will supplement the Charter. She suggested that what she is saying about charters being short and describing the structure of government, can be verified on Municode, which the City Attorney explained is used by lots of cities in the state and she said can be a helpful resource.

Board Chair Russell asked what the numbers at the bottom of the Charter were.

City Attorney Norris-Weeks explained that the numbers at the bottom of the Charter relate to when changes were made.

Board Chair Russell stated that City Attorney Norris-Weeks had answered her question and asked her to go ahead.

City Attorney Norris-Weeks reviewed ARTICLE I - INCORPORATION, FORM OF GOVERNMENT, BOUNDARY AND POWERS as included in the current City Charter.

Board Vice Chair Nikisha Williams asked City Attorney Norris-Weeks to explain the difference between the various forms of government.

City Attorney Norris-Weeks stated that a strong mayor acts as a manager and has the administrative responsibilities to oversee operations and make certain designated decisions, pointing out that it may differ a little bit from charter to charter. The City Attorney noted that Miami-Dade County has a strong mayor form of government and invited Advisory Board Member Edmonson to speak on the issue.

Board Member Edmonson said that she thinks City Attorney Norris-Weeks covered most of it, but she also said that Miami-Dade County having a strong mayor means they are responsible for all the administration and all the employees, with the County Commission having no say in the hiring or disciplining of any employees, except those that fall under the Commission.

City Attorney Norris-Weeks stated that the strong mayor is a very different form of government than what Opa-locka has and she said that it is basically what works for the place where you are. The City Attorney added that most cities have Opa-locka's same form of government and she also said that she thinks less than 5 counties in Florida have a strong mayor and not a lot of cities in the State have that form of government, describing it as unusual. She explained that some people argue that a strong mayor is warranted when it's a large area or there are regional implications, while others take the position that it dilutes the voting power of minorities or that it puts too much power in the hands of one person.

Board Vice Chair Nikisha Williams said that she noticed that some cities like Miami Gardens have a Mayor-Commission-Manager form of government and asked about the differences between that form of government and the Commission-Manager form of government.

City Attorney Norris-Weeks stated that all the forms of government can be structured a little bit differently and sometimes it comes down to cost because when you have more layers of government, it's going to be more expensive because the person will have a staff

underneath them. The City Attorney pointed out that a form of government could be structured for Opa-locka, allowing or limiting certain powers or duties.

Board Member Riley informed his colleagues on the Board that Opa-locka was founded in May of 1926 with a strong mayor and remained with that form of government until 1956 when the Charter was changed to establish a Professional Manager-Weak Mayor form of government and all candidates would run for the City Commission, with the highest vote getter becoming the Mayor and the second highest vote getter becoming the Vice Mayor. The Board Member also recalled that the charter was changed again in 1986, creating the Office of the Mayor and separating the Mayor's election from the Commission's, which is how Opa-locka operates today.

Board Chair Russell asked City Attorney Norris-Weeks to explain the Mayor-Commission form of government.

City Attorney Norris-Weeks explained that under the Mayor-Commission form of government, the mayor is elevated in status over staff and deals with day-to-day operations. The City Attorney pointed out that currently in Opa-locka, the Mayor and all of the Members of the Commission being equal, sharing one vote and not being able to interfere in day-to-day operations, with the only things different for the Mayor being that they are recognized as the head of government for ceremonial purposes as well as being the head of the City for coordination with the Governor of Florida in the event of military operations.

Board Member Edmonson added that a strong mayor also has the ability to veto anything that the Commission puts forward, and the only way that the Commission can override the mayor is with a super majority, which she said makes it very difficult to do.

Board Chair Russell stated that she is not against the form of government that Opa-locka has now, but she has some concerns because she's not convinced that it's equal when the Mayor runs for a separate seat and most of the time, she said they have to raise more money to win, but then when it comes to voting, the powers of the Commission are all equal. The Chair added that she doesn't even know whether the Mayor gets a larger salary but is always the one that gets blamed despite not having any more power than the other members of the Commission.

City Attorney Norris-Weeks pointed out that in Broward County, the County Commission votes among themselves every year for who will be the mayor and she said that from what she hears, it causes a lot of disruption with complaints about nobody really knowing who the mayor is and who should be seen for emergency purposes, in addition to there being no continuity in what happens with the plans changing and never really having a lot of consistency in terms of what the county is focused on. The City Attorney said that Opa-locka's form of government is sort of the way that everybody operates, and people know

that if they want the title of mayor, it may take a little bit more to run for that seat, depending on the community. She recommended that the Board could have people come and tell them about the structures of government that they would like Opa-locka to be more like.

Board Chair Russell said that City Attorney Norris-Weeks provided a lot of reasons why the Board shouldn't consider a different form of government, and she asked what the good side of such a change would be.

Board Member Banks pointed out that the citizens of Opa-locka would need to make the change from the City's current Commission-Manager form of government, which she said she totally agrees with because she just thinks it should be that way. The Board Member added that she thinks they need to get money out of the way because they are public servants and if they're coming in to make money, they're in the wrong place. She asserted that they need to get people that want to do things for the community, adding that there are other benefits to being a Commissioner and Mayor. Board Member Banks concluded by stating that she is very aware of how other municipalities are running their governments but agrees with the Commission-Manager form of government, even though Opa-locka has not been the greatest at it.

Board Vice Chair Williams stated that it would be helpful to see how some other municipalities are handling their forms of government. Sharing that she has done some research, she echoed Chair Russell's sentiments about City Attorney Norris-Weeks providing the negative, also stating that there must be some positive. Board Vice Chair Williams requested that a couple different examples of the forms of government be brought before the Board, to have something to compare.

City Attorney Norris-Weeks recommended that the Board have the City Clerk set up speakers to talk to them about real life examples of the forms of government.

Board Chair Russell asked City Clerk Flores to set up some people that can talk to the Board about the forms of government, and she asked Board Member Riley if as a former Mayor, when he was on the Commission, if Opa-locka was operating under another form of government.

Board Member Riley informed the Board that since he's in Opa-locka, it has had the same form of government. The Board Member shared his perspective on the positive things about creating the Office of the Mayor in Opa-locka, stating that there was consistency. He recalled that there were some Commission seats that only had a 2-year term, and some had a 4-year term, and in 1974 there was a tie vote, and one person was Mayor for 1 year while the other person was Mayor for the 2nd year. Board Member Riley shared that consistency allowed things to happen that were not happening before, and he said that

things that don't get to a Commissioner, got to the Mayor as a member of different organizations like the National League of Cities, the Florida League of Cities, the National Conference of Black Mayors and the World Conference of Mayors. He offered an example of when Saudi Arabia was going to invest \$123 million in Opa-locka, but it went down because of elections, when the next person came in and it wasn't their idea, and they didn't think what that would have done for the community. Board Member Riley also urged his colleagues on the Board to remember that Miami-Dade County is a unique county as a chartered county, noting that Broward is not a chartered county and thus there are things done in Broward that can't be done in Miami-Dade. He went on to say that when Miami-Dade County makes a law, every city is required to carry it out, which he said is not the case in Broward, because he said Miami-Dade is the only county where that happens. The Board Member also said that the charters of the municipalities in other counties are governed by Chapter 166 of Florida Statutes, which does not apply to a chartered county, so it doesn't apply to cities in Miami-Dade County. He shared his opinion that there are a lot of positive things about Opa-locka's form of government, including giving a professional the operation of the day-to-day, and allows them to do certain things on the political end, being recognized as the Mayor wherever they go.

Board Chair Russell asked City Clerk Flores for an average of what is raised to run for Commission and Mayor.

City Clerk Flores stated that there are limitations on how much a person can contribute, but the total amount a candidate raises varies.

City Attorney Norris-Weeks continued reviewing ARTICLE I - INCORPORATION, FORM OF GOVERNMENT, BOUNDARY AND POWERS as included in the current City Charter.

Board Chair Russell asked if there were any questions about ARTICLE I - INCORPORATION, FORM OF GOVERNMENT, BOUNDARY AND POWERS, as reviewed by City Attorney Norris-Weeks, but there were no questions.

City Attorney Norris-Weeks began reviewing ARTICLE II - CITY COMMISSION as included in the current City Charter.

Board Chair Russell stated that there has been a lot of chatter in the community since term limits were established. The Board Chair said that some members of the Commission were at the limit when the term limits became law, and the next Mayor that had been on the Commission, served a 2-year term instead of a 4-year term. Board Chair Russell said that there's nothing that says how long they must sit out.

City Attorney Norris-Weeks stated that she thinks it is clear that if an incumbent reaches their term limit, they can't run for re-election in a consecutive term. The City Attorney recalled there was some issue before and even some litigation, but she said that when she read it including the language making it retroactive, she wasn't sure what the confusion was about and she added that from what she understands, the judicial rulings related to it, supported the fact that it does speak for itself. She said that people can sue for anything, but she asserted that it is clear and all the people who would have been subject to the term limits are no longer in office, so it's not relevant at this point because the Commission doesn't have anybody who has even served a full 4-year term at this point.

Board Chair Russell asked if people that have been on the Commission previously are now eligible to come back and run for office if they've sat out 2 or 4 years.

City Attorney Norris-Weeks confirmed that they would be eligible.

Board Vice Chair Williams noted that the current Charter says that no person may appear on the ballot for re-election as opposed to saying service, so she supposed that they could be appointed if there was a vacancy because it doesn't define how long they need to sit out before they can come back and serve.

City Attorney Norris-Weeks stated that Board Vice Chair Williams' point is a good one and she shared that when the issue came up, her recommendation was that somebody who served for 8 years would be a valid reappointment if the Commission decided to appoint them in the event that something happened, because they would have sat out even for 2 days.

Board Member Banks reminded the Board and the City Attorney that the City had to have a Commissioner appointed.

Board Member Riley stated that the language on the petition that Residents signed in reference to term limits, is different from the language that ended up in the Charter, which he said should not have happened.

City Attorney Norris-Weeks stated that she is not familiar with the issue at all and can't speak to it.

Board Chair Russell asked Board Member Riley if he wanted an answer.

Board Member Riley stated that he was just informing City Attorney Norris-Weeks. The Board Member also said that the question on the 2012 ballot said, "shall the Charter of the City of Opa-locka be updated" and all the changes happened, but he also noted that the law states you're supposed to be specific as to what is being changed. Board Member Riley

added that the court ruled and allowed people who had 8 consecutive years of service, to be on the ballot.

City Attorney Norris-Weeks stated that normally what happens is that there would have been a question on the ballot and there would have been a place that residents could have gone like the Clerk's Office to review the language, because if you're replacing the entire Charter you can't have the entire Charter as the ballot question, so an ordinance is drafted which would have attached all of the language that was being changed in the Charter. Pointing out that she wasn't serving as City Attorney at the time, but she is pretty sure that's what happened, and she asked City Clerk Flores to tell her if she's wrong.

City Clerk Flores confirmed that City Attorney Norris-Weeks was correct, recalling that the revisions being proposed to be made to the Charter on the 2012 election ballot, were available on the Opa-locka website as well as at City Hall. The City Clerk also pointed out that there are limitations on how many words a ballot question can be.

Board Member Riley said that the marijuana Constitutional Amendment was 4 pages on the ballot, with the question being small but all the particulars were 4 pages and he said he's seen the County have questions on the ballot where the question is also small, but the backup is all on the ballot. Board Member Riley asked to be excused at 7:13 PM because the Board had done some time and he didn't know it was going to be as long as it was. He assured his colleagues on the Board that he would plan for the next meeting, but he didn't plan for this.

Board Chair Russell thanked Board Member Riley for his expertise and all he has to offer to the Board.

City Attorney Norris-Weeks continued her review of ARTICLE II - CITY COMMISSION as included in the current City Charter.

Board Chair Russell lamented that Board Member Riley left, recalling that one of the concerns he had at the Joint Workshop with the City Commission was compensation for the Commission. The Board Chair said she would like to stop and spend some time asking the Board Members what they think, considering that the Mayor and Commission get \$550 a month. She also asked if the Mayor and Commission get medical insurance or any other type of benefits.

City Attorney Norris-Weeks said that she thinks there had been an issue where the Mayor and Commission were getting benefits and the State of Florida said that it was inconsistent with the Charter, and she asked City Clerk Flores if she remembers the issue.

City Clerk Flores informed the Board Members that the Mayor and Commission Members each receive \$550 a month for compensation. The Clerk acknowledged that they were receiving medical and dental insurance like City Attorney Norris-Weeks stated, but that was taken away due to an audit finding from the State of Florida. She also said that in the City's Code, there is a section that allows each Member of the Commission to receive \$200 monthly on a reimbursable basis for City business such as gasoline.

Board Vice Chair Williams asked City Clerk Flores to research what other Mayors and Commissioners are receiving through Miami-Dade County, because that would allow the Board to act from an informed place.

City Clerk Flores informed the Members of the Board that the Clerk's Office did some research on the compensation and benefits for some cities, that was done when the Commission was going through having their benefits taken away, and she assured the Board that the information would be brought before them.

Board Member Fenn asked if the Members of the Board can be provided information on the last change in compensation for the Mayor and Commission.

City Clerk Flores informed the Members of the Board that as long as she has been serving as the Clerk, the compensation for the Mayor and Commission has been \$550 per month. The Clerk also offered to provide the Board with research on several attempts in the past to go before the voters for an increase in the compensation.

Board Member Vega asked how old the information the City Clerk's Office has for the pay provided by other cities to their Elected Officials.

City Clerk Flores informed the Members of the Board that the information the City Clerk's Office has for the salaries and benefits provided to Elected Officials in other cities was updated as of September of 2021.

Board Member Vega stated that September of 2021 is close enough for his consideration of the information the City Clerk's Office has for the salaries and benefits provided to Elected Officials in other cities.

Board Chair Russell stated that she knew that at one time, the Commissioners were getting a car allowance or were given City vehicles to drive, and when the State of Florida came in, they stopped that as well. The Board Chair also asked City Clerk Flores to address whether the State of Florida decided to take away the Mayor and Commission's health insurance because it was not part of the Charter.

City Clerk Flores stated that she has not seen the official finding from the State of Florida related to the benefits provided to the Mayor and Commission, and she can only go based

on what was discussed at a public Commission Meeting where the statement was made that it was due to an audit finding. The Clerk also confirmed that each member of the City Commission has a City-issued vehicle and the City provided gasoline for those vehicles, but when the City went under financial emergency, the State of Florida took those vehicles away because there was no real policy in place and she added that she thinks the issue is the same for the benefits because there is nothing in the Charter or anywhere that spells out that the Commission should receive benefits.

Board Chair Russell said that most of the time when there's an audit finding, it's because there is no policy or procedure. The Board Chair expressed her position, stating that it is positively ridiculous, because the Mayor and Commission should be compensated for what they do because a lot is expected out of them. She acknowledged that the Mayor and Commission are expected to be public servants as Board Member Banks said earlier, but she said that you can't expect a person to take off from their job, pointing out that each of them on the dais are working or have worked on a job and don't work for free. Chair Russell also said that she thinks they should have a vehicle because if you expect people to get a job done, you must give them something to look forward to. She shared that she has polled young people that live in her community and has asked them why they won't run for office, and she said that it's because the work is too hard and there's no incentive to do it. Acknowledging that the voters might vote it down again, she said that the City must do better. She also recognized that the City might not be able to pay the Mayor and Commission what Elected Officials make in other cities, but she thinks they should have some benefits. Board Chair Russell concluded by stating that she does not think it is fair that Commissioners must use their sick or vacation time and take that away from their family when they have events in the middle of the day.

Board Member Banks pointed out that she is a 52-year resident in the City of Opa-locka, served for 24 years as an employee of the City and is a taxpayer.

Board Chair Russell stated that she is too.

Board Member Banks said that she realizes that, but if the State of Florida can put a hold on the City's finances, the Commissioners have to have a hold on what's going on with them. The Board Member reasserted her conviction that anyone who runs for a public office is a public servant and should be in office to pass legislation so that Opa-locka can become a better community. Telling the Board where she stands on this, Board Member Banks noted that the City's employees were told they're not going to get a raise for the next 5 years while Opa-locka is going through financial emergency with the State of Florida, and she lamented that the Commissioner's salary of \$550 would be raised. Assuring her colleagues on the Board that she agrees with giving the Mayor and Commission some health care, she asked that City Clerk Flores bring the Board

information so they can know why the benefits were taken away from the Elected Officials. Asserting that the City is not at the point to give the Elected Officials \$16,000 a year, she said that they knew they weren't getting any money when they ran for office, or they should have done their homework. Urging the Board to consider that there's a lot that the community has gone through for quite some time, she offered assurances that she is not against coming up with a standard to give the Mayor and Commission some money after the City pulls out of financial emergency and can take care of the City's Employees and the Community.

Board Member Vega recommended that he and his colleagues on the Board should review what other cities are offering in salary to their Elected Officials as well as what's going on in the City, considering that it has changed with a lot of new gigantic warehouses generating real estate taxes that the City gets a part of along with new projects and if the money is managed correctly, the City should be in a good direction. The Board Member said that he just doesn't see why the City has had the financial issues it has had, considering things are different, looking at it as a businessman. Board Member Vega concluded by asserting that they have to take care of the team, and he thinks \$550 is unreasonable and way too low.

Board Chair Russell assured Board Member Vega that his opinion is appreciated and is just as valuable as her opinion is.

Board Member Fenn recalled that Board Chair Russell said no one wants to run for office in Opa-locka, and she stated that she is one of the young ones who wants to serve but said that they can't be asked to work for \$550 because it is a joke. Acknowledging that the Elected Officials may already have benefits, the Board Member suggested that a clause could be offered to opt out, but the City needs to give something because the same people are going to run for the seats on the Commission. Board Member Fenn shared that as someone with a political science degree who wants to be in politics, she has been asked why she doesn't run for office and said that she has a family and wants to give 100% but can't because she would need to work multiple jobs and then can't give her 100%. She suggested that a little more be given to thank the Elected Officials for their service, and asserted that it doesn't mean they have to give \$1,000 a month, but she recommended that a little bit more cushion be provided to give incentive to others that may want to do it, but this is one of the reasons they don't step up. Board Member Fenn concluded by urging her fellow colleagues on the Board to be great to the City's servants if they want Opa-locka to be great.

Board Vice Chair Williams requested that the Board get back to reviewing the Charter, recognizing that the salary and benefits provided to the Mayor and Commission is a hot

topic that she imagines is going to come up when the research is brought before them, and acknowledging the many great thoughts expressed by the dais.

Board Chair Russell stated that the reason she wanted to flush out the discussion on the salary and benefits provided to the Mayor and Commission, is because it is a hot topic that was brought up from the beginning, and they can hear one another and think about it. The Board Chair joined Board Member Vega in expressing her confidence that with proper management of the revenue coming in from the additional businesses, the City could come out of financial oversight. She lamented that they failed to do the things in the Charter's preamble to hold the Elected Officials accountable. Pointing out that most of the Members of the Charter Review Board are volunteering on multiple City Boards because they know it's important to the community, despite having a family and other things that they're involved in. Board Chair Russell also stated that they want to attract the best in the community as Employees and Elected Officials, noting that term limits were one step. She pointed out that she has heard Members of the Commission say they have to be at work at 7:00 when Commission Meetings run until 10:00 and recognized that they are young people that have careers.

Board Member Vega asked how much money the City is behind to get out of the situation it is in.

Board Chair Russell recalled that the Commission had approved a 5-year recovery plan, but she doesn't know how far the plan has progressed and she recommended that the City Manager could provide an answer.

Board Member Banks asked Board Member Vega if he compensates his employees to do well as a standard practice.

Board Member Vega confirmed that compensating his employees to do well is a standard practice.

Board Member Banks stated that it is also a standard practice for the City of Opa-locka to compensate its employees to do well. The Board Member added that when Board Member Vega's business is not doing well, he has to tell his employees that he can't give them a raise at the moment or has to look in the budget to see if there's any way possible to come up with the money to take care of the good employees.

Board Member Vega said that if a business is going in the wrong direction and you cannot take care of employees, you have to see where the problem is and do some budgeting cuts to take care of the people that you have. The Board Member asserted that there has to be a direction and planning to generate new income.

Board Member Banks stated that if any of her colleagues on the Board can come up with a line item in the City budget with the money to give to the Mayor and Commission, she will vote for it, but otherwise she will have to say “no” right now. The Board Member acknowledged that if the City can get the revenue that it should be getting from the businesses that are being brought in, there’s no telling where Opa-locka can go.

Board Member Edmonson stated that she is on the dais to advise the Board, but that the policies and Charter recommendations should come from the voting Members of the Board. The Board Member said she can advise the Board based on what occurs in the County and some of the municipalities, but she reminded her colleagues on the Board that she is not a citizen of Opa-locka. She acknowledged hearing great debate and recommendations, but she is not going to tell the Board how to compensate the Commission because it has to come from them. Board Member Edmonson also informed the Board that County Commissioners make \$6,000 a year in addition to some benefits, including life insurance and dental coverage that she is still getting. She also said that most municipalities and counties use the formula that the State of Florida has set, and don’t get a kickback from the community.

Board Chair Russell asked City Clerk Flores to send the Members of the Board an email with information on the State of Florida formula so that they can have an educated start as Board Vice Chair Williams was saying. The Chair thanked everyone including City Attorney Norris-Weeks for her diligence. She offered assurances that they will remain passionate about this because the job they’re doing requires them to have some level of passion.

City Attorney Norris-Weeks stated that when the Board Members meet again, they would be picking up at Section 2.5 of the current City Charter.

Board Chair Russell asked everyone to keep her and her family in their prayers and thoughts, upon the death of her father yesterday, adding that those who know her Mom, know she loves to help out in Opa-locka, and she is going to be with her now. The Chair concluded the meeting by thanking the community and stating that she is looking forward to another passionate meeting in 2 weeks.

8. ADJOURNMENT:

There being no further business to come before the Charter Review Board, it was moved by Board Vice Chair Williams, seconded by Board Member Fenn to adjourn the meeting at 7:50 p.m.

Jannie Russell
Board Chair

ATTEST:

Joanna Flores, CMC
City Clerk

OFFICE OF THE CITY CLERK

780 Fisherman Street
4TH Floor
Opa-locka, FL 33054



Joanna Flores, CMC
Opa-locka City Clerk
Phone: 305.953.2800

MEMORANDUM

TO: Charter Review Board Members

FROM: City Clerk Joanna Flores

DATE: March 15, 2022

RE: Requests made at March 3, 2022 Charter Review Board Meeting

Per the Charter Review Board request, below please find the information we have been able to procure:

- Forms of government (*Requested by Board Chair Russell*)
 - List provided by Florida League of Cities of cities with form of government attached
 - Presentation: **Florida League of Cities - Lynn Tipton** at 3/17/22 Charter Review Board
- Salaries and benefits for municipal elected officials (*Requested by Board Vice Chair Williams*)
 - Data collected by City Clerk's Office attached
- Ballot questions to raise salary for Mayor & Commission (*Requested by Board Member Fenn*)
 - 4/25/2006 Ballot: Charter Amendment...compensation for the mayor and commissioners

41.56%	YES	51 Votes
58.44%	NO	97 Votes
 - 11/7/2006 Ballot: Charter Amendment...compensation for the mayor and commissioners

52.10%	YES	944 Votes
47.90%	NO	868 Votes
 - 8/24/2010 Ballot: Opa-locka Mayor/Commissioners Compensation

41.24%	YES	332 Votes
58.76%	NO	473 Votes
 - 8/14/2012 Ballot: Opa-locka Deferred Comp Mayor & Commission

37.71%	YES	425 Votes
62.29%	NO	702 Votes
- Formula for elected official salaries (*Requested by Board Chair Russell*)
 - Documentation attached from the Florida Legislature, detailing formula for salaries
- Audit finding on Mayor & Commission benefits (*Requested by Board Member Banks*)
 - Presentation: **Financial Consultant Gerri Lazarre** at 3/17/22 Charter Review Board
- Steps for City to come out of financial oversight (*Requested by Board Member Vega*)
 - Presentation: **Budget Administrator Bob Anathan** at 3/17/22 Charter Review Board

FORMS OF GOVERNMENT



City of Opa-locka: City Charter Review

March 17, 2022

Lynn Tipton

Director

FLC University

Municipal Charters in Florida

- ▶ All charters are unique; haven't found any two identical
- ▶ 411 cities, towns and villages – all have a charter
- ▶ Goal for today: discuss charter review roles, municipal characteristics in Florida, and compare Opa-locka using data collected



Charters

- Like a Constitution – broad framework
- Explains the vision, mission and structure of the municipality
- Explains how the representatives will be elected; chain of command and fiscal authority
- Details are by ordinance (law) and policies
- Short: 8 to 10 pages in length

Charter Review Committees

- Some are created by charter with specific appointment terms
- Some are created by ordinance, or at the request of a city council; varies widely across Florida's municipalities
- Committee is usually tasked with a time-specific review, assisted by counsel, and to bring back any recommendations to the council
- The council may choose to place items directly on the ballot based upon recommendations of the counsel and committee
- The role of citizens in this process is crucial: representation of the public; ability to weigh issues and to understand the charter's importance as the city's governing foundation

Common Charter Elements

- ▶ Preamble
- ▶ Boundaries
- ▶ Legislative Body
- ▶ Form of Government
- ▶ Charter Officers (positions defined)
- ▶ Fiscal and Fiduciary Authorities and Responsibilities
- ▶ Amendment Process



Comparable Charter Characteristics: Legislative

- Size of Council or Commission: five (5) members is most common; some seven (7) and some (6) where mayor is non-voting
- Length of term: two- and four- year terms are fairly evenly spread across 411; smaller percentage use three-year term
- Type of election per council seat: at-large; single-member district (SMD); elected seat with at-large voting; true at-large; some councils are mix of at-large and SMD
- Selection of mayor: 3 options: elected at large; elected from within the council; rotational

Forms of Municipal Government in Florida

- ▶ **Council-weak mayor:** original form brought over from England; council shares all powers; about 85 Florida cities with populations less than 25,000
- ▶ **Council-strong mayor:** an elected executive implements council actions and administers the city; about 45 Florida cities in all populations
- ▶ **Commission:** each elected official oversees one or more departments autonomously; come together as legislative body. About 2 Florida cities have this
- ▶ **Council-Manager or Commission-Manager:** professional manager appointed by mayor & council to administer city, prepare agenda and recommend actions to council, and present a budget each year; about 280 Florida cities of all populations
- ▶ **Hybrid:** elements of the above

Charter Offices and Departments

- ▶ Some cities seek to establish a department by including it in the charter so that any changes would require referendum
- ▶ The other way to establish departments is by resolution or ordinance
- ▶ Examples can include utilities, police and fire, or a specific service unique to that municipality
- ▶ Charter positions most often include attorney, clerk and manager (if that form of government)

Opa-locka: Comparisons

- Using populations 16,935 to 23,644: 11 municipalities meet that factor
- Geography: 2 are coastal; 9 interior. 0 rural; 4 urban; 7 suburban
- 9 are Council-Manager or Commission-Manager; 2 are Council-Strong Mayor; 0 Commission; 0 are Council-Weak Mayor; 1 Hybrid
- Number of elected seats: 9 with 5; 1 with 6; 0 with 7; 1 with 8

Should also compare scope of services if any charter elements are compared more deeply

City of Opa-locka: Chart of Comparisons

Municipality (county)	21 Pop.	Seats	Form/Notes
New Port Richey (Pasco)	16,935	5 C-M	
Zephyrhills (Pasco)	17,092	6 Non-vote Mayor; C-M	
Tavares (Lake)	17,395	5 C-M	
Lake Mary (Seminole)	17,633	5 C-M	
Belle Glade (Palm Beach)	17,979	5 C-M	
Opa-locka (Miami-Dade)	18,090	5 C-M	
Pinecrest (Miami-Dade)	18,619	5 C-M	
Cocoa (Brevard)	19,327	5 C-M	
Bartow (Polk)	20,757	5 C-M	
Sweetwater (Miami-Dade)	22,348	8 C-SM, non-voting Mayor	
Hialeah Gardens (Miami-Dade)	23,644	6 C-SM, non-voting Mayor	

Other C-SM cities by close population:		Guide to Abbreviations
Palmetto (Manatee)	13,681	Council-Strong Mayor CSM
		Council-Manager C-M



Best Practices in Charter Reviews

- Appointing representative citizens
- Holding several public forums for discussion (especially if referendum is scheduled)
- Use of website for agenda, minutes of meetings, display of current and proposed language – can help engage citizens
- If referendum is scheduled, develop “FAQ” for website
- Consider partnering with other civic organizations to help with forums, public discussions – reach out and include these groups

More Best Practices: Charter Review Committees

- Charter powers/authority granted to more than one entity
- Confusing language in elections section – usually in qualifications
- Writing too much: less is better



Charter Trends in Florida

- ▶ **Form of government:** trend since 1950s toward the council-manager and commission-manager form of government (including new incorporations)
- ▶ **Charter review time periods:** 10- to 15-year periods are widely seen



Charter Review: Questions to Consider

- From the 2021 ninth edition of the Model City Charter:
- Is the charter reflective of the city's current population?
- Is the council representative of the population, both resident and business?
- Does the charter address responsible professionalism, and do it adequately?
- Has the city provided opportunities for citizen participation in the process?
- Is the city engaged in civic education about the charter (web site, for example)?

Resources

- The Model City Charter- National Civic League
- www.ncl.org – use their questions, not language
- Charters in FL: www.municode.com/library select FL and view list of codified city charters
- FLC Research: Center for Municipal Research tab on FLC website for Peer City information



Questions and Discussion





**Thank you for including
the Florida League of
Cities in your process!**



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Alachua	Alachua	Council-Manager	10,298
	Archer	Council-Manager	1,201
	Gainesville	Council-Manager	133,068
	Hawthorne	Council-Manager	1,456
	High Springs	Council-Manager	6,444
	La Crosse	Council-Weak Mayor	392
	Micanopy	Council-Weak Mayor	615
	Newberry	Council-Manager	6,573
	Waldo	Council-Manager	960
Baker	Glen Saint Mary	Council-Weak Mayor	454
	Macclenny	Council-Manager	6,957
Bay	Callaway	Council-Manager	13,211
	Lynn Haven	Council-Manager	19,586
	Mexico Beach	Council-Weak Mayor	627
	Panama City	Council-Manager	32,951
	Panama City Beach	Council-Manager	13,435
	Parker	Council-Strong Mayor	3,694
	Springfield	Council-Strong Mayor	7,793
Bradford	Brooker	Council-Weak Mayor	317
	Hampton	Council-Strong Mayor	487
	Lawtey	Council-Weak Mayor	715
	Starke	Council-Weak Mayor	5,438
Brevard	Cape Canaveral	Council-Manager	10,241
	Cocoa	Council-Manager	19,328
	Cocoa Beach	Council-Manager	11,378
	Grant-Valkaria	Council-Manager	4,346
	Indialantic	Council-Manager	2,853
	Indian Harbour Beach	Council-Manager	8,637
	Malabar	Council-Strong Mayor	2,979
	Melbourne	Council-Manager	83,349
	Melbourne Beach	Council-Manager	3,111
	Melbourne Village	Council-Weak Mayor	673
	Palm Bay	Council-Manager	115,322
	Palm Shores	Council-Strong Mayor	1,132
	Rockledge	Council-Manager	27,321
	Satellite Beach	Council-Manager	10,617



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Brevard (cont.)	Titusville	Council-Manager	47,846
	West Melbourne	Council-Manager	23,607
Broward	Coconut Creek	Council-Manager	58,742
	Cooper City	Council-Manager	33,991
	Coral Springs	Council-Manager	129,067
	Dania Beach	Council-Manager	31,768
	Davie	Council-Manager	104,249
	Deerfield Beach	Council-Manager	79,497
	Fort Lauderdale	Council-Manager	186,220
	Hallandale Beach	Council-Manager	39,834
	Hillsboro Beach	Council-Manager	1,939
	Hollywood	Council-Manager	150,878
	Lauderdale Lakes	Council-Manager	36,714
	Lauderdale-By-The-Sea	Council-Manager	6,236
	Lauderhill	Council-Manager	72,410
	Lazy Lake	Council-Weak Mayor	26
	Lighthouse Point	Council-Manager	10,587
	Margate	Council-Manager	59,116
	Miramar	Council-Manager	138,837
	North Lauderdale	Council-Manager	45,207
	Oakland Park	Council-Manager	45,576
	Parkland	Council-Manager	34,109
	Pembroke Park	Council-Manager	6,408
	Pembroke Pines	Council-Manager	168,023
	Plantation	Council-Strong Mayor	90,354
	Pompano Beach	Council-Manager	112,058
	Sea Ranch Lakes	Council-Strong Mayor	688
	Southwest Ranches	Council-Manager	7,704
	Sunrise	Council-Manager	93,365
	Tamarac	Council-Manager	65,377
	West Park	Council-Manager	15,197
	Weston	Council-Manager	67,314
	Wilton Manors	Council-Manager	12,849
Calhoun	Altha	Council-Weak Mayor	517
	Blountstown	Council-Manager	2,414



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Charlotte	Punta Gorda	Council-Manager	19,961
Citrus	Crystal River	Council-Manager	3,434
	Inverness	Council-Manager	7,340
Clay	Green Cove Springs	Council-Manager	7,841
	Keystone Heights	Council-Manager	1,357
	Orange Park	Council-Manager	8,668
	Penney Farms	Council-Manager	773
Collier	Everglades City	Council-Strong Mayor	428
	Marco Island	Council-Manager	17,348
	Naples	Council-Manager	20,922
Columbia	Fort White	Council-Weak Mayor	554
	Lake City	Council-Manager	12,271
DeSoto	Arcadia	Council-Weak Mayor	7,770
Dixie	Cross City	Council-Manager	1,672
	Horseshoe Beach	Council-Weak Mayor	171
Duval	Atlantic Beach	Council-Manager	13,792
	Baldwin	Council-Strong Mayor	1,415
	Jacksonville	Council-Strong Mayor	924,900
	Jacksonville Beach	Council-Manager	23,352
	Neptune Beach	Council-Manager	7,213
Escambia	Century	Council-Strong Mayor	1,626
	Pensacola	Council-Strong Mayor	55,226
Flagler	Beverly Beach	Council-Weak Mayor	372
	Bunnell	Council-Manager	3,271
	Flagler Beach*	Council-Manager	4,779
	Marineland*	Council-Manager	8
	Palm Coast	Council-Manager	86,768
Franklin	Apalachicola	Hybrid	2,339
	Carrabelle	Council-Weak Mayor	2,883
Gadsden	Chattahoochee	Council-Manager	3,090
	Greensboro	Council-Weak Mayor	553
	Gretna	Council-Manager	1,656
	Havana	Council-Manager	1,886
	Midway	Council-Manager	3,449
	Quincy	Council-Manager	7,874



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Gilchrist	Bell	Council-Weak Mayor	521
	Fanning Springs*	Council-Strong Mayor	865
	Trenton	Council-Manager	2,021
Glades	Moore Haven	Council-Weak Mayor	1,759
Gulf	Port St. Joe	Council-Manager	3,459
	Wewahitchka	Council-Manager	1,971
Hamilton	Jasper	Council-Manager	2,845
	Jennings	Council-Weak Mayor	874
	White Springs	Council-Manager	827
Hardee	Bowling Green	Council-Manager	2,923
	Wauchula	Council-Manager	5,229
	Zolfo Springs	Council-Weak Mayor	1,778
Hendry	Clewiston	Council-Manager	7,972
	LaBelle	Council-Weak Mayor	5,108
Hernando	Brooksville	Council-Manager	8,661
Highlands	Avon Park	Council-Manager	11,222
	Lake Placid	Council-Strong Mayor	2,636
	Sebring	Council-Weak Mayor	11,113
Hillsborough	Plant City	Council-Manager	39,478
	Tampa	Council-Strong Mayor	390,473
	Temple Terrace	Council-Manager	26,669
Holmes	Bonifay	Council-Weak Mayor	2,755
	Esto	Council-Weak Mayor	395
	Noma	Council-Weak Mayor	202
	Ponce De Leon	Council-Weak Mayor	532
	Westville	Council-Strong Mayor	412
Indian River	Fellsmere	Council-Manager	5,611
	Indian River Shores	Council-Manager	4,314
	Orchid	Council-Manager	425
	Sebastian	Council-Manager	25,168
	Vero Beach	Council-Manager	16,708
Jackson	Alford	Council-Weak Mayor	495
	Bascom	Commission	112
	Campbellton	Council-Strong Mayor	215
	Cottondale	Council-Weak Mayor	856
	Graceville	Council-Manager	2,238



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Jackson (cont.)	Grand Ridge	Council-Weak Mayor	907
	Greenwood	Council-Weak Mayor	659
	Jacob City	Council-Weak Mayor	318
	Malone	Council-Strong Mayor	2,070
	Marianna	Council-Manager	6,030
	Sneads	Council-Manager	1,802
Jefferson	Monticello	Council-Weak Mayor	2,449
Lafayette	Mayo	Council-Weak Mayor	1,217
Lake	Astatula	Council-Weak Mayor	1,937
	Clermont	Council-Manager	40,750
	Eustis	Council-Manager	21,368
	Fruitland Park	Council-Manager	10,094
	Groveland	Council-Manager	18,255
	Howey-in-the-Hills	Council-Strong Mayor	1,611
	Lady Lake	Council-Manager	15,655
	Leesburg	Council-Manager	23,993
	Mascotte	Council-Weak Mayor	6,205
	Minneola	Council-Manager	12,882
	Montverde	Council-Weak Mayor	1,878
	Mount Dora	Council-Manager	14,928
	Tavares	Council-Manager	17,777
	Umatilla	Council-Manager	4,154
Lee	Bonita Springs	Council-Manager	54,437
	Cape Coral	Council-Manager	185,837
	Esterro	Council-Manager	32,412
	Fort Myers	Council-Manager	87,871
	Fort Myers Beach	Council-Manager	6,520
	Sanibel	Council-Manager	6,756
Leon	Tallahassee	Council-Manager	195,713
Levy	Bronson	Council-Weak Mayor	1,166
	Cedar Key	Council-Weak Mayor	714
	Chiefland	Council-Manager	2,229
	Fanning Springs*	Council-Strong Mayor	865
	Inglis	Council-Weak Mayor	1,311
	Otter Creek	Council-Weak Mayor	120



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Levy (cont.)	Williston	Council-Weak Mayor	2,893
	Yankeetown	Council-Weak Mayor	508
Liberty	Bristol	Council-Weak Mayor	940
Madison	Greenville	Council-Weak Mayor	791
	Lee	Council-Strong Mayor	338
	Madison	Council-Manager	2,998
Manatee	Anna Maria	Council-Strong Mayor	1,623
	Bradenton	Hybrid	57,006
	Bradenton Beach	Council-Weak Mayor	1,202
	Holmes Beach	Council-Strong Mayor	3,927
	Longboat Key*	Council-Manager	7,043
	Palmetto	Council-Strong Mayor	13,360
Marion	Bellevue	Commission	5,273
	Dunnellon	Council-Manager	1,810
	McIntosh	Council-Strong Mayor	484
	Ocala	Council-Manager	61,549
	Reddick	Council-Weak Mayor	558
Martin	Indiantown	Council-Manager	6,728
	Jupiter Island	Council-Manager	829
	Ocean Breeze	Council-Weak Mayor	303
	Sewall's Point	Council-Manager	2,090
	Stuart	Council-Manager	16,504
Miami-Dade	Aventura	Council-Manager	38,031
	Bal Harbour	Council-Manager	2,924
	Bay Harbor Islands	Council-Manager	6,039
	Biscayne Park	Council-Manager	3,194
	Coral Gables	Council-Manager	50,635
	Cutler Bay	Council-Manager	45,411
	Doral	Council-Manager	70,420
	El Portal	Commission	2,150
	Florida City	Council-Strong Mayor	13,250
	Golden Beach	Council-Manager	947
	Hialeah	Council-Strong Mayor	239,722
	Hialeah Gardens	Council-Strong Mayor	23,633
	Homestead	Council-Manager	76,236
	Indian Creek	Council-Manager	87



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Miami-Dade (cont.)	Key Biscayne	Council-Manager	12,922
	Medley	Council-Strong Mayor	847
	Miami	Council-Strong Mayor	490,947
	Miami Beach	Council-Manager	93,988
	Miami Gardens	Council-Manager	114,284
	Miami Lakes	Council-Manager	31,523
	Miami Shores	Council-Manager	10,805
	Miami Springs	Council-Manager	14,237
	North Bay Village	Council-Manager	9,074
	North Miami	Council-Manager	65,109
	North Miami Beach	Council-Manager	47,691
	Opa-locka	Council-Manager	18,143
	Palmetto Bay	Council-Manager	24,341
	Pinecrest	Council-Manager	18,510
	South Miami	Council-Manager	12,965
	Sunny Isles Beach	Council-Manager	23,253
	Surfside	Council-Manager	6,015
	Sweetwater	Council-Strong Mayor	22,328
	Virginia Gardens	Council-Strong Mayor	2,441
	West Miami	Council-Manager	7,828
Monroe	Islamorada, Village of Islands	Council-Manager	6,211
	Key Colony Beach	Council-Weak Mayor	760
	Key West	Council-Manager	25,171
	Layton	Council-Strong Mayor	183
	Marathon	Council-Manager	8,593
Nassau	Callahan	Council-Weak Mayor	1,315
	Fernandina Beach	Council-Manager	12,915
	Hilliard	Council-Strong Mayor	3,036
Okaloosa	Cinco Bayou	Council-Manager	417
	Crestview	Council-Manager	25,675
	Destin	Council-Manager	13,441
	Fort Walton Beach	Council-Manager	20,940
	Laurel Hill	Council-Strong Mayor	578
	Mary Esther	Council-Manager	4,013
	Niceville	Council-Manager	14,693



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Okaloosa (cont.)	Shalimar	Council-Weak Mayor	839
	Valparaiso	Council-Strong Mayor	5,339
Okeechobee	Okeechobee	Council-Weak Mayor	5,603
Orange	Apopka	Council-Strong Mayor	52,404
	Bay Lake	Council-Manager	15
	Belle Isle	Council-Manager	7,365
	Eatonville	Council-Strong Mayor	2,348
	Edgewood	Council-Weak Mayor	2,717
	Lake Buena Vista	Council-Manager	24
	Maitland	Council-Manager	21,096
	Oakland	Council-Manager	3,365
	Ocoee	Council-Manager	47,580
	Orlando	Council-Strong Mayor	291,800
	Windermere	Council-Manager	2,972
	Winter Garden	Council-Manager	47,245
	Winter Park	Council-Manager	30,239
	Kissimmee	Council-Manager	74,800
	St. Cloud	Council-Manager	47,874
Palm Beach	Atlantis	Council-Manager	2,036
	Belle Glade	Council-Manager	17,979
	Boca Raton	Council-Manager	94,488
	Boynton Beach	Council-Manager	77,696
	Briny Breezes	Council-Strong Mayor	612
	Cloud Lake	Council-Strong Mayor	139
	Delray Beach	Council-Manager	67,102
	Glen Ridge	Council-Strong Mayor	234
	Golf	Council-Manager	258
	Greenacres	Council-Manager	39,813
	Gulf Stream	Council-Manager	1,032
	Haverhill	Council-Weak Mayor	2,099
	Highland Beach	Council-Manager	3,671
	Hypoluxo	Council-Strong Mayor	2,789
	Juno Beach	Council-Manager	3,442
	Jupiter	Council-Manager	62,497
	Jupiter Inlet Colony	Council-Strong Mayor	406
	Lake Clarke Shores	Council-Manager	3,420



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Palm Beach (cont.)	Lake Park	Council-Manager	8,916
	Lake Worth Beach	Council-Manager	38,484
	Lantana	Council-Manager	11,419
	Loxahatchee Groves	Council-Manager	3,404
	Manalapan	Council-Manager	425
	Mangonia Park	Council-Manager	2,062
	North Palm Beach	Council-Manager	12,622
	Ocean Ridge	Council-Manager	1,836
	Pahokee	Council-Manager	5,907
	Palm Beach	Council-Manager	8,321
	Palm Beach Gardens	Council-Manager	55,621
	Palm Beach Shores	Council-Manager	1,193
	Palm Springs	Council-Manager	23,560
	Riviera Beach	Council-Manager	35,735
	Royal Palm Beach	Council-Manager	38,691
	South Bay	Council-Manager	5,270
	South Palm Beach	Council-Manager	1,448
	Tequesta	Council-Manager	5,850
	Wellington	Council-Manager	62,373
	West Palm Beach	Council-Strong Mayor	115,176
	Westlake	Council-Manager	380
Pasco	Dade City	Council-Manager	7,314
	New Port Richey	Council-Manager	16,027
	Port Richey	Council-Manager	2,862
	San Antonio	Council-Weak Mayor	1,320
	St. Leo	Council-Weak Mayor	1,325
	Zephyrhills	Council-Manager	16,670
Pinellas	Belleair	Council-Manager	4,053
	Belleair Beach	Council-Manager	1,591
	Belleair Bluffs	Council-Weak Mayor	2,094
	Belleair Shore	Council-Strong Mayor	116
	Clearwater	Council-Manager	116,585
	Dunedin	Council-Manager	37,623
	Gulfport	Council-Manager	12,584
	Indian Rocks Beach	Council-Manager	4,432
	Indian Shores	Council-Strong Mayor	1,467



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Pinellas (cont.)	Kenneth City	Council-Weak Mayor	5,110
	Largo	Council-Manager	83,737
	Madeira Beach	Council-Manager	4,417
	North Redington Beach	Council-Weak Mayor	1,498
	Oldsmar	Council-Manager	14,800
	Pinellas Park	Council-Manager	53,284
	Redington Beach	Council-Strong Mayor	1,481
	Redington Shores	Council-Weak Mayor	2,213
	Safety Harbor	Council-Manager	17,608
	Seminole	Council-Manager	19,449
	South Pasadena	Commission	5,085
	St. Pete Beach	Council-Manager	9,522
	St. Petersburg	Council-Strong Mayor	269,357
	Tarpon Springs	Council-Manager	25,507
	Treasure Island	Council-Manager	6,873
Polk	Auburndale	Council-Manager	16,534
	Bartow	Council-Manager	19,665
	Davenport	Council-Manager	6,038
	Dundee	Council-Manager	4,957
	Eagle Lake	Council-Manager	2,649
	Fort Meade	Council-Manager	5,786
	Frostproof	Council-Manager	3,197
	Haines City	Council-Manager	25,533
	Highland Park	Council-Weak Mayor	263
	Hillcrest Heights	Council-Weak Mayor	256
	Lake Alfred	Council-Manager	6,199
	Lake Hamilton	Council-Manager	1,430
	Lake Wales	Council-Manager	16,062
	Lakeland	Council-Manager	107,552
	Mulberry	Council-Manager	3,983
	Polk City	Council-Manager	2,321
	Winter Haven	Council-Manager	44,815
Putnam	Crescent City	Council-Manager	1,583
	Interlachen	Council-Weak Mayor	1,350
	Palatka	Council-Manager	10,723



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Putnam (cont.)	Pomona Park	Council-Weak Mayor	880
	Welaka	Council-Weak Mayor	717
Santa Rosa	Gulf Breeze	Council-Manager	5,849
	Jay	Council-Weak Mayor	521
	Milton	Council-Manager	10,551
Sarasota	Longboat Key*	Council-Manager	7,043
	North Port	Council-Manager	73,652
	Sarasota	Council-Manager	56,692
	Venice	Council-Manager	23,315
Seminole	Altamonte Springs	Council-Manager	45,293
	Casselberry	Council-Manager	30,035
	Lake Mary	Council-Manager	17,449
	Longwood	Council-Manager	15,815
	Oviedo	Council-Manager	40,021
	Sanford	Council-Manager	60,269
	Winter Springs	Council-Manager	38,595
St. Johns	Marineland*	Council-Manager	8
	St. Augustine	Council-Manager	14,653
	St. Augustine Beach	Council-Manager	6,749
St. Lucie	Fort Pierce	Council-Manager	43,653
	Port St. Lucie	Council-Manager	191,903
	St. Lucie Village	Council-Weak Mayor	646
Sumter	Bushnell	Council-Manager	2,509
	Center Hill	Council-Weak Mayor	1,148
	Coleman	Council-Weak Mayor	725
	Webster	Council-Weak Mayor	817
	Wildwood	Council-Manager	12,665
Suwannee	Branford	Council-Strong Mayor	751
	Live Oak	Council-Manager	6,895
Taylor	Perry	Council-Manager	7,031
Union	Lake Butler	Council-Manager	1,779
	Raiford	Council-Weak Mayor	245
	Worthington Springs	Council-Weak Mayor	387
Volusia	Daytona Beach	Council-Manager	67,351
	Daytona Beach Shores	Council-Manager	4,372
	DeBary	Council-Manager	21,176



FLORIDA LEAGUE OF CITIES

FLORIDA CITIES BY COUNTY WITH FORM OF GOVERNMENT & POPULATION

UPDATED
12/2020

County	Municipality	Form of Government	2019 Population
Volusia (cont.)	DeLand	Council-Manager	35,763
Volusia	Deltona	Council-Manager	91,520
Volusia	Edgewater	Council-Manager	23,455
Volusia	Flagler Beach*	Council-Manager	4,779
Volusia	Holly Hill	Council-Manager	12,153
Volusia	Lake Helen	Council-Manager	2,773
Volusia	New Smyrna Beach	Council-Manager	27,173
Volusia	Oak Hill	Council-Weak Mayor	2,041
Volusia	Orange City	Council-Manager	12,103
Volusia	Ormond Beach	Council-Manager	41,289
Volusia	Pierson	Council-Weak Mayor	1,739
Volusia	Ponce Inlet	Council-Manager	3,151
Volusia	Port Orange	Council-Manager	61,617
Volusia	South Daytona	Council-Manager	12,819
Wakulla	Sopchoppy	Council-Weak Mayor	506
	St. Marks	Council-Weak Mayor	363
Walton	DeFuniak Springs	Council-Manager	5,629
	Freeport	Council-Strong Mayor	4,316
	Paxton	Council-Weak Mayor	614
Washington	Caryville	Council-Weak Mayor	316
	Chipley	Council-Weak Mayor	3,568
	Ebro	Council-Weak Mayor	238
	Vernon	Council-Weak Mayor	740
	Wausau	Council-Weak Mayor	361

**indicates cities in more than one county (Fanning Springs, Flagler Beach, Longboat Key and Marineland)
Population Data: University of Florida, Bureau of Economic and Business Research, April 2019 Estimates.*

MIAMI-DADE COUNTY
MUNICIPAL
ELECTED OFFICIAL
SALARIES & BENEFITS

	Municipalities with Healthcare		19
	MAYOR SALARY	MAYOR EXPENSE ALLOWANCE	MAYOR MOBILE PHONE
Aventura	\$10,000	\$9,251.88	NONE
Bay Harbor Islands	\$1	\$19,200 budgeted annually for travel & per diem	NONE
Biscayne Park	\$4,000	\$300/Promotion \$310/Memberships \$840 Training	\$600 benefit
Coral Gables	\$40,761	\$100/month	\$20 charge for personal use
Cutler Bay	16903.92/year	\$3,685/year	\$792/year
El Portal	\$250	\$0	\$100/month
Florida City	\$12,800.06	\$0	\$48.88/month
Golden Beach	\$1	\$0	Device Provided But Not Plan
Hialeah	\$150,000	\$40,000	City provided
Hialeah Gardens	\$126,379.24	\$2,798.02/bi-weekly	Re-imbursed
Homestead	\$500/month	\$1225/month	City provided
Indian Creek	\$0	\$0	NONE
Key Biscayne	\$0	\$0	NONE
Medley	\$217,618.77	\$0	City provided
Miami	\$97,000	?	?
Miami Beach	\$10,000	\$24,000	?
Miami Gardens	\$80,000	\$0	\$46/month
Miami Lakes	\$19,711	\$7,752.16	City provided
Miami Shores	\$1	\$0	City provided
Miami Springs	\$6,000	\$0	City provided
North Bay Village	\$7,800	\$9,500	\$100 / month
North Miami	\$71,880	\$1,250/month	\$120/month
North Miami Beach	\$3,600	\$1,200 w/ \$44,714 Taxable Fringe Benefit	NONE
Opa-locka	\$550	\$200/month	City provided
Palmetto Bay	\$24000/year	\$0	\$220/month
South Miami	\$14,000	?	?
Sunny Isles Beach	?	?	iPhone
Sweetwater	\$95,000	\$892.85/month	City provided
Town of Surfside	\$1	\$0	Government Issued
Village of Pinecrest	\$0	\$0	NONE
Virginia Gardens	\$5,740.20	\$4,372	NONE
West Miami	\$20/meeting	\$100/month	City provided

	Municipalities without Healthcare	13
	MAYOR'S CAR	COMMISSION SALARY
Aventura	NONE	\$7,500
Bay Harbor Islands	NONE	\$1
Biscayne Park	\$500/yr per diem	\$2,000
Coral Gables	NONE	\$33,121
Cutler Bay	\$2,400/year	\$8451.72/year
El Portal	\$3,000/yr	\$250
Florida City	NONE	12800.06
Golden Beach	NONE	\$1
Hialeah	City Car	\$44,000
Hialeah Gardens	City Car	\$28,523.56
Homestead	\$1,041.66/month	\$400/month
Indian Creek	NONE	\$0
Key Biscayne	NONE	\$0
Medley	NONE	\$56,442.20
Miami	?	\$58,200
Miami Beach	\$6,000	\$6,000
Miami Gardens	\$500/month	\$40,000
Miami Lakes	\$600/month	\$0
Miami Shores	NONE	\$1
Miami Springs	NONE	\$5,000
North Bay Village	NONE	\$6,300
North Miami	\$7,033 Travel Expenses	\$59,910
North Miami Beach	NONE	
Opa-locka	NONE	\$550
Palmetto Bay	NONE	\$12,000
South Miami	\$41.66/month	\$12,000
Sunny Isles Beach	NONE	?
Sweetwater	\$597.61/month	\$12,017.04/year
Town of Surfside	NONE	\$1
Village of Pinecrest	NONE	\$0
Virginia Gardens	NONE	\$4,372
West Miami	NONE	\$20/meeting

	Total Responses	32
	COMMISSION EXPENSE ALLOWANCE	COMMISSION MOBILE PHONE
Aventura	\$9,251.88	NONE
Bay Harbor Islands	\$19,200 budgeted annually for travel & per diem	NONE
Biscayne Park	\$300/Promotion \$310/Memberships \$840 Training	\$600 benefit
Coral Gables	\$1500/year	\$20 charge for personal use
Cutler Bay	\$2,250/year	\$792/year
El Portal	\$0	\$100/month
Florida City	\$0	\$48.88
Golden Beach	\$0	Device Provided But Not Plan
Hialeah	\$1,597.15	City Provided
Hialeah Gardens	\$2,164.62/bi-weekly	\$45/month
Homestead	\$1,141.66/month	City provided
Indian Creek	\$0	NONE
Key Biscayne	\$0	NONE
Medley	\$0	City provided
Miami	?	?
Miami Beach	\$27,000	\$1,300
Miami Gardens	\$0	\$46/month
Miami Lakes	\$7,752.16	City provided
Miami Shores	\$0	City provided
Miami Springs	\$0	City provided
North Bay Village	\$7,000	\$100 / month
North Miami	\$1,250 / month	\$100 / month
North Miami Beach	\$0 w/ \$41,401.03 Taxable Fringe Benefit	NONE
Opa-locka	\$200/month	City provided
Palmetto Bay	\$0	\$120/month
South Miami	?	?
Sunny Isles Beach	?	iPhone
Sweetwater	\$892.85/month	City provided
Town of Surfside	\$0	Government Issued
Village of Pinecrest	\$0	NONE
Virginia Gardens	\$0	NONE
West Miami	\$100/month	City provided

	COMMISSION CAR	RETIREMENT PLAN
Aventura	NONE	NONE
Bay Harbor Islands	NONE	NONE
Biscayne Park	\$500/yr per diem	NONE
Coral Gables	NONE	3% & 8-year Vesting
Cutler Bay	\$1,200/year	FRS (3% of salary & 8-year Vesting)
El Portal	NONE	FRS (3% Elected Contribution & 10.82 City Contribution)
Florida City	NONE	NONE
Golden Beach	NONE	NONE
Hialeah	NONE	Retirement Trust capped in 2014
Hialeah Gardens	NONE	401 (a) / 457 (b)
Homestead	\$958.33/month	Pension / Life Insurance / Accident Insurance & EAP
Indian Creek	NONE	NONE
Key Biscayne	NONE	NONE
Medley	NONE	401 plan w/ 5% contribution
Miami	?	?
Miami Beach	\$6,000	4% Multiplier & 5-year Vesting
Miami Gardens	\$400/month	FRS
Miami Lakes	\$500/month	FRS for Mayor only
Miami Shores	NONE	NONE
Miami Springs	NONE	NONE
North Bay Village	NONE	Only FICA
North Miami	\$2,565 Travel Expenses	FRS
North Miami Beach	NONE	FRS (54.42% City Contr. & 1-yr Vest) or 8 yr Vest Pension
Opa-locka	NONE	NONE
Palmetto Bay	NONE	401a 6% municipal contribution + 6% match
South Miami	?	NONE
Sunny Isles Beach	NONE	FRS
Sweetwater	\$591.61/month	City Pension w/ 5-year Vesting
Town of Surfside	NONE	?
Village of Pinecrest	NONE	NONE
Virginia Gardens	NONE	NONE
West Miami	NONE	NONE

	HEALTHCARE OFFERED?
Aventura	☒
Bay Harbor Islands	☐
Biscayne Park	☐
Coral Gables	☒
Cutler Bay	☒
El Portal	☐
Florida City	☐
Golden Beach	☒
Hialeah	☒
Hialeah Gardens	☒
Homestead	☒
Indian Creek	☐
Key Biscayne	☐
Medley	☒
Miami	☒
Miami Beach	☒
Miami Gardens	☒
Miami Lakes	☒
Miami Shores	☐
Miami Springs	☐
North Bay Village	☐
North Miami	☒
North Miami Beach	☒
Opa-locka	☐
Palmetto Bay	☒
South Miami	☒
Sunny Isles Beach	☒
Sweetwater	☒
Town of Surfside	☐
Village of Pinecrest	☐
Virginia Gardens	☐
West Miami	☒

	HEALTHCARE BENEFITS
Aventura	Full premium paid by elected official
Bay Harbor Islands	NONE
Biscayne Park	NONE
Coral Gables	100% Electeds, 50% Dependents
Cutler Bay	100% premium paid by city
El Portal	NONE
Florida City	City only provides life insurance
Golden Beach	100% Electeds, 50% Dependents
Hialeah	Full premium paid by elected official
Hialeah Gardens	100% Coverage
Homestead	100% premium paid by city
Indian Creek	NONE
Key Biscayne	NONE
Medley	60% premium paid by city
Miami	?
Miami Beach	?
Miami Gardens	100% premium paid by city
Miami Lakes	100% premium paid by city
Miami Shores	NONE
Miami Springs	NONE
North Bay Village	NONE
North Miami	Partial Premium Covered
North Miami Beach	100% premium paid by city
Opa-locka	NONE
Palmetto Bay	\$1,150 medical/dental/life/ad&d REIMBURSABLE MONTHLY W/ PROOF OF COVERAGE
South Miami	100% premium paid by city
Sunny Isles Beach	100% Electeds, 50% Dependents
Sweetwater	100% premium paid by city
Town of Surfside	NONE
Village of Pinecrest	NONE
Virginia Gardens	NONE
West Miami	100% premium paid by city / None for future electeds

	LAPTOP/TABLET
Aventura	☐
Bay Harbor Islands	☒
Biscayne Park	☐
Coral Gables	☐
Cutler Bay	☐
El Portal	☐
Florida City	☐
Golden Beach	☒
Hialeah	☒
Hialeah Gardens	☐
Homestead	☒
Indian Creek	☐
Key Biscayne	☒
Medley	☒
Miami	☐
Miami Beach	☐
Miami Gardens	☐
Miami Lakes	☒
Miami Shores	☒
Miami Springs	☒
North Bay Village	☒
North Miami	☐
North Miami Beach	☒
Opa-locka	☒
Palmetto Bay	☒
South Miami	☐
Sunny Isles Beach	☒
Sweetwater	☒
Town of Surfside	☒
Village of Pinecrest	☐
Virginia Gardens	☐
West Miami	☒

**ELECTED OFFICIAL
SALARIES
BALLOT QUESTIONS**

Sponsored by: City Clerk

Resolution No. 06-6850

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING, SETTING FORTH AND SUBMITTING TO THE ELECTORATE A PROPOSED CHARTER AMENDMENT, AMENDING THE CHARTER OF THE CITY OF OPA-LOCKA, FLORIDA TO PROVIDE COMPENSATION FOR MAYOR AND COMMISSIONERS TO BE SET AT ONE THOUSAND DOLLARS (\$1,000.00) PER MONTH; CALLING AND PROVIDING FOR A REFERENDUM AT A SPECIAL ELECTION TO BE HELD ON APRIL 25, 2006, FOR THE PURPOSE OF SUBMITTING SAID CHARTER AMENDMENT TO THE ELECTORATE AT SAID REFERENDUM; FURTHER DIRECTING THE CITY CLERK TO CAUSE A CERTIFIED COPY OF THE HEREIN RESOLUTION TO BE DELIVERED TO THE SUPERVISOR OF ELECTIONS OF MIAMI-DADE COUNTY, FLORIDA.

WHEREAS, a draft of the proposed Charter Amendment is set forth in final form in this Resolution, said draft to be submitted to the electors of the City by means of the herein Resolution; and

WHEREAS, the proposed amendment shall be submitted to the electorate at an election to be held on April 25, 2006 as called for and provided herein, and shall become effective upon approval by the electors.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. The recitals and findings in the preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this section.

Section 2. Section 7 of the Charter of the City of Opa-locka is hereby proposed to be amended in the following particulars:

~~“Sec. 7 Salary: Mayor and commission compensation.~~

~~Commissioners shall be paid for attendance at regular or special meetings at the rate of twenty-five dollars (\$25.00) per meeting, provided, however, that no commissioner shall receive more than fifty (\$50.00) per month hereunder, irrespective of the number of regular or special meeting attended within said month. In addition hereto there may be provided annually in the budget an additional sum to be used by the mayor commissioner to cover any or all expenses of the office of mayor commission of the City of Opa-locka. Compensation for the mayor and commissioners shall be set at one thousand dollars (\$1,000.00) per month.~~

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“NOTICE OF SPECIAL MUNICIPAL ELECTION

TO BE HELD ON

TUESDAY, APRIL 25, 2006

IN THE CITY OF OPA-LOCKA, FLORIDA

PURSUANT TO RESOLUTION NO. 06-6850

A special municipal election will be held on Tuesday, April 25, 2006, from 7:00 a.m. to 7:00 p.m. in the City of Opa-locka, Florida, at the polling places in the several election precincts designated by the Board of County Commissioner of Miami-Dade County, Florida, as set forth herein, unless otherwise provided by law, for the purpose of submitting to the qualified electors of the City of Opa-locka, Florida, the following questions:

- * Shall section 7 of the City of Opa-locka Charter be amended to provide compensation for the mayor and commissioners to be set at one thousand dollars (\$1,000.00) per month?

Yes _____

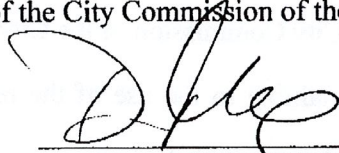
No _____

¹ Words underlined indicate new language. Words stricken through indicate deletion of language. Asterisks indicate language which remains unchanged.

RESOLUTION NO. 06-6850

Charter Amendment No. 1, commencing April 25, 2006, provides for the compensation of the mayor and commissioners to be set at One Thousand Dollars (\$1,000.00) per month.

By Order of the City Commission of the City of Opa-locka, Florida



CITY CLERK

A list of City of Opa-locka polling places follows:
(Insert List of City of Opa-locka polling places).

Section 3. The official ballot to be used at said election shall be in full compliance with the laws of the State of Florida, and shall be in substantially the following form, to wit:

OFFICIAL BALLOT

SPECIAL MUNICIPAL ELECTION
TUESDAY, APRIL 25, 2006
FOR APPROVAL OR DISAPPROVAL OF
THE FOLLOWING QUESTION:

Charter Amendments to provide for compensation for the mayor and commissioners;

1. Shall Section 7 of the City of Opa-locka Charter be amended to provide compensation for the mayor and commissioners to be set in at one thousand dollars (\$1,000.00) per month?

Yes _____

No _____”

Section 4. The City Clerk shall cause to be prepared absentee ballots containing the

questions set forth in Section 6 above for the use of absentee electors entitled to cast such ballots in said municipal election.

Section 5. DEBORAH S. IRBY, the City Clerk of the City of Opa-locka, Florida, or her duly appointed successor, is hereby designated and appointed as the official representative of the City Commission of the City of Opa-locka, Florida, in relation to matter pertaining to the use of the registration books and the holding of said special municipal election.

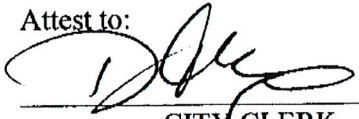
Section 6. The City Clerk shall deliver a certified copy of this Resolution to the Supervisor of Elections of Miami-Dade County of Miami-Dade County, Florida.

Section 7. This Resolution shall become effective immediately upon its adoption.

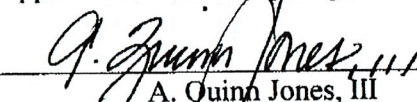
PASSED AND ADOPTED this 22nd day of February, 2006.


MAYOR

Attest to:


CITY CLERK

Approved as to form and legal sufficiency:


A. Quinn Jones, III
CITY ATTORNEY

2/22/06
DATE

Moved by:	Vice Mayor Pinder
Seconded by:	Commissioner Johnson
Commission Vote:	4-1
Commissioner Holmes:	YES
Commissioner Johnson:	YES
Commissioner Tydus:	YES
Vice Mayor Pinder:	YES
Mayor Kelley:	NO

Resolution Charter Amendments

OFFICIAL SAMPLE BALLOT

OFFICIAL SPECIAL MUNICIPAL ELECTION BALLOT
OPA-LOCKA, FLORIDA APRIL 25, 2006

QUESTION 1

Charter Amendment to provide for compensation for the mayor and commissioners

Shall Section 7 of the City of Opa-locka Charter be amended to provide compensation for the mayor and commissioners to be set at one thousand dollars (\$1,000.00) per month?

YES

30 

NO

31 

QUESTION 2

Charter Amendment to provide for elimination of requirement for run-off elections for mayor and commissioners

Shall Section 139 of the City of Opa-locka Charter be amended to eliminate the requirement for run-off elections for mayor and commissioners?

YES

33 

NO

34 

cumulative.txt

SUMMARY REPT-GROUP DETAIL
CITY OF OPA-LOCKA
SPECIAL AND MUNICIPAL ELECTION
APRIL 25, 2006

RUN DATE:04/25/06 08:02 PM

	TOTAL VOTES	%	iVOTRONICS	EARLY VOTING	ABSENTEE	PROVISIONAL I	PROVISIONAL P
PRECINCTS COUNTED (OF 7)	7	100.00					
REGISTERED VOTERS - TOTAL	6,754						
BALLOTS CAST - TOTAL	232		149	23	60	0	0
VOTER TURNOUT - TOTAL		3.44					
QUESTION 1 CITY:OPA LOCKA							
(Vote for) 1							
YES/SI/MI	96	41.56	51	16	29	0	0
NO/NO/NON	135	58.44	97	7	31	0	0
Over Votes	0		0	0	0	0	0
Under Votes	1		1	0	0	0	0
QUESTION 2 CITY:OPA LOCKA							
(Vote for) 1							
YES/SI/MI	102	44.16	54	14	34	0	0
NO/NO/NON	129	55.84	94	9	26	0	0
Over Votes	0		0	0	0	0	0
Under Votes	1		1	0	0	0	0

Sponsored by: D. Johnson

Resolution No. 06-6910

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING, SETTING FORTH AND SUBMITTING TO THE ELECTORATE A PROPOSED CHARTER AMENDMENT, AMENDING THE CHARTER OF THE CITY OF OPA-LOCKA, FLORIDA TO PROVIDE COMPENSATION FOR MAYOR AND COMMISSIONERS TO BE SET AT FIVE HUNDRED FIFTY DOLLARS (\$550.00) PER MONTH; CALLING AND PROVIDING FOR A REFERENDUM AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2006, FOR THE PURPOSE OF SUBMITTING SAID CHARTER AMENDMENT TO THE ELECTORATE AT SAID REFERENDUM; FURTHER DIRECTING THE CITY CLERK TO CAUSE A CERTIFIED COPY OF THE HEREIN RESOLUTION TO BE DELIVERED TO THE SUPERVISOR OF ELECTIONS OF MIAMI-DADE COUNTY, FLORIDA.

WHEREAS, a draft of the proposed Charter Amendment is set forth in final form in this Resolution, said draft to be submitted to the electors of the City by means of the herein Resolution; and

WHEREAS, the proposed amendment shall be submitted to the electorate at the general election to be held on November 7, 2006 as called for and provided herein, and shall become effective upon approval by the electors.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. The recitals and findings in the preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this section.

Section 2. Section 7 of the Charter of the City of Opa-locka is hereby proposed to be amended in the following particulars:

RESOLUTION NO. 06-6910

"Sec. 7 Salary: Mayor and commission compensation.

~~Commissioners shall be paid for attendance at regular or special meetings at the rate of twenty-five dollars (\$25.00) per meeting; provided, however, that no commissioner shall receive more than fifty (\$50.00) per month hereunder, irrespective of the number of regular or special meeting attended within said month. In addition hereto there may be provided annually in the budget an additional sum to be used by the mayor commissioner to cover any or all expenses of the office of mayor commission of the City of Opa-locka. Compensation for the mayor and commissioners shall be set at five hundred fifty dollars (\$550.00) per month.~~

* * * *

"NOTICE OF SPECIAL MUNICIPAL ELECTION

TO BE HELD ON

TUESDAY, NOVEMBER 7, 2006

IN THE CITY OF OPA-LOCKA, FLORIDA

PURSUANT TO RESOLUTION NO. 06-6910

A special municipal election will be held on Tuesday, NOVEMBER 7, 2006, from 7:00 a.m. to 7:00 p.m. in the City of Opa-locka, Florida, at the polling places in the several election precincts designated by the Board of County Commissioner of Miami-Dade County, Florida, as set forth herein, unless otherwise provided by law, for the purpose of submitting to the qualified electors of the City of Opa-locka, Florida, the following questions:

Shall section 7 of the City of Opa-locka Charter be amended to provide compensation for the mayor and commissioners to be set at five hundred fifty dollars (\$550.00) per month?

Yes _____

No _____

¹ Words underlined indicate new language. Words stricken through indicate deletion of language. Asterisks indicate language which remains unchanged.

Charter Amendment No. 1, commencing NOVEMBER 7, 2006, provides for the

RESOLUTION NO. 06-6910

compensation of the mayor and commissioners to be set at five hundred fifty dollars (\$550.00) per month.

By Order of the City Commission of the City of Opa-locka, Florida

CITY CLERK

A list of City of Opa-locka polling places follows:
(Insert List of City of Opa-locka polling places).

Section 3. The official ballot to be used at said election shall be in full compliance with the laws of the State of Florida, and shall be in substantially the following form, to wit:

OFFICIAL BALLOT

SPECIAL MUNICIPAL ELECTION
TUESDAY, NOVEMBER 7, 2006
FOR APPROVAL OR DISAPPROVAL OF
THE FOLLOWING QUESTION:

Charter Amendments to provide for compensation for the mayor and commissioners;

1. Shall Section 7 of the City of Opa-locka Charter be amended to provide compensation for the mayor and commissioners to be set in at five hundred fifty dollars (\$550.00) per month?

Yes _____

No _____"

Section 4. The City Clerk shall cause to be prepared absentee ballots containing the question set forth in Section 3 above for the use of absentee electors entitled to cast such ballots in said municipal election.

RESOLUTION NO. 06-6910

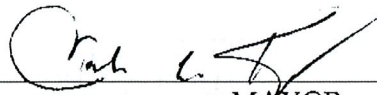
to cast such ballots in said municipal election.

Section 5. DEBORAH S. IRBY, the City Clerk of the City of Opa-locka, Florida, or her duly appointed successor, is hereby designated and appointed as the official representative of the City Commission of the City of Opa-locka, Florida, in relation to matter pertaining to the use of the registration books and the holding of said special municipal election.

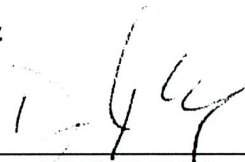
Section 6. The City Clerk shall deliver a certified copy of this Resolution to the Supervisor of Elections of Miami-Dade County of Miami-Dade County, Florida.

Section 7. This Resolution shall become effective immediately upon its adoption.

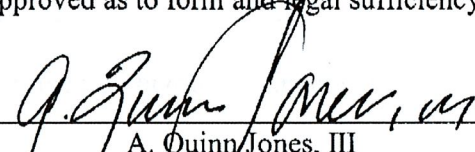
PASSED AND ADOPTED this 14 day of JUNE, 2006.


MAYOR

Attest to:


CITY CLERK

Approved as to form and legal sufficiency:


A. Quinn Jones, III
CITY ATTORNEY

6/5/06
DATE

Moved by: VICE MAYOR PINDER
Seconded by: COMMISSIONER HOLMES
Commission Vote: 4-0
Commissioner Holmes: YES
Commissioner Johnson: NOT PRESENT
Commissioner Tydus: YES
Vice Mayor Pinder: YES
Mayor Kelley: YES

Resolution/Electorate charter Amendments-revised-06-06

OFFICIAL SAMPLE BALLOT

OFFICIAL GENERAL AND SPECIAL ELECTIONS BALLOT
OPA-LOCKA, FLORIDA
NOVEMBER 7, 2006

MAYOR (Vote for one)

Joseph L. (Coach Joe) Kelley 145 

Myra L. Taylor 146 

COMMISSIONERS (Vote for two)

Timothy Holmes 148 

Dorothy A. Johnson 149 

Gail Elizabeth Miller 150 

John Riley 151 

Charter Amendment No. 1

Charter Amendment to provide for repeal of requirement for costs of litigation and attorney's fees to be prorated and assessed against any commissioner where a citizen has initiated court action to require compliance with the Charter;

Shall Section 178 of the City of Opa-locka Charter be repealed to eliminate the assessment of attorney's fees and costs against city officials in court actions?

YES 260 

NO 261 

Charter Amendment No. 2

Charter Amendment to provide for compensation for the mayor and commissioners;

Shall Section 7 of the City of Opa-locka Charter be amended to provide compensation for the mayor and commissioners to be set in at five hundred fifty dollars (\$550.00) per month?

YES 263 

NO 264 

NORTH MIAMI	1	CITY:	NORTH MIAMI
(Vote for)	1		
YES/SI/WI254	.	.	.
NO/NO/NON255	.	.	.
Over Votes	.	.	.
Under Votes	.	.	.
	63.80	4,677	3,412
	36.20	2,654	1,913
	0	0	0
	1,473		1,181
			225
			66
			0
			0
			0
			0
			1

NORTH MIAMI	2	CITY:	NORTH MIAMI
(Vote for)	1		
YES/SI/WI257	.	.	.
NO/NO/NON258	.	.	.
Over Votes	.	.	.
Under Votes	.	.	.
	56.00	4,225	3,117
	44.00	3,320	2,377
	4	4	0
	1,255		1,012
			183
			59
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2019-2020										PROV-P
2018-2019										PROV-I
2017-2018										ABSENTEE
2016-2017										EARLY VOTING
2015-2016										IVOTRONIC
2014-2015										%
2013-2014										TOTAL VOTES
2012-2013										OPA-LOCKA
2011-2012										CITY:OPA
2010-2011										LOCKA
2009-2010										(Vote for)
2008-2009										1
2007-2008										YES/SI/WI260
2006-2007										NO/NO/NON261
2005-2006										Over Votes
2004-2005										Under Votes
2003-2004										969
2002-2003										53.98
2001-2002										796
2000-2001										636
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[illegible][illegible]

PINECREST 3 CITY:PINECREST (Vote for)
YES/SI/WI272
NO/NO/NON273
669
261
2,673
1,116
71.21
28.79
3,997
1,616
0
2
654
237
Page 11

Sponsored by: Commissioner Holmes

Resolution No. 10-8077

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING, SETTING FORTH AND SUBMITTING TO THE ELECTORATE PROPOSED CHARTER AMENDMENTS, AMENDING THE CHARTER OF THE CITY OF OPA-LOCKA, FLORIDA TO: 1) DELETE SUBSECTION 9, OF SECTION 185, SUCH THAT UNION EMPLOYEES SHALL BE CLASSIFIED EMPLOYEES; 2) CHANGE THE NAME OF THE PERSONNEL BOARD TO THE "CIVIL SERVICE BOARD"; 3) CHANGE THE NAME OF THE PERSONNEL DEPARTMENT TO THE "HUMAN RESOURCES DEPARTMENT; 4) SET COMPENSATION FOR THE MAYOR AND CITY COMMISSIONERS, INCLUDING DEFERRED COMPENSATION; CALLING AND PROVIDING FOR A REFERENDUM AT THE PRIMARY ELECTION TO BE HELD ON AUGUST 24, 2010, FOR THE PURPOSE OF SUBMITTING SAID CHARTER AMENDMENTS TO THE ELECTORATE AT SAID REFERENDUM; FURTHER DIRECTING THE CITY CLERK TO CAUSE A CERTIFIED COPY OF THE HEREIN RESOLUTION TO BE DELIVERED TO THE SUPERVISOR OF ELECTIONS OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-locka has determined that it is in the best interests of the City for certain Charter Amendments to be submitted to the electorate at referendum; and

WHEREAS, drafts of the proposed Charter Amendments are set forth in final form in this Resolution, said drafts to be submitted to the electors of the City by means of the herein Resolution; and

WHEREAS, the proposed amendments shall be submitted to the electorate at the Primary election to be held on August 24, 2010, as called for and provided herein, and shall become effective upon approval by the electors:

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. The recitals and findings in the preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this section.

Section 2.

a) Article XIII, Section 185 of the Charter of the City of Opa-locka is hereby proposed to be amended in the following particulars:

Sec. 185: Civil Service: subsection 9 shall be deleted, such that union employees shall be classified employees.

b) Article XIII, Section 181 of the Charter of the City of Opa-locka is hereby proposed to be amended in the following particulars:

Sec. 181: Personnel Board. All references to "~~Personnel Board~~" shall be changed to "Civil Service Board".

c) Article XIII, Section 179 of the Charter of the City of Opa-locka is hereby proposed to be amended in the following particulars:

Sec. 179: Personnel Department. All references to "~~Personnel Department~~" shall be changed to "Human Resources Department".

d) Section 7 of the Charter of the City of Opa-locka is hereby proposed to be amended in the following particulars¹:

¹ Words underlined indicate new language. Words stricken through indicate deletion of language. Asterisks indicate language which remains unchanged.

Sec. 7: Mayor and commission compensation. Compensation for the mayor and commissioners shall be set at ~~Five Hundred Fifty~~ Nine Hundred dollars ~~(\$550.00)~~ (\$900.00) per month. The Mayor and Commissioners shall also receive deferred compensation in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00) per year during each year of service, said deferred compensation to be paid by the City into a duly qualified retirement plan. In addition, any member of the City Commission (including the Mayor) who shall have completed eight (8) years of service on the City Commission, shall be entitled, upon leaving the City Commission, to receive health insurance benefits (as received by other City employees) for themselves for the remainder of the fiscal year in which their service ends.

NOTICE OF SPECIAL MUNICIPAL ELECTION

TO BE HELD ON

TUESDAY, AUGUST 24, 2010

IN THE CITY OF OPA-LOCKA, FLORIDA

PURSUANT TO RESOLUTION NO. _____

A special municipal election will be held on Tuesday, August 24, 2010 from 7:00 a.m. to 7:00 p.m. in the City of Opa-locka, Florida, at the polling places in the several elections precincts designated by the Board of County Commissioners of Miami-Dade County, Florida, as set forth herein, unless otherwise provided by law, for the purpose of submitting to the qualified electors of the City of Opa-locka, Florida, the following questions:

Question 1: Shall Article XIII, Sec. 185 of the City of Opa-locka Charter be amended by deleting subsection 9, such that union employees shall be classified employees.

Yes _____

No _____

Question 2: Shall Article XIII, Section 181 of the City of Opa-locka Charter be amended to change all references to "Personnel Board" to "Civil Service Board"?

Yes_____

No_____

Question 3: Shall Article XIII, Sec. 179 of the City of Opa-locka Charter be amended to change all references to "Personnel Department" to "Human Resources Department"?

Yes_____

No_____

Question 4: Shall Section 7 of the City of Opa-locka Charter be amended to provide compensation for the Mayor and Commissioners to be set at Nine Hundred Dollars per month, together with deferred compensation of Seven Thousand Five Hundred (\$7,500.00) per year and health insurance benefits for Commissioners leaving office after serving eight (8) or more years for the remainder of that fiscal year?

Yes_____

No_____

Charter Amendment No.1, commencing August 24, 2010, provides for subsection 9 of Section 185 of the Charter to be deleted, such that union employees shall be classified employees.

Charter Amendment No. 2, commencing August 24, 2010, provides for all references to "Personnel Board" in Section 181 of the Charter to be changed to "Civil Service Board".

Charter Amendment No. 3, commencing August 24, 2010, provides for all references to "Personnel Department" in Section 179 of the Charter to be changed to "Human Resources Department".

Charter Amendment No. 4, commencing August 24, 2010, provides for the compensation of the Mayor and Commissioners to be set at Nine Hundred Dollars (\$900.00) per month, together with deferred compensation of Seven Thousand Five Hundred (\$7,500.00) per year and health insurance benefits for Commissioners leaving office after serving eight (8) or more years for the remainder of that fiscal year.

By Order of the City Commission of the City of Opa-locka, Florida

CITY CLERK

A list of City of Opa-locka polling places follows;
(Insert List of City of Opa-locka polling places)

Section 3. The official ballot to be used at said election shall be in full compliance with the laws of the State of Florida, and shall be in substantially the following form, to wit:

OFFICIAL BALLOT

SPECIAL MUNICIPAL ELECTION
TUESDAY, AUGUST 24, 2010
FOR APPROVAL OR DISAPPROVAL OF
THE FOLLOWING QUESTIONS:

Question 1: Shall Article XIII, Sec. 185 of the City of Opa-locka Charter be amended by deleting subsection 9, such that union employees shall be classified employees.

Yes _____

No _____

Question 2: Shall Article XIII, Section 181 of the City of Opa-locka Charter be amended to change all references to "Personnel Board" to "Civil Service Board"?

Yes _____

No _____

Question 3: Shall Article XIII, Sec. 179 of the City of Opa-locka Charter be amended to change all references to "Personnel Department" to "Human Resources Department"?

Yes _____

No _____

Question 4: Shall Section 7 of the City of Opa-locka Charter be amended to provide compensation for the Mayor and Commissioners to be set at Nine Hundred Dollars per month, together with deferred compensation of Seven Thousand Five Hundred (\$7,500.00) per year and health insurance benefits for Commissioners leaving office after serving eight (8) or more years for the remainder of that fiscal year?

Yes _____

No _____

Section 4. The City Clerk shall cause to be prepared absentee ballots containing the question set forth in Section 3 above for the use of absentee electors entitled to cast such ballots in said municipal election.

Section 5. DEBORAH S. IRBY, the City Clerk of the City of Opa-locka, Florida, or her duly appointed successor, is hereby designated and appointed as the official representative of the City Commission of the City of Opa-locka, Florida, in relation to matters

pertaining to the use of the registration books and the holding of said special municipal election.

Section 6. The City Clerk shall deliver a certified copy of this Resolution to the Supervisor of Elections of Miami-Dade County, Florida.

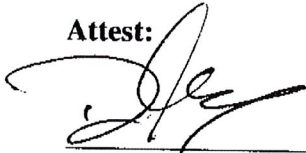
Section 7. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 9th DAY OF June, 2010.



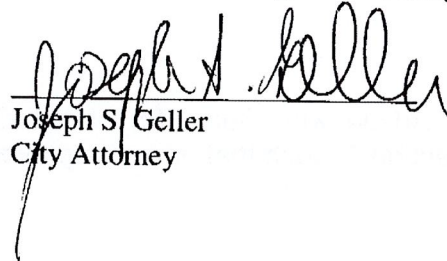
**JOSEPH L. KELLEY
MAYOR**

Attest:



**Deborah S. Irby
City Clerk**

Approved as to form and legal sufficiency:



**Joseph S. Geller
City Attorney**

Moved By:	HOLMES
Seconded by:	JOHNSON
Commission Vote:	3-1
Commissioner Holmes:	YES
Commissioner Johnson:	YES
Commissioner Tydus:	NOT PRESENT
Vice -Mayor Taylor:	YES
Mayor Kelley:	NO

CERTIFICATE OF COUNTY CANVASSING BOARD

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

We, the undersigned, County Court Judge SHELLEY J. KRAVITZ, **Chairperson**, County Court Judge, NORMA S. LINDSEY, **Substitute Member**, and Supervisor of Elections LESTER SOLA, **Member**, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the 31st day of August, A.D., 2010, and proceeded to publicly canvass the votes cast for the charter amendment questions herein specified at the **Opa-locka Special Election** held on the 24th day of August, A.D., 2010, as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

Question 1

Shall Article XIII, Sec. 185 of the City of Opa-locka Charter be amended by deleting subsection 9, such that union employees shall be classified employees?

YES	<u>430</u>
NO	<u>347</u>

Question 2

Shall Article XIII, Section 181 of the City of Opa-locka Charter be amended to change all references to "Personnel Board" to "Civil Service Board"?

YES	<u>493</u>
NO	<u>292</u>

Question 3

Shall Article XIII, Sec. 179 of the City of Opa-locka Charter be amended to change all references to "Personnel Department" to "Human Resources Department"?

YES 579 _____

NO 208 _____

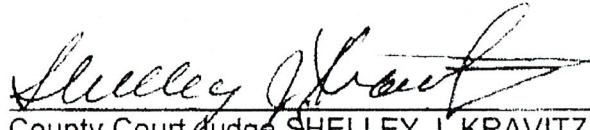
Question 4

Shall Section 7 of the City of Opa-locka Charter be amended to provide compensation for the Mayor and Commissioners to be set at Nine Hundred Dollars per month, together with deferred compensation of Seven Thousand Five Hundred (\$7,500.00) per year and health insurance benefits for Commissioners leaving office after serving eight (8) or more years for the remainder of that fiscal year?

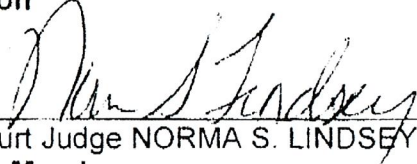
YES 332 _____

NO 473 _____

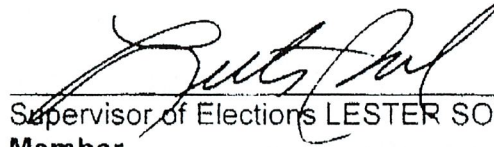
MIAMI-DADE COUNTY CANVASSING BOARD:



County Court Judge SHELLEY J. KRAVITZ
Chairperson



County Court Judge NORMA S. LINDSEY
Substitute Member



Supervisor of Elections LESTER SOLA
Member

**OFFICIAL SPECIAL ELECTION BALLOT
OPA-LOCKA, FLORIDA
AUGUST 24, 2010
BOLETA OFICIAL DE LAS ELECCIONES ESPECIALES
OPA-LOCKA, FLORIDA
24 DE AGOSTO DEL 2010
BILTEN VÒT OFISYÈL ELEKSYON ESPESYAL
OPA-LOCKA, FLORID
24 DAWOUT 2010**

Question 1

Shall Article XIII, Sec. 185 of the City of Opa-locka Charter be amended by deleting subsection 9, such that union employees shall be classified employees?

Propuesta 1

¿Deberá enmendarse el Artículo XIII, Sección 185, de la Carta Constitucional de la Ciudad de Opa-locka al borrar la sub-sección 9, de manera que los empleados sindicados sean empleados clasificados?

Kestyon 1

Èske se pou yo amande Atik 13, Seksyon 185 Konstitisyon Vil Opa-locka a pa anilasyon souseksyon 9 pou ke salarye sendika yo vin anplwaye klasifye?

YES/SÍ/WI 220
NO/NO/NON 221

Question 2

Shall Article XIII, Section 181 of the City of Opa-locka Charter be amended to change all references to "Personnel Board" to "Civil Service Board"?

Propuesta 2

¿Deberá enmendarse el Artículo XIII, Sección 181, de la Carta Constitucional de la Ciudad de Opa-locka para cambiar todas las referencias hechas a "Junta de Personal" por "Junta de Administración Pública"?

Kestyon 2

Èske se pou yo amande Atik 13, Seksyon 181 Konstitisyon Vil Opa-locka a pou chanje tout referans a "Konsèy Pèsonèl" pou vin "Konsèy Fonksyon Piblik"?

YES/SÍ/WI 222
NO/NO/NON 223

Question 3

Shall Article XIII, Sec. 179 of the City of Opa-locka Charter be amended to change all references to "Personnel Department" to "Human Resources Department"?

Propuesta 3

¿Deberá enmendarse el Artículo XIII, Sección 179, de la Carta Constitucional de la Ciudad de Opa-locka para cambiar todas las referencias hechas a "Departamento de Personal" por "Departamento de Recursos Humanos"?

Kestyon 3

Èske se pou yo amande Atik 13, Seksyon 179 Konstitisyon Vil Opa-locka a pou chanje tout referans a "Sèvis Pèsonèl" pou vin "Sèvis Resous Imèn"?

YES/SÍ/WI 224
NO/NO/NON 225

Question 4

Shall Section 7 of the City of Opa-locka Charter be amended to provide compensation for the Mayor and Commissioners to be set at Nine Hundred Dollars per month, together with deferred compensation of Seven Thousand Five Hundred (\$7,500.00) per year and health insurance benefits for Commissioners leaving office after serving eight (8) or more years for the remainder of that fiscal year?

Propuesta 4

¿Deberá enmendarse la Sección 7 de la Carta Constitucional de la Ciudad de Opa-locka para que disponga fijar una compensación de Novecientos Dólares mensuales para el Alcalde y los Comisionados, además de una compensación diferida de Siete Mil Quinientos (\$7,500.00) anuales y beneficios de seguro de salud para los Comisionados que dejen de ocupar el cargo después de haber prestado servicios durante ocho (8) años o más, durante lo que reste de ese año fiscal?

Kestyon 4

Èske se pou yo amande Seksyon 7 Konstitisyon Vil Opa-locka a pou etabli konpansasyon pou Majistra a ak Komisyonè yo ki pou fikse a Nèfsan Dola pa mwa, avèk konpansasyon repòte de Sèt Mil Senk San Dola (\$7,500.00) pa an ak asirans medikal pou Komisyonè kap kite pòs yo apre wit (8) an sèvis oswa pi plis pou rèss ane fiskal la?

YES/SÍ/WI 226
NO/NO/NON 227



2010 Primary Election

Election Date: 8/24/2010

(Website last updated at: 08/16/2021 4:10:06 pm)

Registered Voters:	1,203,633
Ballots Cast:	215,486
Voter Turnout:	17.9%

Precincts Reporting:

812 / 812

Election Day:

Completely Reported

Early Votes:

Completely Reported

Vote By Mail:

Completely Reported

Results are Official.

There was a recount for:

Miami Gardens: City Council Legislative Staff

See addendum (<http://www.miamidade.gov/elections/results/ele082410/mg-recount.pdf>)

School Board Member, District 7

See addendum (<http://www.miamidade.gov/elections/results/ele082410/sb-recount.pdf>)

Summary Results ▼



Change View

Vote Type View:

Graphical ▼

★ UNITED STATES SENATOR



☆ **NORTH MIAMI: COUNCIL MEMBERS, TERM LIMITS**

Participating Precincts Reporting: 24 / 24



Show
Detailed
View

Choice	Percent	Votes
YES	61.10%	2,416
NO	38.90%	1,538
		3,954

☆ **NORTH MIAMI: MAYOR, TERM LIMITS**

Participating Precincts Reporting: 24 / 24



Show
Detailed
View

Choice	Percent	Votes
YES	42.85%	1,781
NO	57.15%	2,375
		4,156

☆ **NORTH MIAMI: CLERK, TERM LIMITS**

Participating Precincts Reporting: 24 / 24



Show
Detailed
View

Choice	Percent	Votes
YES	58.50%	2,446
NO	41.50%	1,735
		4,181

☆ **OPA-LOCKA: UNION EMPLOYEES CLASSIFIED**

Participating Precincts Reporting: 9 / 9



Show
Detailed
View

Choice	Percent	Votes
YES	55.34%	430
NO	44.66%	347
		777

☆ **OPA-LOCKA: PERSONNEL TO CIVIL SERVICE BOARD**

Participating Precincts Reporting: 9 / 9



Show
Detailed
View

Choice	Percent	Votes
YES	62.80%	493
NO	37.20%	292
		785

☆ **OPA-LOCKA: PERSONNEL TO HUMAN RESOURCES**

Participating Precincts Reporting: 9 / 9



Show
Detailed
View

Choice	Percent	Votes
YES	73.57%	579
NO	26.43%	208
		787

☆ **OPA-LOCKA: MAYOR/COMMISSIONERS COMPENSATION**

Participating Precincts Reporting: 9 / 9



Show
Detailed
View

Choice	Percent	Votes
YES	41.24%	332
NO	58.76%	473
		805



2010 Primary Election

Election Date: 8/24/2010

(Website last updated at: 08/16/2021 4:10:06 pm)

Registered Voters:	1,203,633
Ballots Cast:	215,486
Voter Turnout:	17.9%

Precincts Reporting:	812 / 812
Election Day:	Completely Reported
Early Votes:	Completely Reported
Vote By Mail:	Completely Reported

Results are Official.

There was a recount for:

Miami Gardens: City Council Legislative Staff

See addendum (<http://www.miamidade.gov/elections/results/ele082410/mg-recount.pdf>)

School Board Member, District 7

See addendum (<http://www.miamidade.gov/elections/results/ele082410/sb-recount.pdf>)

Summary Results



Filter Races

Select a race:

OPA-LOCKA: MAYOR/COMMISSIONERS COMPENSATION 

Vote Type View:

Graphical 

235 Show Detailed View

Choice

Percent

Votes

YES	40.23%	35
NO	59.77%	52
		87

236 Show Detailed View			
	Choice	Percent	Votes
YES		43.53%	37
NO		56.47%	48
			85

237 Show Detailed View			
	Choice	Percent	Votes
YES		39.35%	85
NO		60.65%	131
			216

265 Show Detailed View			
	Choice	Percent	Votes
YES		46.67%	21
NO		53.33%	24
			45

271 Show Detailed View			
	Choice	Percent	Votes
YES		61.90%	13
NO		38.10%	8
			21

280 Show Detailed View			
	Choice	Percent	Votes
YES		39.53%	34
NO		60.47%	52
			86

296 Show Detailed View			
-------------------------------	--	--	--

	Choice	Percent	Votes
YES		40.46%	106
NO		59.54%	156
			262

313 [Show Detailed View](#)

	Choice	Percent	Votes
YES		33.33%	1
NO		66.67%	2
			3

391 [Show Detailed View](#)

	Choice	Percent	Votes
YES		0.00%	0
NO		0.00%	0
			0



2012 Primary Election

Election Date: 8/14/2012

(Website last updated at: 08/16/2021 3:52:11 pm)

Registered Voters:	1,242,973
Ballots Cast:	248,605
Voter Turnout:	20%

Precincts Reporting:

829 / 829

Election Day:

Completely Reported

Early Votes:

Completely Reported

Vote By Mail:

Completely Reported

Results are Official.

There was a recount for:

State Representative 107th House District

See addendum (<http://www.miamidade.gov/elections/results/ele081412/hse107-recount.pdf>)

Summary Results ▼

 Change View

Vote Type View:

Graphical ▼

☆ REP. UNITED STATES SENATOR



Participating Precincts Reporting:

829 / 829

Participating Precincts Reporting:

24 / 24

Show
Detailed
View

Choice	Percent	Votes
FOR BONDS	48.13%	1,998
AGAINST BONDS	51.87%	2,153
		4,151

☆ OPA-LOCKA: DEFERRED COMP MAYOR & COMMISSION

Participating Precincts Reporting:

9 / 9



Show
Detailed
View

Choice	Percent	Votes
YES	37.71%	425
NO	62.29%	702
		1,127



2012 Primary Election

Election Date: 8/14/2012

(Website last updated at: 08/16/2021 3:52:11 pm)

Registered Voters:	1,242,973
Ballots Cast:	248,605
Voter Turnout:	20%

Precincts Reporting:

829 / 829

Election Day:

Completely Reported

Early Votes:

Completely Reported

Vote By Mail:

Completely Reported

Results are Official.

There was a recount for:

State Representative 107th House District

See addendum (<http://www.miamidade.gov/elections/results/ele081412/hse107-recount.pdf>)

Summary Results



Filter Races

Select a race:

OPA-LOCKA: DEFERRED COMP MAYOR & COMMIS ▼

Vote Type View:

Graphical ▼

235 Show Detailed View

Choice	Percent	Votes
YES	24.10%	20

NO	75.90%	63
		83

236 Show Detailed View

Choice	Percent	Votes
YES	55.87%	100
NO	44.13%	79
		179

237 Show Detailed View

Choice	Percent	Votes
YES	35.84%	105
NO	64.16%	188
		293

265 Show Detailed View

Choice	Percent	Votes
YES	48.57%	34
NO	51.43%	36
		70

271 Show Detailed View

Choice	Percent	Votes
YES	45.16%	14
NO	54.84%	17
		31

280 Show Detailed View

Choice	Percent	Votes
YES	28.83%	32
NO	71.17%	79
		111

296 Show Detailed View

Choice	Percent	Votes
YES	33.52%	119

NO	66.48%	236
		355

313 Show Detailed View

Choice	Percent	Votes
YES	20.00%	1
NO	80.00%	4
		5

391 Show Detailed View

Choice	Percent	Votes
YES	0.00%	0
NO	0.00%	0
		0

**FORMULA FOR
ELECTED OFFICIAL
SALARIES**

Select Year: 2021 ▼ Go

The 2021 Florida Statutes

[Title XI](#)

[Chapter 145](#)

[View Entire Chapter](#)

COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS COMPENSATION OF COUNTY OFFICIALS

145.031 Board of county commissioners.—

(1) Each member of the board of county commissioners shall receive as salary the amount indicated, based on the population of his or her county. In addition, compensation shall be made for population increments over the minimum for each population group, which shall be determined by multiplying the population in excess of the minimum for the grouping times the group rate.

Pop. Group	County 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

(2) No member of a governing body of a chartered county or a county with a consolidated form of government shall be deemed to be the equivalent of a county commissioner for the purposes of determining the compensation of such member under his or her respective charter.

(3) Notwithstanding the provisions of this section or s. [145.19](#), each member of the board of county commissioners may reduce his or her salary rate on a voluntary basis.

History.—s. 1, ch. 61-461; s. 1, ch. 63-560; s. 1, ch. 65-356; s. 1, ch. 67-543; s. 2, ch. 67-576; s. 5, ch. 69-346; s. 2, ch. 73-173; s. 853, ch. 95-147; s. 1, ch. 2011-158.

**Salaries of
Elected County Constitutional Officers
and School District Officials
for Fiscal Year 2020-21**

September 2020

**The Florida Legislature's
Office of Economic and Demographic Research**



Salaries of Elected County Constitutional Officers and School District Officials for Fiscal Year 2020-21

Summary:

The practice of determining the compensation of Florida's county constitutional officers by state law was sanctioned by the Constitution of 1885 and has been maintained since the 1968 constitutional revision.¹ However, it was not until 1973 that the Legislature authorized the salary compensation formula that was the precursor to its present form.² Prior to that legislation, the authorization of changes to county officers' compensation required frequent legislative action. A summary of these historical constitutional provisions and general law amendments can be found in this report's appendix.

In expressing its intent, the Legislature determined that a uniform salary law was needed to replace the previous local law method of determining compensation, which was haphazard, preferential, inequitable, and probably unconstitutional.³ In addition, the Legislature intended to provide for uniform compensation of county officers having substantially equal duties and responsibilities and basing these uniform salary schedules on countywide population. Furthermore, in acknowledging the Legislature's stated intent for uniformity, Florida's Attorney General opined in 2008 that a sheriff could not voluntarily reduce his or her salary below that established by law.⁴ However, in 2009, the Legislature authorized district school board members and elected school superintendents to reduce their salaries on a voluntary basis.⁵ Furthermore, in 2011, the Legislature authorized county commissioners, clerks of circuit court, county comptrollers, sheriffs, supervisors of elections, property appraisers, and tax collectors to voluntarily reduce their salaries.⁶

The statutory salary provisions apply to all designated officers in all counties, except those officials whose salaries are not subject to being set by the Legislature due to the provisions of a county home rule charter, as well as those officials of counties that have a chartered consolidated form of government as provided in Chapter 67-1320, L.O.F., (i.e., Duval County).⁷ The adoption of a charter provides the county's electors with a mechanism to fundamentally alter the form of county government and the status of constitutional officers.⁸ Salaries have been computed for all officers of charter counties and are provided for reference purposes even though the statutorily-calculated figures may not be applicable.

The current salary formula methodology specifies that the latest official population census counts or intercensal estimates for the years between decennial censuses serve as a major component of the salary computation. In addition to the population figures, the salary formula contains five other components. The *base salary* and *group rate* components for the separate officers are specified in various sections of Chapter 145, F.S., for elected county officers and Chapter 1001, F.S., for elected school district officials.⁹ The *initial*

1. Section 5, Art. II, State Constitution.

2. Chapter 73-173, L.O.F.

3. Section 145.011, F.S.

4. Florida Attorney General Opinion 2008-28 available at <http://myfloridalegal.com/ago.nsf/Opinions>.

5. Chapters 2009-3 and 2009-59, L.O.F.

6. Chapter 2011-158, L.O.F.

7. Section 145.012, F.S.

8. According to the Florida Association of Counties, Florida's charter counties and their respective year of charter adoption are as follows: Alachua (1987), Brevard (1994), Broward (1975), Charlotte (1986), Clay (1991), Columbia (2002), Duval (1968), Hillsborough (1983), Lee (1996), Leon (2002), Miami-Dade (1957), Orange (1987), Osceola (1992), Palm Beach (1985), Pinellas (1980), Polk (1998), Sarasota (1971), Seminole (1989), Volusia (1971) and Wakulla (2008) available at <http://www.fl-counties.com/charter-county-information>.

9. Sections 145.031, 145.051, 145.071, 145.09, 145.10, 145.11, 1001.395, 1001.47, F.S.

factor component is currently set in law as a constant numerical value.¹⁰ The Florida Department of Management Services (DMS) annually certifies the remaining two components, the *annual factor* and *cumulative annual factor*, used in the salary formula calculations.¹¹ Traditionally, this annual certification has occurred in late summer, typically during the month of August or September.¹²

Prior to 1984, the Florida Department of Community Affairs calculated salaries for county constitutional officers; however, that authority was deleted from law during the 1984 legislative session.¹³ From 1985 through 2009, the former Legislative Committee on Intergovernmental Relations continued the annual salary calculations for county constitutional officers and elected school officials as a service to governmental units. Since 2010, the Legislature's Office of Economic and Demographic Research (EDR) has made the annual calculations. Since EDR is not required by law to perform these calculations, county government and school district officials are encouraged to independently verify the salaries of their respective elected officials.

General Law Amendments Affecting Elected County and School District Officers' Compensation:
There were no general law amendments resulting from the 2020 Regular Legislative Session.

Definition of Terms Relevant to the Current Statutory Formula:

Population means the latest annual determination of population of local governments produced by EDR and provided to the Governor's Office in accordance with s. 186.901, F.S.¹⁴ For the years between decennial censuses, the University of Florida's Bureau of Economic and Business Research (BEBR) generates annual population estimates for local governments, in accordance with a contract administered by EDR. *Salary* means the total annual compensation, payable under the schedules set forth in Chapter 145, F.S., to be paid to an officer as personal income.¹⁵ *Annual Factor* means 1 plus the lesser of either: 1) the average percentage increase in the salaries of state career service employees for the current fiscal year as determined by the DMS or as provided in the General Appropriations Act; or 2) 7 percent.¹⁶ *Cumulative Annual Factor* means the product of all annual factors certified under this act prior to the fiscal year for which salaries are being calculated.¹⁷ *Initial Factor* means a factor of 1.292, which is the product, rounded to the nearest thousandth, of an earlier cost-of-living increase factor authorized by Chapter 73-173, L.O.F., and intended by the Legislature to be preserved in adjustments to salaries made prior to the enactment of Chapter 76-80, L.O.F., multiplied by the annual increase factor authorized by Chapter 79-327, L.O.F.¹⁸

Salary Computation Methodology:

STEP 1 of the salary computation involves the determination of the relevant population group number for the elected officer based on the countywide population. **Table 1** lists the official 2019 county population estimates used to compute the 2020-21 salaries.

10. Section 145.19(1)(c), F.S.

11. Section 145.19(2), F.S.

12. The letter from the Department of Management Services' Division of Human Resource Management, which certified the annual factor and cumulative annual factor for the 2020-21 fiscal year, was dated August 28, 2020. (Letter on file with EDR.)

13. Chapter 84-241, L.O.F.

14. Section 145.021(1), F.S.

15. Section 145.021(2), F.S.

16. Section 145.19(1)(a), F.S.

17. Section 145.19(1)(b), F.S.

18. Section 145.19(1)(c), F.S.

Two sets of countywide population ranges are used to determine the salaries of the elected officers. One set applies to the clerk of circuit court, county comptroller (if applicable), tax collector, property appraiser, supervisor of elections, sheriff, and school superintendent. The second set applies only to county commissioners and school board members. Each population range has an assigned population group number.

STEP 2 of the salary computation involves the determination of the relevant base salary and group rate that corresponds to the population group number determined in the first step. **Table 2** displays the applicable sets of population ranges, base salaries, and group rates, which correspond to each population group number.

STEP 3 involves computing the salaries of elected county officers using the following formula.

$$\text{Salary} = [\text{Base Salary} + (\text{Population Above Group Minimum} \times \text{Group Rate})] \times \text{Initial Factor} \times \text{Certified Annual Factor} \times \text{Certified Cumulative Annual Factor}$$

Sample Computation of Salary:

Alachua County's Clerk of Circuit Court, Property Appraiser, Supervisor of Elections, and Tax Collector

2019 Population Estimate:	267,306
Group Number (IV) Minimum:	200,000
Corresponding Base Salary (i.e., Group IV):	\$30,175
Corresponding Group Rate (i.e., Group IV):	0.01575
Initial Factor:	1.292
Certified Annual Factor:	1.0419
Certified Cumulative Annual Factor:	3.4746

$$\text{Salary} = [\$30,175 + [(267,306 - 200,000) \times 0.01575]] \times 1.292 \times 1.0419 \times 3.4746 = \$146,095$$

Salaries of Elected County Constitutional Officers:

Table 3 displays the salaries for the county constitutional officers calculated pursuant to the statutory formula. As previously mentioned, these salaries apply to all designated officers in all counties, except those officials whose salaries are not subject to being set by the Legislature due to the provisions of a county home rule charter, as well as those officials of counties that have a chartered consolidated form of government as provided in Chapter 67-1320, L.O.F., (i.e., Duval County). The formula-based salaries of supervisors of elections are based upon a five-day workweek; however, if a supervisor does not keep his or her office open five days per week then the salary is prorated accordingly.¹⁹ EDR's calculation of each supervisor of elections' salary is based on the assumption of a five-day workweek and does not reflect any applicable pro rata reduction. Each elected county constitutional officer may reduce his or her salary rate on a voluntary basis; however, the salary figures published in this report do not reflect any such voluntary reductions.²⁰ Additionally, these salary figures do not include any special qualification salary (discussed in the section entitled *Additional Compensation*), which may be awarded to eligible officers.

19. Sections 145.09(2), F.S.

20. Sections 145.031(3), 145.051(3), 145.071(3), 145.09(4), 145.10(3), 145.11(3), F.S.

Salaries of Elected School Superintendents and School Board Members:

Table 3 also displays the salaries for the school superintendents and school board members calculated pursuant to the statutory formula. The formula-based salary computation is made for each school district's superintendent and included in the table even though the statutory provisions apply only to elected superintendents. Additionally, the salary figures do not include any special qualification salary, performance salary incentive, or district school board-approved salary (each discussed in the section entitled *Additional Compensation*), which may be awarded to eligible elected school superintendents. Each elected school board member and school superintendent may also reduce his or her salary rate on a voluntary basis; however, the salary figures published in this report do not reflect any such voluntary reductions.²¹

Furthermore, Chapter 2018-5, L.O.F., amended s. 1001.395(3), F.S., to provide that the salary of each elected school board member shall be the amount calculated pursuant to s. 1001.395(1), F.S., or the district's beginning salary for teachers who hold a baccalaureate degree, whichever is less. This change became effective July 1, 2019. The salary figures of school board members published in this report only reflect the amounts calculated pursuant to the statutory formula.

Effective Date of Salary Changes:

Elected county and school officers' salaries are adjusted annually pursuant to law, but the law fails to specify the effective date of these annual changes.²² Florida's county governments operate on the October 1st to September 30th local fiscal year, while Florida's school districts operate on the July 1st to June 30th state fiscal year. In an attempt to clarify this uncertainty, Florida's Attorney General opined that salary increases are effective October 1st for the elected county officers and July 1st for the elected school district officials.²³

Additional Compensation:

Select county constitutional officers are eligible to receive a special qualification salary of up to \$2,000 added to their formula-based salary; however, the officer must first successfully complete the required certification program.²⁴ Any officer becoming certified during a calendar year receives in that year a pro rata share of the special qualification salary based on the remaining period of the year. Any special qualification salary is added after the calculation of the formula-based salary.

Certification programs are offered to the clerks of circuit court, sheriffs, supervisors of elections, property appraisers, tax collectors, and elected school superintendents, and the officer is required to complete a course of continuing education to remain certified.²⁵ The following state agencies prescribe the courses of continuing education: the Supreme Court for clerks of circuit court; the Department of Law Enforcement for sheriffs; the Department of State's Division of Elections for supervisors of elections; the Department of Revenue for property appraisers and tax collectors; and the Department of Education for elected school superintendents.

In addition to the special qualification salary for elected school superintendents, the Department of Education also provides a leadership development and performance compensation program, which consists

21. Sections 1001.395(2), 1001.47(6), F.S.

22. Section 145.19(2), F.S.

23. Florida Attorney General Opinion 79-87.

24. Section 145.19(2), F.S.

25. Sections 145.051(2), 145.071(2), 145.09(3), 145.10(2), 145.11(2), 1001.47(4), F.S.

of two phases: a content, knowledge, and skills phase; and a competency acquisition phase.²⁶ Upon successful completion of both phases and demonstrated successful performance, the school superintendent is issued a Chief Executive Officer Leadership Development Certificate and given an annual performance salary incentive of not less than \$3,000 nor more than \$7,500 based upon his or her performance evaluation. For elected school superintendents, current law also provides that a district school board may approve, by majority vote, a salary in excess of the formula-based amount.²⁷

Payment of Group Insurance Premiums or Charges:

Current law authorizes the payment of premiums or charges for group insurance for those county officers whose compensation is fixed by Chapter 145, F.S.²⁸ All or any portion of the payment of the costs of life, health, accident, hospitalization, or annuity insurance for county officers, as authorized in s. 112.08, F.S., is not deemed to be compensation within the purview of Chapter 145, F.S.²⁹

Role of EDR:

As previously mentioned, EDR has continued the annual calculations of elected county constitutional officers and school district officials' salaries as a service to interested parties. No legislative entity is under statutory obligation to perform these annual calculations; therefore, county government and school district officials are encouraged to independently compute the salaries of their own elected officers in order to verify the salary figures published in this report.

Beyond making the formula-based salary calculations and publishing this annual report, the EDR does not collect any of the following information: 1) the salary figures of those officers whose salaries are not set pursuant to the statutory formula; 2) the salary figures of those officers choosing to voluntarily reduce their salary; 3) a listing of county constitutional officers and elected school superintendents receiving any special qualification salary and the amounts of those supplemental awards; 4) a listing of elected school superintendents receiving any performance salary incentive or district school board-approved salary and the amounts of those supplemental awards; and 6) the amounts of any group insurance premiums or charges paid on behalf of those county officers whose compensation is fixed by law. Persons interested in obtaining such figures should contact the county government or school district directly.

Florida Attorney General Opinions:

Florida's Attorney General has issued the following legal opinions relevant to the salary issue.

<u>Opinion #</u>	<u>Subject</u>
2008-28	Sheriff – voluntary reduction of salary
99-63	Clerk, fees imposed on county commission
93-94	Class C travel and mileage reimbursements
93-31	Fee officer's salary
91-68	Florida Retirement System
82-68	Salary incentive benefits for sheriff
81-45	Ch. 80-377; school boards
79-87	County officers' salary adjustments
79-66	Salary of county officer, deficiency

26. Section 1001.47(5), F.S.

27. Section 1001.47(1), F.S.

28. Section 112.14, F.S.

29. Section 145.131(3), F.S.

78-159	Payment of clerk's social security benefits
77-131	School board members, group insurance purchase
76-157	Sheriffs and financial reports
75-241	Investment income as interest
75-147	Public funds for group life insurance
74-184	Changes in salaries and county population
74-177	Calculating filing fees for candidates

The full texts of those opinions are available via the searchable online database of legal opinions.³⁰ Local government officials seeking more clarification should review the opinions in their entirety. The reader should keep the date of the opinion in mind when reviewing its relevance to current law or any interpretations that have been articulated in Florida case law.

Salaries of Other Elected State Officials and Full-Time Members of Commissions:

The salaries of Florida's elected state officials and full-time members of commissions are not set by a statutory salary formula, but are set annually in the General Appropriations Act and may be reduced on a voluntary basis.³¹ Listed below are the salaries of those elected officials and commission members, effective October 1, 2020, which do not reflect any voluntary reductions.

Elected State Officials and Full-Time Commission Members	Salary
Governor	\$ 134,181
Lieutenant Governor	\$ 128,597
Chief Financial Officer	\$ 132,841
Attorney General	\$ 132,841
Commissioner of Agriculture	\$ 132,841
Supreme Court Justice	\$ 227,218
Judges - District Courts of Appeal	\$ 174,641
Judges - Circuit Courts	\$ 165,509
Judges - County Courts	\$ 156,377
State Attorneys	\$ 174,641
Public Defenders	\$ 174,641
Commissioner - Public Service Commission	\$ 135,997
Public Employees Relations Commission Chair	\$ 100,723
Public Employees Relations Commission Commissioners	\$ 47,753
Commissioner - Parole	\$ 95,506
Criminal Conflict and Civil Regional Counsels	\$ 118,450

The annual salaries of members of the Florida Senate and House of Representatives are set as a fixed dollar amount, but current law includes a provision for annual adjustment on July 1st based on the average percentage increase in the salaries of state career service employees for the fiscal year just concluded.³² However, notwithstanding the provisions of s. 11.13(1), F.S., the authorized salaries of state legislators for the 2020-21 fiscal year are set at the same level in effect on July 1, 2010.³³ Consequently, the salaries for

30. <http://myfloridalegal.com/ago.nsf/Opinions>

31. Section 8 of Chapter 2020-111, L.O.F.

32. Section 11.13(1), F.S.

33. Section 100 of Chapter 2020-114, L.O.F.

the Senate President and House Speaker are \$41,181 each, and the salaries for all other Senate and House members are \$29,697 each.

Availability of Historical Salary Data:

Several compilations of prior years' salary data are available.³⁴

34. <http://edr.state.fl.us/Content/local-government/data/data-a-to-z/s-z.cfm>

Table 1 Florida's 2019 County Population Estimates			
County	Population	County	Population
Alachua	267,306	Lee	735,148
Baker	28,249	Leon	296,499
Bay	167,283	Levy	41,330
Bradford	28,682	Liberty	8,772
Brevard	594,469	Madison	19,570
Broward	1,919,644	Manatee	387,414
Calhoun	14,067	Marion	360,421
Charlotte	181,770	Martin	158,598
Citrus	147,744	Miami-Dade	2,812,130
Clay	215,246	Monroe	76,212
Collier	376,706	Nassau	85,070
Columbia	70,492	Okaloosa	201,514
DeSoto	36,065	Okeechobee	41,808
Dixie	16,610	Orange	1,386,080
Duval	970,672	Osceola	370,552
Escambia	321,134	Palm Beach	1,447,857
Flagler	110,635	Pasco	527,122
Franklin	12,273	Pinellas	978,045
Gadsden	46,277	Polk	690,606
Gilchrist	17,766	Putnam	73,268
Glades	13,121	St. Johns	254,412
Gulf	13,082	St. Lucie	309,359
Hamilton	14,600	Santa Rosa	179,054
Hardee	27,385	Sarasota	426,275
Hendry	40,120	Seminole	471,735
Hernando	188,358	Sumter	128,633
Highlands	103,434	Suwannee	45,423
Hillsborough	1,444,870	Taylor	22,458
Holmes	20,049	Union	15,505
Indian River	154,939	Volusia	538,763
Jackson	46,969	Wakulla	32,976
Jefferson	14,776	Walton	70,071
Lafayette	8,482	Washington	25,387
Lake	357,247	Florida Total	21,208,589
Data Source: "Florida Estimates of Population 2019" Bureau of Economic and Business Research, University of Florida.			

Table 2
Salary Computation Statistics

Elected County Constitutional Officers	Population Group Numbers	County Population Range		Base Salary	Group Rate
		Minimum	Maximum		
Clerk of Circuit Court	I	0	49,999	\$21,250	0.07875
Comptroller	II	50,000	99,999	\$24,400	0.06300
Property Appraiser	III	100,000	199,999	\$27,550	0.02625
Supervisor of Elections	IV	200,000	399,999	\$30,175	0.01575
Tax Collector	V	400,000	999,999	\$33,325	0.00525
ss. 145.051, 145.09, 145.10, and 145.11, F.S.	VI	1,000,000		\$36,475	0.00400
Sheriff	I	0	49,999	\$23,350	0.07875
s. 145.071, F.S.	II	50,000	99,999	\$26,500	0.06300
	III	100,000	199,999	\$29,650	0.02625
	IV	200,000	399,999	\$32,275	0.01575
	V	400,000	999,999	\$35,425	0.00525
	VI	1,000,000		\$38,575	0.00400
County Commissioners	I	0	9,999	\$4,500	0.150
s. 145.031, F.S.	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
Elected School District Officials	Population Group Numbers	County Population Range		Base Salary	Group Rate
		Minimum	Maximum		
School Superintendent	I	0	49,999	\$21,250	0.07875
s. 1001.47, F.S.	II	50,000	99,999	\$24,400	0.06300
	III	100,000	199,999	\$27,550	0.02625
	IV	200,000	399,999	\$30,175	0.01575
	V	400,000	999,999	\$33,325	0.00525
	VI	1,000,000		\$36,475	0.00400
School Board Members	I	0	9,999	\$5,000	0.083300
s. 1001.395, F.S.	II	10,000	49,999	\$5,833	0.020830
	III	50,000	99,999	\$6,666	0.016680
	IV	100,000	199,999	\$7,500	0.008330
	V	200,000	399,999	\$8,333	0.004165
	VI	400,000	999,999	\$9,166	0.001390
	VII	1,000,000		\$10,000	0.000000

Note: This table reflects the statutory change enacted by Chapter 2016-157, Laws of Florida, which made the base salaries and group rates used to calculate a supervisor of election's salary the same as the current base salaries and group rates used to calculate the salaries of the clerks of circuit court, county comptrollers, property appraisers, and tax collectors.

Table 3
Salaries of Elected County Constitutional Officers and School District Officials for Fiscal Year 2020-21
Pursuant to the Salary Formula in Chapter 145, Florida Statutes
See Table Notes for Additional Clarification

		Elected County Constitutional Officers						Elected School District Officials	
		Clerk of Circuit Court	Property Appraiser	Supervisor of Elections	Tax Collector	Sheriff	County Commissioners	School Superintendent	School Board Members
County									
Alachua	c	\$ 146,095	\$ 146,095	\$ 146,095	\$ 146,095	\$ 155,917	\$ 81,897	\$ 146,095	\$ 40,287
Baker	e	\$ 109,797	\$ 109,797	\$ 109,797	\$ 109,797	\$ 119,620	\$ 34,465	\$ 109,797	\$ 29,061
Bay	e	\$ 137,120	\$ 137,120	\$ 137,120	\$ 137,120	\$ 146,942	\$ 70,289	\$ 137,120	\$ 37,701
Bradford	e	\$ 109,957	\$ 109,957	\$ 109,957	\$ 109,957	\$ 119,779	\$ 34,617	\$ 109,957	\$ 29,103
Brevard	c	\$ 160,646	\$ 160,646	\$ 160,646	\$ 160,646	\$ 170,468	\$ 95,755	\$ 160,646	\$ 44,136
Broward	c	\$ 187,810	\$ 187,810	\$ 187,810	\$ 187,810	\$ 197,632	\$ 105,239	\$ 187,810	\$ 46,773
Calhoun	e	\$ 104,574	\$ 104,574	\$ 104,574	\$ 104,574	\$ 114,396	\$ 29,490	\$ 104,574	\$ 27,679
Charlotte	c	\$ 138,899	\$ 138,899	\$ 138,899	\$ 138,899	\$ 148,721	\$ 73,338	\$ 138,899	\$ 38,266
Citrus	e	\$ 134,721	\$ 134,721	\$ 134,721	\$ 134,721	\$ 144,543	\$ 66,176	\$ 134,721	\$ 36,940
Clay	c e	\$ 142,260	\$ 142,260	\$ 142,260	\$ 142,260	\$ 152,082	\$ 78,245	\$ 142,260	\$ 39,273
Collier		\$ 154,154	\$ 154,154	\$ 154,154	\$ 154,154	\$ 163,977	\$ 89,573	\$ 154,154	\$ 42,418
Columbia	c e	\$ 120,164	\$ 120,164	\$ 120,164	\$ 120,164	\$ 129,986	\$ 47,846	\$ 120,164	\$ 32,777
DeSoto	e	\$ 112,676	\$ 112,676	\$ 112,676	\$ 112,676	\$ 122,499	\$ 37,207	\$ 112,676	\$ 29,822
Dixie	e	\$ 105,510	\$ 105,510	\$ 105,510	\$ 105,510	\$ 115,333	\$ 30,382	\$ 105,510	\$ 27,927
Duval	c	\$ 169,884	\$ 169,884	\$ 169,884	\$ 169,884	\$ 179,706	\$ 104,553	\$ 169,884	\$ 46,582
Escambia	e	\$ 150,061	\$ 150,061	\$ 150,061	\$ 150,061	\$ 159,883	\$ 85,674	\$ 150,061	\$ 41,336
Flagler		\$ 130,165	\$ 130,165	\$ 130,165	\$ 130,165	\$ 139,987	\$ 58,366	\$ 130,165	\$ 35,494
Franklin	e	\$ 103,913	\$ 103,913	\$ 103,913	\$ 103,913	\$ 113,735	\$ 28,861	\$ 103,913	\$ 27,504
Gadsden	e	\$ 116,438	\$ 116,438	\$ 116,438	\$ 116,438	\$ 126,260	\$ 40,790	\$ 116,438	\$ 30,817
Gilchrist	e	\$ 105,936	\$ 105,936	\$ 105,936	\$ 105,936	\$ 115,758	\$ 30,788	\$ 105,936	\$ 28,039
Glades	e	\$ 104,225	\$ 104,225	\$ 104,225	\$ 104,225	\$ 114,047	\$ 29,159	\$ 104,225	\$ 27,587
Gulf	e	\$ 104,211	\$ 104,211	\$ 104,211	\$ 104,211	\$ 114,033	\$ 29,145	\$ 104,211	\$ 27,583
Hamilton	e	\$ 104,770	\$ 104,770	\$ 104,770	\$ 104,770	\$ 114,592	\$ 29,677	\$ 104,770	\$ 27,731
Hardee	e	\$ 109,479	\$ 109,479	\$ 109,479	\$ 109,479	\$ 119,301	\$ 34,162	\$ 109,479	\$ 28,976
Hendry	e	\$ 114,170	\$ 114,170	\$ 114,170	\$ 114,170	\$ 123,992	\$ 38,630	\$ 114,170	\$ 30,217
Hernando		\$ 139,708	\$ 139,708	\$ 139,708	\$ 139,708	\$ 149,530	\$ 74,725	\$ 139,708	\$ 38,522
Highlands	e	\$ 129,281	\$ 129,281	\$ 129,281	\$ 129,281	\$ 139,103	\$ 56,850	\$ 129,281	\$ 35,213
Hillsborough	c	\$ 178,927	\$ 178,927	\$ 178,927	\$ 178,927	\$ 188,749	\$ 105,239	\$ 178,927	\$ 46,773
Holmes	e	\$ 106,777	\$ 106,777	\$ 106,777	\$ 106,777	\$ 116,599	\$ 31,589	\$ 106,777	\$ 28,262
Indian River		\$ 135,604	\$ 135,604	\$ 135,604	\$ 135,604	\$ 145,427	\$ 67,691	\$ 135,604	\$ 37,220
Jackson	e	\$ 116,693	\$ 116,693	\$ 116,693	\$ 116,693	\$ 126,515	\$ 41,032	\$ 116,693	\$ 30,884
Jefferson	e	\$ 104,835	\$ 104,835	\$ 104,835	\$ 104,835	\$ 114,657	\$ 29,739	\$ 104,835	\$ 27,748
Lafayette	e	\$ 102,516	\$ 102,516	\$ 102,516	\$ 102,516	\$ 112,339	\$ 26,999	\$ 102,516	\$ 26,691
Lake		\$ 152,721	\$ 152,721	\$ 152,721	\$ 152,721	\$ 162,543	\$ 88,207	\$ 152,721	\$ 42,039
Lee	c	\$ 164,100	\$ 164,100	\$ 164,100	\$ 164,100	\$ 173,922	\$ 99,045	\$ 164,100	\$ 45,051
Leon	c e	\$ 148,246	\$ 148,246	\$ 148,246	\$ 148,246	\$ 158,068	\$ 83,945	\$ 148,246	\$ 40,856
Levy	e	\$ 114,616	\$ 114,616	\$ 114,616	\$ 114,616	\$ 124,438	\$ 39,054	\$ 114,616	\$ 30,335
Liberty	e	\$ 102,623	\$ 102,623	\$ 102,623	\$ 102,623	\$ 112,446	\$ 27,202	\$ 102,623	\$ 26,804
Madison	e	\$ 106,601	\$ 106,601	\$ 106,601	\$ 106,601	\$ 116,423	\$ 31,421	\$ 106,601	\$ 28,215
Manatee		\$ 154,943	\$ 154,943	\$ 154,943	\$ 154,943	\$ 164,765	\$ 90,324	\$ 154,943	\$ 42,627
Marion	e	\$ 152,955	\$ 152,955	\$ 152,955	\$ 152,955	\$ 162,777	\$ 88,430	\$ 152,955	\$ 42,101
Martin	e	\$ 136,054	\$ 136,054	\$ 136,054	\$ 136,054	\$ 145,876	\$ 68,461	\$ 136,054	\$ 37,363
Miami-Dade	c	\$ 204,507	\$ 204,507	\$ 204,507	\$ 204,507	\$ 214,329	\$ 105,239	\$ 204,507	\$ 46,773
Monroe		\$ 121,849	\$ 121,849	\$ 121,849	\$ 121,849	\$ 131,672	\$ 49,452	\$ 121,849	\$ 33,224
Nassau	e	\$ 124,460	\$ 124,460	\$ 124,460	\$ 124,460	\$ 134,282	\$ 51,937	\$ 124,460	\$ 33,915
Okaloosa	e	\$ 141,248	\$ 141,248	\$ 141,248	\$ 141,248	\$ 151,071	\$ 77,281	\$ 141,248	\$ 39,005
Okeechobee		\$ 114,792	\$ 114,792	\$ 114,792	\$ 114,792	\$ 124,614	\$ 39,222	\$ 114,792	\$ 30,382
Orange	c	\$ 177,827	\$ 177,827	\$ 177,827	\$ 177,827	\$ 187,649	\$ 105,239	\$ 177,827	\$ 46,773
Osceola	c	\$ 153,701	\$ 153,701	\$ 153,701	\$ 153,701	\$ 163,523	\$ 89,141	\$ 153,701	\$ 42,298
Palm Beach	c	\$ 178,983	\$ 178,983	\$ 178,983	\$ 178,983	\$ 188,805	\$ 105,239	\$ 178,983	\$ 46,773
Pasco	e	\$ 158,992	\$ 158,992	\$ 158,992	\$ 158,992	\$ 168,814	\$ 94,180	\$ 158,992	\$ 43,698
Pinellas	c	\$ 170,065	\$ 170,065	\$ 170,065	\$ 170,065	\$ 179,887	\$ 104,725	\$ 170,065	\$ 46,630
Polk	c	\$ 163,006	\$ 163,006	\$ 163,006	\$ 163,006	\$ 172,829	\$ 98,003	\$ 163,006	\$ 44,761
Putnam	e	\$ 120,982	\$ 120,982	\$ 120,982	\$ 120,982	\$ 130,804	\$ 48,625	\$ 120,982	\$ 32,994
St. Johns		\$ 145,145	\$ 145,145	\$ 145,145	\$ 145,145	\$ 154,968	\$ 80,993	\$ 145,145	\$ 40,036
St. Lucie		\$ 149,193	\$ 149,193	\$ 149,193	\$ 149,193	\$ 159,015	\$ 84,848	\$ 149,193	\$ 41,106
Santa Rosa	e	\$ 138,565	\$ 138,565	\$ 138,565	\$ 138,565	\$ 148,387	\$ 72,766	\$ 138,565	\$ 38,160
Sarasota	c	\$ 156,516	\$ 156,516	\$ 156,516	\$ 156,516	\$ 166,338	\$ 91,821	\$ 156,516	\$ 43,043
Seminole	c	\$ 157,632	\$ 157,632	\$ 157,632	\$ 157,632	\$ 167,454	\$ 92,885	\$ 157,632	\$ 43,338
Sumter	e	\$ 132,375	\$ 132,375	\$ 132,375	\$ 132,375	\$ 142,197	\$ 62,154	\$ 132,375	\$ 36,195

Table 3
Salaries of Elected County Constitutional Officers and School District Officials for Fiscal Year 2020-21
Pursuant to the Salary Formula in Chapter 145, Florida Statutes
See Table Notes for Additional Clarification

County		Elected County Constitutional Officers						Elected School District Officials	
		Clerk of Circuit Court	Property Appraiser	Supervisor of Elections	Tax Collector	Sheriff	County Commissioners	School Superintendent	School Board Members
Suwannee	e	\$ 116,123	\$ 116,123	\$ 116,123	\$ 116,123	\$ 125,945	\$ 40,490	\$ 116,123	\$ 30,734
Taylor	e	\$ 107,664	\$ 107,664	\$ 107,664	\$ 107,664	\$ 117,487	\$ 32,434	\$ 107,664	\$ 28,496
Union	e	\$ 105,103	\$ 105,103	\$ 105,103	\$ 105,103	\$ 114,926	\$ 29,995	\$ 105,103	\$ 27,819
Volusia	c	\$ 159,278	\$ 159,278	\$ 159,278	\$ 159,278	\$ 169,100	\$ 94,452	\$ 159,278	\$ 43,774
Wakulla	c e	\$ 111,538	\$ 111,538	\$ 111,538	\$ 111,538	\$ 121,361	\$ 36,124	\$ 111,538	\$ 29,521
Walton	e	\$ 120,040	\$ 120,040	\$ 120,040	\$ 120,040	\$ 129,862	\$ 47,728	\$ 120,040	\$ 32,745
Washington	e	\$ 108,743	\$ 108,743	\$ 108,743	\$ 108,743	\$ 118,565	\$ 33,461	\$ 108,743	\$ 28,782

A "c" denotes each of Florida's 20 charter counties, according to the Florida Association of Counties (FAC).

[<http://www.fl-counties.com/charter-county-information>]

An "e" denotes those school districts having an elected school superintendent, according to the Florida Association of District School Superintendents (FADSS).

[<http://www.fadss.org/membership/superintendents>]

Notes:

1) Salary figures have been calculated by the Florida Legislature's Office of Economic and Demographic Research (EDR) pursuant to the statutory formula in Chapter 145, F.S. Although not required by law, the EDR calculates salaries of elected county constitutional officers and school district officials as a service to county governments and school districts. County and school district officials are encouraged to independently compute and verify these salary figures.

2) The calculated salary figures for all officers reflect the use of 2019 countywide population estimates listed in "Florida Estimates of Population 2019" published by the University of Florida's Bureau of Economic and Business Research.

3) These salary figures may not be applicable to those elected county officers of a chartered consolidated government or those elected officers in counties having a home rule charter, which specifies another method of salary compensation. As indicated in this table, Florida currently has 20 charter counties.

4) Salary figures are included for each school district's superintendent even though the salaries determined by statutory formula are applicable only to elected school superintendents. As indicated in this table, Florida currently has 41 elected school superintendents.

5) These salary figures do not include any special qualification salary available to eligible clerks of circuit court, property appraisers, sheriffs, supervisors of elections, and tax collectors who have completed the required certification program specified in the relevant sections of Chapter 145, F.S. Additionally, the salary figures for elected school superintendents do not include any special qualification salary and performance salary incentive available to eligible elected school superintendents who have completed the required certification programs specified in Section 1001.47, F.S.

6) As the result of recent statutory authorizations (i.e., Chapters 2009-3, 2009-59, and 2011-158, L.O.F.), each elected county constitutional officer and school district official may voluntarily reduce his or her salary rate. However, the salary figures listed in this table do not reflect any such voluntary reductions.

7) This table reflects the statutory change enacted by Chapter 2016-157, L.O.F., which made the base salaries and group rates used to calculate a supervisor of election's salary the same as the current base salaries and group rates used to calculate the salaries of the clerks of circuit court, county comptrollers, property appraisers, and tax collectors.

8) Chapter 2018-5, L.O.F., amended s. 1001.395(3), F.S., to provide that the salary of each elected school board member shall be the amount calculated pursuant to s. 1001.395(1), F.S., or the district's beginning salary for teachers who hold a baccalaureate degree, whichever is less. Additionally, the legislation amended s. 1011.10, F.S., to provide that if any of the financial emergency conditions identified in s. 218.503(1), F.S., exist within a school district, then the salary of each district school board member and district school superintendent, calculated pursuant to ss. 1001.395 and 1001.47, F.S., shall be withheld until the conditions are corrected. However, this penalty will not apply to a district school board member or district school superintendent elected or appointed within one year after the identification of the financial emergency conditions in s. 218.503(1), F.S., if he or she did not participate in the approval or preparation of the final school district budget adopted before the identification of such conditions. These changes became effective July 1, 2019.

9) Pursuant to law, the Florida Department of Management Services must annually certify two components of the salary formula calculation: the annual factor and cumulative annual factor. For the 2020-21 fiscal year, the certified annual factor is 1.0419 and the certified cumulative annual factor is 3.4746.

Appendix

Summary of Relevant Constitutional Provisions and Statutory Changes

Article III, section 27 and Article VIII, section 6 of the Florida Constitution of 1885 stated that the Legislature provides for the election of county officers and prescribes by law their powers, duties, and compensation.

Chapter 7334, 1917 Laws of Florida (L.O.F.), established by defined schedule the compensation of all county officials previously paid in whole or in part on the basis of fees or commissions.

Chapter 8497, 1921 L.O.F., modified the thresholds in the defined schedule that set the compensation of fee or commission-based county officials.

Chapter 9270, 1923 L.O.F., modified the thresholds in the defined schedule that set the compensation of fee or commission-based county officials.

Chapter 11954, 1927 L.O.F., modified the thresholds in the defined schedule that set the compensation of fee or commission-based county officials.

Chapter 14502, 1929 L.O.F., required fee or commission-based county officials to file itemized sworn statements showing receipts and disbursements of the office.

Chapter 14665, 1931 L.O.F., set the annual compensation for clerk of circuit court, sheriff, county judge, county assessor of taxes, superintendent of public instruction, tax collector, and clerk of the board of county commissioners in those counties having a population not less than 10,630 and not greater than 10,650.

Chapter 14666, 1931 L.O.F., set the annual compensation of clerk of circuit court, sheriff, tax collector, tax assessor, county judge, superintendent of public instruction, and clerk of civil court and criminal court of record in those counties having a population greater than 155,000.¹

Chapter 15607, 1931 L.O.F., set the annual compensation for clerk of circuit court, sheriff, tax collector, tax assessor, county judge, justice of the peace, and clerk of criminal court of record in those counties having a population not less than 13,600 and not greater than 13,650.

Chapter 15608, 1931 L.O.F., set the annual compensation for clerk of circuit court, sheriff, tax collector, tax assessor, county judge, and clerk of civil court and criminal court of record in those counties having a population not less than 35,000 and not greater than 45,000.

Chapter 15611, 1931 L.O.F., set the annual compensation for county judge in those counties having a population not less than 7,200 and not greater than 7,400.

Chapter 15739, 1931 L.O.F., set the annual compensation for clerk of circuit court, sheriff, tax collector, tax assessor, and county judge in those counties having a population not less than 19,000 and not greater than 22,000.

1. The title of tax assessor was subsequently changed to property appraiser per Chapter 77-102, L.O.F.

Chapter 15740, 1931 L.O.F., set the annual compensation for county judge, sheriff, clerk of circuit court, tax assessor, and tax collector in those counties having a population more than 17,650 and less than 19,000.

Chapter 15968, 1933 L.O.F., set the annual compensation for sheriff, tax assessor, tax collector, clerk of circuit court, and county judge in those counties having a population not more than 3,600 and not less than 3,400.

Chapter 15970, 1933 L.O.F., set the annual compensation for all county officials in those counties having a population not less than 18,100 and not more than 18,700.

Chapter 15971, 1933 L.O.F., set the annual compensation for county judge, sheriff, tax collector, tax assessor, justice of the peace, and constable in those counties having a population not less than 2,466 and not more than 2,500.

Chapter 15972, 1933 L.O.F., set the annual compensation for clerk of circuit court, sheriff, tax collector, tax assessor, county judge, superintendent of public instruction, and board of county commissioners in those counties having a population not less than 19,000 and not more than 22,000.

Chapter 15973, 1933 L.O.F., set the annual compensation for supervisor of registration, superintendent of public instruction, and justice of the peace in those counties having a population not less than 18,100 and not more than 18,700.

Chapter 15974, 1933 L.O.F., set the annual compensation for sheriff, clerk of circuit court, tax collector, tax assessor, county judge, clerk of county court and criminal court of record, superintendent of public instruction, supervisor of registration, members of the board of public instruction, and probation officer in those counties having a population not less than 70,000 and not more than 140,000.

Chapter 15975, 1933 L.O.F., set the annual compensation for county judge, sheriff, clerk of circuit court, superintendent of public instruction, tax assessor, tax collector, supervisor of registration, county commissioners, county board of public instruction, justice of the peace, constable, attorney for the board of county commissioners, attorney for the board of public instruction, and deputy sheriff in those counties having a population not less than 12,456 and not more than 12,900.

Chapter 15976, 1933 L.O.F., set the annual compensation for members of the board of county commissioners, members of the board of public instruction, county judge, county prosecuting attorney, and superintendent of public instruction of Jefferson County.

Chapter 15977, 1933 L.O.F., set the annual compensation for sheriff, tax collector, tax assessor, clerk of circuit court, and superintendent of public instruction in those counties having a population not less than 13,600 and not more than 13,700.

Chapter 15979, 1933 L.O.F., set the annual compensation for sheriff, clerk of circuit court, tax assessor, tax collector, county judge, clerk of criminal court of record, justice of the peace, and constable in those counties having a population not less than 49,800 and not more than 53,500.

Chapter 15980, 1933 L.O.F., set the annual compensation for superintendent of public instruction, members of the board of county commissioners, members of the board of public instruction, and supervisor of registration in those counties having a population not less than 3,400 and not more than 3,700.

Chapter 16006, 1933 L.O.F., authorized the board of county commissioners in those counties having a population not less than 13,600 and not more than 13,700 to designate the number of deputies and the compensation of deputies in the offices of the sheriff, tax collector, tax assessor, and clerk of circuit court.

Chapter 16921, 1935 L.O.F., set the annual compensation for clerk of circuit court, sheriff, tax collector, tax assessor, county judge, superintendent of public instruction, and clerk of civil and criminal court of record in those counties having a population more than 180,000.

Chapter 16922, 1935 L.O.F., set the annual compensation for county judge, tax assessor, tax collector, and superintendent of public instruction in those counties having a population not less than 4,060 and not more than 4,070.

Chapter 16923, 1935 L.O.F., set the annual compensation for clerk of circuit court, sheriff, tax collector, tax assessor, county judge, superintendent of public instruction, and clerk in those counties having a population not less than 20,000 and not more than 23,000.

Chapter 16924, 1935 L.O.F., set the annual compensation for county commissioners, members of the board of public instruction, and superintendent of public instruction in those counties having a population not less than 6,418 and not more than 6,500.

Chapter 16925, 1935 L.O.F., set the annual compensation for sheriff, clerk of circuit court, tax collector, tax assessor, county judge, clerk of county court and criminal court of record in those counties having a population not less than 70,000 and not more than 140,000.

Chapter 16926, 1935 L.O.F., set the annual compensation for clerk of circuit court, sheriff, tax collector, tax assessor, and county judge in those counties having a population not less than 12,400 and not more than 12,500.

Chapter 16927, 1935 L.O.F., set the annual compensation for clerk of circuit court as county auditor, clerk of the board of county commissioners, sheriff, county judge, tax collector, and tax assessor in those counties having a population not less than 3,150 and not more than 3,200.

Chapter 16928, 1935 L.O.F., set the annual compensation for clerk of circuit court, tax assessor, tax collector, sheriff, county judge, superintendent of public instruction, clerk of criminal court of record, county solicitor, justice of the peace, and constable in those counties having a population not less than 45,000 and not more than 50,000.

Chapter 16929, 1935 L.O.F., amended Chapter 14666, 1931 L.O.F., so as to apply to all counties having a population of 150,000 according to the last or any future official census.

Chapter 20891, 1941 L.O.F., required the county's tax assessor and tax collector to pay a portion of all monies, in excess of the sum that the officer was entitled to as annual compensation, to the Board of Public Instruction.

Chapter 24101, 1947 L.O.F., required fee or commission-based county officers to submit a report to the board of county commissioner annually rather than semi-annually.

Chapter 28041, 1953 L.O.F., modified the thresholds in the defined schedule that set the compensation of fee or commission-based county officials.

Chapter 61-461, L.O.F., provided for the compensation of county officers (i.e., members of the board of county commissioners, members of the board of public instruction, clerk of circuit court, county judge, sheriff, superintendent of public instruction, supervisor of registration, tax assessor, and tax collector). The Legislature acknowledged that the functions, powers, duties, and responsibilities vary between county officers in the same county and between the same county officer in different counties with respect to the county's population, geography, economy, and government. Consequently, the amount of compensation set in law for each type of county officer varied from county to county, except for Dade County where compensation was determined locally based on home rule powers. The intent of the legislation was not to repeal, affect, or modify any local or special law, or general law of local application enacted prior to or during 1961 as to the compensation of county officers, travel expenses of county officers, or payment of extra compensation of the chair of the board of county commission or board of public instruction. Also, the legislation was not applicable where in conflict with relevant local laws in Franklin, Gadsden, Liberty, and Wakulla counties.

Chapter 63-560, L.O.F., increased, decreased, or left unchanged from amounts set in Chapter 61-461, L.O.F., the compensation for members of the board of county commissioners, members of the board of public instruction, clerk of circuit court, county judge, sheriff, superintendent of public instruction, supervisor of registration, tax assessor, and tax collector. The legislation also provided for the compensation of county officials whose compensation for official duties was paid in whole or part by fees or commissions. The amount of such compensation was not to exceed \$7,500, unless otherwise provided in law.

Chapter 65-356, L.O.F., increased, decreased, or left unchanged from amounts set in Chapter 63-560, L.O.F., the compensation for members of the board of county commissioners, members of the board of public instruction, clerk of circuit court, county judge, sheriff, superintendent of public instruction, supervisor of registration, tax assessor, and tax collector.

Chapter 67-543, L.O.F., increased from amounts set in Chapter 65-356, L.O.F., the compensation for Broward County members of the board of county commissioners, sheriff, and tax assessor.

Chapter 67-576, L.O.F., increased, decreased, or left unchanged from amounts set in Chapters 65-356 and 67-543, L.O.F., the compensation for members of the board of county commissioners, members of the board of public instruction, clerk of circuit court, county judge, sheriff, superintendent of public instruction, supervisor of elections, tax assessor, and tax collector.

Chapter 67-594, L.O.F., increased from amount set in Chapter 67-576, L.O.F., the compensation for Gadsden County's tax assessor.

Article II, section 5(c) of the Florida Constitution, as revised in 1968, provided that the powers, duties, compensation, and method of payment of state and county officers are fixed by law.

Chapter 69-211, L.O.F., declared legislative intent to preserve statewide uniformity of county officials' salaries and prohibited special laws or general laws of local application pertaining to compensation of members of the board of county commissioners, clerk of circuit court, sheriff, superintendent of schools, supervisor of elections, tax assessor, and tax collector.

Chapter 69-216, L.O.F., deleted references to sections of the 1885 constitution that were replaced by new sections in the 1968 revision.

Chapter 69-346, L.O.F., provided for the uniform salaries of members of the board of county commissioners, members of the district school board, clerk of circuit court, sheriff, superintendent of schools, supervisor of elections, tax assessor, and tax collector based upon the classification of counties according to population. The legislation provided that all other income of county officials from fees or services rendered to state, county, or municipal governments was income of the office and for the recording and reporting of fees collected as well as the disposition of excess fees. The legislation repealed previously enacted local or special laws or general laws of local application related to the compensation of county officials and repealed chapter provisions providing for the compensation of county judge.

Chapter 69-403, L.O.F., provided for the transfer of the salary provisions of county judge from Chapter 145 to Chapter 44, F.S., and repealed obsolete provisions in Chapter 145, F.S.

Chapter 70-395, L.O.F., provided a salary increase to sheriff in existing bracketed population counties and created three new population brackets with corresponding salaries for counties having a population in excess of 300,000 persons.

Chapter 70-419, L.O.F., provided that the salary of a board or commission member could not be reduced until the first Tuesday after the first Monday in January 1973.

Chapter 70-429, L.O.F., provided a salary increase to supervisors of elections in existing bracketed population counties.

Chapter 70-445, L.O.F., provided that those county officials whose total compensation was in excess of the salary payable pursuant to the chapter as amended effective July 1969, could continue to be compensated under the terms and conditions that prevailed immediately prior to July 1, 1969, until expiration of the official's present term of office. Thereafter, the salaries of those officials would be reduced to that provided by the chapter. The legislation excluded supervisor of elections from the 20 percent limitation. In addition, the legislation provided an additional monthly expense allowance for the chairs of county commissions.

Chapter 72-111, L.O.F., provided that payment of insurance for county officials and employees in s. 112.08, F.S., would not be considered additional compensation.

Chapter 72-240, L.O.F., delayed any change of procedures for determining the pay of certain county officials until the adjournment of the next regular legislative session following the submission of the first official recommendations of the State and County Officers' Compensation Commission, created pursuant to HB 184 (1972 session), or September 30, 1974, whichever occurred first.

Chapter 72-404, L.O.F., added county comptroller to salary provisions of the clerk of circuit court. The legislation also provided that the county would pay the clerk's or county comptroller's salary if the state did not pay the salary. Additionally, the county would compensate the clerk of circuit court for any additional county court-related duties that the clerk would be required to perform if the state did not pay such compensation.

Chapter 73-172, L.O.F., modified the procedure regarding disposition of excess fees collected by a tax collector or assessor. The legislation provided that the tax assessor would receive as salary the base salary indicated, based on the county's population with compensation made for population increments over the minimum for each population group, which would be determined by multiplying the population in excess of the group minimum times the group rate. In addition, the legislation provided for a special qualification salary of \$2,000 per year to qualified tax assessors. Also, the legislation provided for an additional adjustment to the tax assessor's salary based on the U.S. Department of Labor's Consumer Price Index, which would be multiplied by the adjusted salary rate. Finally, the legislation specified that the guaranteed salary provision upon resolution of the board of county commissioners would not apply to the tax assessor.

Chapter 73-173, L.O.F., redefined the definition of population used to calculate salaries. The legislation increased the salary of county commissioners, district school board members, clerk of circuit court and county comptroller, sheriff, superintendent of schools, supervisor of elections, tax assessor, and tax collector by establishing a calculation method. The calculation method provided that the officer would receive as salary the base salary indicated in the appropriate section of the chapter, based on the county's population with compensation made for population increments over the minimum for each population group, which would be determined by multiplying the population in excess of the group minimum times the group rate. In addition, the legislation provided for a special qualification salary of \$2,000 per year to qualified tax assessors. Also, the legislation provided for an additional adjustment to all officers' salaries based on the U.S. Department of Labor's Consumer Price Index, which would be multiplied by the applicable adjusted salary rate.

Chapters 73-333 and 73-334, L.O.F., deleted obsolete provisions in the Chapter 145, F.S.

Chapter 74-325, L.O.F., clarified funds that could be included as income of the county official's office and provided that a county official could not use the office, its personnel, or its property for a private purpose.

Chapter 77-102, L.O.F., changed all chapter references of tax assessor to property appraiser to reflect a name change.

Chapter 79-190, L.O.F., changed reference from the Department of Administration to the Executive Office of the Governor with respect to the annual determination of population.

Chapter 79-327, L.O.F., provided that all county officers' salaries be adjusted annually, effective July 1, 1979, based on the average percentage increase in State Career Service employees' salaries as determined by the Department of Administration or as provided in the General Appropriations Act. The increases for any fiscal year were limited to no more than seven percent. In addition, it raised the base salaries for supervisor of elections by \$4,300 in each population group, retroactive to the fiscal year beginning October 1, 1978.

Chapter 80-31, L.O.F., authorized district school boards by majority vote to increase the school superintendent's salary above specified limits.

Chapter 80-377, L.O.F., extended the provisions for special qualification salary to the following officers: clerk of circuit court, sheriff, supervisor of elections, tax collector, and superintendent of schools. The legislation increased the base salaries and group rates for the following officers: school board members, superintendent of schools, clerk of circuit court, county comptroller, sheriff, property appraiser, tax collector, and supervisor of elections. In addition, the legislation added school board members to the list of county officers whose compensation may not be changed by special laws or general laws of local application. The legislation required the Department of Administration to annually certify the annual factor and cumulative annual factor and the Department of Community Affairs to annually calculate the adjusted salary rate. The legislation provided that the adjusted salary rate would be the product of the salary rate granted by the appropriate chapter and section pertaining to a particular officer multiplied first by the initial factor, then by the cumulative factor, and finally by the annual factor. Finally, the legislation transferred statutory provisions regarding the base salaries and group rates for school board members and school superintendents from Chapter 145 to Chapter 230, F.S.

Chapter 81-167, L.O.F., amended provisions regarding the annual calculation of county officers' salaries to reflect the change in name of the Department of Community Affairs to Department of Veteran and Community Affairs.

Chapter 81-216, L.O.F., specified the Department of Law Enforcement as the state agency responsible for establishing the requirements for sheriffs seeking the special qualification salary.

Chapter 83-55, L.O.F., amended provisions regarding the annual calculation of county officers' salaries to reflect the change in name of the Department of Veteran and Community Affairs to Department of Community Affairs.

Chapter 83-215, L.O.F., revised cross-references regarding repeal of other laws related to compensation to conform provisions to the 1980 law change that transferred salary provisions for school board members and school superintendents from Chapter 145 to Chapter 230, F.S.

Chapter 84-241, L.O.F., removed the Department of Community Affairs as the state agency responsible for calculating the salaries of county officers. No replacement agency was named.

Chapter 85-322, L.O.F., increased salaries of clerk of the circuit court, county comptroller, supervisor of elections, property appraiser, tax collector, sheriff, and superintendent of schools by consolidating population group I (population range: 0-9,999) and population group II (population range: 10,000-49,999) into a new population group I (population range: 0-49,999); increasing the base salaries for each of the named officers at each population group level; and increasing the group rate at the highest population group level for each of the named officers.

Chapter 86-152, L.O.F., authorized the Executive Director of the Department of Revenue to waive the requirements for eligibility to receive the special qualification salary for any property appraiser who was at least 60 years of age and who had been a property appraiser for at least 20 years.

Chapter 87-224, L.O.F., revised cross-reference regarding the annual determination of population of local governments and renumbered population group levels for the office of sheriff to conform to the 1985 law change.

Chapter 88-42, L.O.F., amended the definition of the annual factor for purposes of calculating the annual salary increases of county officers.

Chapter 88-158, L.O.F., amended provisions regarding a county officer's guaranteed salary upon resolution of the board of county commissioners if all fees collected by the officer were turned over to the board. Such a resolution would be applicable only with respect to the county official who concurred in its adoption and only for the officer's duration in the current term of office.

Chapter 88-175, L.O.F., increased the base salaries for clerk of circuit court and county comptroller, tax collector, property appraiser, and supervisor of elections at each population group level.

Chapter 89-72, L.O.F., reduced the amount of time in which property appraisers and tax collectors must qualify to receive the special qualification salary after first taking office from six to four years.

Chapter 89-178, L.O.F., increased the sheriff's base salaries at each population group level.

Chapter 91-45, L.O.F., deleted obsolete provisions pertaining to special qualification salary for clerk of circuit court, county comptroller, sheriff, and supervisor of elections.

Chapter 92-279, L.O.F., amended provisions regarding the annual certification of the annual factor and cumulative annual factor to reflect the change in name of the Department of Administration to Department of Management Services.

Chapter 92-326, L.O.F., retained salaries of school board members and superintendents of schools at fiscal year 1991-92 levels.

Chapter 93-146, L.O.F., deleted authorization to fix salaries of district school board members by special or local law. The legislation extended the prohibition regarding special laws or general laws of local application to laws concerning compensation of district school board members. In addition, the legislation provided for annual salary adjustment for district school board members and superintendents of schools. Finally, the legislation provided for payment of specified salaries and ratification of previously paid salaries in addition to repealing all local and special laws or general laws of local application that relate to the compensation of district school board members.

Chapter 95-147, L.O.F., removed gender-specific references without substantive changes in legal effect.

Chapter 2001-266, L.O.F., deleted requirements that copies of certain salary-related resolutions adopted by boards of county commissioners be filed with the Department of Banking and Finance and the Auditor General.

Chapter 2002-387, L.O.F., enacted the "Florida K-20 Education Code in Chapter 1001, F.S. The legislation repealed provisions related to population group levels, base salaries, and group rates for district school board members and superintendents of schools. The legislation repealed provisions in Chapter 230, F.S.,

requiring the calculation of adjusted salary rate for district school board members and allowed district school boards to annually determine the salary of its members. Additionally, the legislation repealed certain salary provisions for superintendents of schools.

Chapter 2003-261, L.O.F., amended provisions regarding any revenue deficiency to be paid by the board of county commissioners to reflect the change in name of the Department of Banking and Finance to Department of Financial Services.

Chapter 2003-402, L.O.F., prohibited a county from appropriating to the clerk of circuit court based on the fees collected by that office.

Chapter 2004-41, L.O.F., reinstated statutory language pertaining to the salary computation for elected school superintendents that existed in law prior to the repeal of such language by Chapter 2002-387, L.O.F.

Chapter 2007-234, L.O.F., partially reinstated statutory language pertaining to the salary computation for school board members that existed in law prior to the repeal of such language by Chapter 2002-387, L.O.F. However, a portion of the new law was incorrectly drafted. The maximum county population for Population Group II was authorized as 49,000 rather than 49,999. For purposes of calculating salaries of school board members for the 2007-08 fiscal, no county's population fell within the 49,001 through 49,999 range so the error did not prevent any school board member's salary from being calculated.

Chapter 2008-4, L.O.F., provided the necessary statutory language to correct an error contained in Chapter 2007-234, L.O.F. The maximum county population of Population Group II for school board members was set to 49,999.

Chapter 2009-3, L.O.F., amended s. 1001.395, F.S., to provide that notwithstanding the provisions of s. 1001.395 or s. 145.19, F.S., district school board members could reduce their salary rate on a voluntary basis.

Chapter 2009-59, L.O.F., amended s. 1001.395, F.S., to provide that notwithstanding the provisions of s. 1001.395 and s. 145.19, F.S., for the 2009-10 fiscal year, the salary of each school board member shall be the amount calculated pursuant to s. 1001.395(1), F.S., or the district's beginning salary for teachers who hold baccalaureate degrees, whichever is less. In addition, the legislation amended s. 1001.47, F.S., to provide that notwithstanding the provisions of s. 1001.47 and s. 145.19, F.S., elected school superintendents could reduce their salary rate on a voluntary basis. Also, the legislation amended s. 1001.47, F.S., to provide that notwithstanding the provisions of s. 1001.47 and s. 145.19, F.S., for the 2009-10 fiscal year, the salary of each elected school superintendent calculated pursuant to s. 1001.47, F.S., was reduced by 2 percent.

Chapter 2010-154, L.O.F., amended s. 1001.395, F.S., to provide that notwithstanding the provisions of s. 1001.395 and s. 145.19, F.S., for the 2010-11 fiscal year, the salary of each school board member shall be the amount calculated pursuant to s. 1001.395(1), F.S., or the district's beginning salary for teachers who hold baccalaureate degrees, whichever is less.

Chapter 2011-158, L.O.F., provided that notwithstanding the provisions of Chapter 145, F.S., each member of a board of county commissioners, clerk of the circuit court, county comptroller, sheriff, supervisor of elections, property appraiser, and tax collector was authorized to voluntarily reduce his or her salary rate.

Chapter 2014-39, L.O.F., repealed the obsolete language of s. 1001.47(7), F.S., which reduced the salaries of elected district school superintendents by 2 percent for the 2009-10 fiscal year only.

Chapter 2016-157, L.O.F., made the base salaries and group rates used to calculate a supervisor of election's salary the same as the current base salaries and group rates used to calculate the salaries of the clerks of circuit court, county comptrollers, property appraisers, and tax collectors.

Chapter 2018-5, L.O.F., amended s. 1001.395(3), F.S., to provide that the salary of each elected school board member shall be the amount calculated pursuant to s. 1001.395(1), F.S., or the district's beginning salary for teachers who hold a baccalaureate degree, whichever is less. Additionally, the legislation amended s. 1011.10, F.S., to provide that if any of the financial emergency conditions identified in s. 218.503(1), F.S., exist within a school district, then the salary of each district school board member and district school superintendent, calculated pursuant to ss. 1001.395 and 1001.47, F.S., shall be withheld until the conditions are corrected. However, this penalty will not apply to a district school board member or district school superintendent elected or appointed within one year after the identification of the financial emergency conditions in s. 218.503(1), F.S., if he or she did not participate in the approval or preparation of the final school district budget adopted before the identification of such conditions. These changes became effective July 1, 2019.

CITY OF OPA-LOCKA, FLORIDA



CHARTER

PART I CHARTER¹

PREAMBLE

We, the people of the City of Opa-locka, in order to secure for ourselves the benefits and responsibilities of home rule, in order to provide a municipal government to serve our present and future needs, do hereby adopt this Charter.

(Res. No. 12-8434, § 2, 7-18-12)

CITIZENS' BILL OF RIGHTS

- (A) This government has been created to protect the governed, not the governing. In order to provide the public with full and accurate information, to promote efficient administration management, to make government more accountable, and to insure to all persons fair and equitable treatment, the following are guaranteed:
- (1) *Convenient Access.* Every person has the right to transact City business with a minimum of personal inconvenience. It shall be the duty of the City Commission and the City Manager to provide, within budget limitations, reasonably convenient times and places for required inspections and for transacting business with the City.
 - (2) *Truth in Government.* No municipal official or employee shall knowingly furnish false information on any public matter, nor knowingly omit significant facts when giving requested information to members of the public.
 - (3) *Public Records.* All audits, reports, minutes, documents and other public records of the City and its boards, agencies, departments and authorities shall be open for inspection at reasonable times and places convenient to the public.
 - (4) *Minutes and Ordinance Register.* The City Clerk shall maintain and make available for public inspection an ordinance register separate from the minutes showing the votes of each member on all ordinances and resolutions listed by descriptive title. Written minutes of all meetings and the ordinance register shall be available for public inspection not later than 30 days after the conclusion of the meeting.

¹Editor's note(s)—Res. No. 12-8434, § 2, adopted July 18, 2012, repealed the former Charter, §§ 1—194, and enacted a new Charter as set out herein. See the Charter Comparative Table for Ordinance and Resolution history.

Amendments have been worked into their proper places and amended or repealed provisions deleted.

Amendments are cited in parentheses () following the provisions amended. The absence of such a citation indicates that the provision has not been amended and is as originally enacted by the Res. No. 12-8434.

Words and phrases have been added in brackets [] where necessary to clarify meaning.

State law reference(s)—Procedure for amending municipal charters, F.S. § 166.031.

PART I - CHARTER
CITIZENS' BILL OF RIGHTS

- (5) *Right to be Heard.* So far as the orderly conduct of public business permits, any interested person has the right to appear before the City Commission or City agency, board or department for the presentation, adjustment or determination of an issue, request, or controversy within the jurisdiction of the City. Matters shall be scheduled for the convenience of the public. The City Commission shall adopt agenda procedure and schedule hearings in a manner that will enhance the opportunity for public participation. Nothing herein shall prohibit any governmental entity or agency from imposing reasonable time limits and procedures for the presentation of a matter.
- (6) *Right to Notice.* Persons entitled to notice of City hearing shall be timely informed as to the time, place and nature of the hearing and the legal authority pursuant to which the hearing is to be held. Failure by an individual to receive such notice shall not constitute mandatory grounds for canceling the hearing or rendering invalid any determination made at such hearing. Copies of proposed ordinances or resolutions shall be made available at a reasonable time prior to the hearing, unless the matter involves an emergency ordinance or resolution.
- (7) *No Unreasonable Postponements.* No matter, once having been placed on a formal agenda by the City, shall be postponed to another day except for good cause shown in the opinion of the City Commission, board or agency conducting such meeting, and then only on conditions that the affected person shall, upon written request, receive mailed notice of the new date of any postponed meeting. Failure by an individual to receive such notice shall not constitute mandatory grounds for canceling the hearing or rendering invalid any determination made at such hearing.
- (8) *Right to Public Hearing.* Upon a timely written request from any interested party, and after presentation of the facts to and approval of the Commission, a public hearing shall be held by any City agency, board, department or authority upon any significant policy decision to be issued by it which is not subject to subsequent administrative or legislative review and hearing. This provision shall not apply to the Law Department of the City nor to any person whose duties and responsibilities are solely advisory.

At any zoning or other hearing in which review is exclusively by certiorari, a party or his/her counsel shall be entitled to present his/her case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross examination as may be required for a full and true disclosure of the facts. The decision of such agency, board, department or authority must be based upon the facts in the record. Procedural rules establishing reasonable time and other limitations may be promulgated and amended from time to time.

- (9) *Notice of Action and Reasons.* Prompt notice shall be given of the denial in whole or in part of a request of an interested person made in connection with any City administrative decision or proceeding when the decision is reserved at the conclusion of the hearing. The notice shall be accompanied by a statement of the grounds for denial.
- (10) *Manager's and Attorney's Report.* The City Manager and City Attorney shall periodically make a public status report on all major matters pending or concluded within their respective areas of concern.
- (11) *Budgeting.* In addition to any budget required by state statutes, the City Manager at the direction of the City Commission shall prepare a budget showing the cost of each department of each budget year. Prior to the City Commission's first public hearing on the proposed budget required by state law, the City Manager shall make public a budget summary setting forth the proposed cost of each individual department and reflecting the personnel for each department, the purpose therefore, the estimated millage cost of each department and the amount of any contingency and carryover funds for each department.

PART I - CHARTER
CITIZENS' BILL OF RIGHTS

- (12) *Quarterly Budget Comparison.* The City Manager shall make public a quarterly report showing the actual expenditures during the quarter just ended against one quarter of the proposed annual expenditures set forth in the budget. Such report shall also reflect the same cumulative information for whatever portion of the fiscal year that has elapsed.
- (B) The foregoing enumeration of citizens' rights vests large and pervasive powers in the citizenry of the City. Such power necessarily carries with it responsibility of equal magnitude for the successful operation of government in the City. The orderly, efficient and fair operation of government requires the participation of individual citizens exercising their rights and dignity and restraint so as to avoid any sweeping acceleration on the cost of government because of the exercise of individual prerogatives, and for individual citizens to grant respect for the dignity of public office.
- (C) All provisions of this Bill of Rights shall be construed to be supplementary to and not in conflict with the general laws of Florida. If any part of this Bill of Rights shall be declared invalid, it shall not affect the validity of the remaining provisions.
- (Res. No. 12-8434, § 2, 7-18-12)

ARTICLE I. INCORPORATION, FORM OF GOVERNMENT, BOUNDARY AND POWERS

Section 1.1. Incorporation.

The inhabitants of the City of Opa-locka, within the corporate limits as now established or as hereafter established in the manner provided by law, shall continue to be a municipal body politic and corporate in perpetuity, under the name of the "City of Opa-locka."

(Res. No. 12-8434, § 2, 7-18-12)

Section 1.2. Corporate Boundary.

Until modified by subsequent annexations or exclusions in the manner provided by law, the municipal corporation of the City of Opa-locka shall comprise, and have full municipal jurisdiction, powers, rights and privileges over the territory and persons now and from time to time hereafter within the following boundaries in Dade County, Florida, to-wit:

Commencing at the Northeast corner of Section 22, Township 52 South, Range 41 East, for the point or place of beginning; thence run West to the Northwest corner of Section 20, Township 52 South, Range 41 East; thence run South to the Southwest corner of Section 29, Township 52 South, Range 41 East; thence run East to the Southeast corner of said Section 29; thence run North along the East section line of said Section 29 to the Southeast corner of the Northeast quarter of said section; thence run East along the center line of Section 28, Township 52 South, Range 41 East to the Southeast corner of the Northeast quarter of said Section 28; thence run North to the Southwest corner of said Section 22; thence run East along the South line of said Section 22 to the Southeast corner thereof; thence run North along the East side of said Section 22 to the point or place of beginning, all of said land being more particularly described as Section[s] 20, 21, 22 and 29 and the North half of Section 28, Township 52 South, Range 41 East, Dade County, Florida.

(Res. No. 12-8434, § 2, 7-18-12)

Section 1.3. Form of Government.

The municipal government provided by this charter shall be known as the "commission-manager government." Pursuant to its provisions and subject only to the limitations imposed by the state constitution and by this charter, all powers of the city shall be vested in an elective council, hereinafter referred to as "the commission," which shall enact local legislation, adopt budgets, determine policies, and appoint the city manager, who shall execute the laws and administer the government of the city. All powers of the city shall be exercised in the manner prescribed by this charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

(Res. No. 12-8434, § 2, 7-18-12)

Section 1.4. Powers.

- (1) The City shall have all governmental[,] corporate and proprietary powers to enable it to conduct a municipal government, perform municipal services, and may exercise any power for municipal purposes except as otherwise provided by law. In order to secure for the City the broad exercise of home rule powers as provided by Article VIII, Section 2(b) of the Constitution of the State of Florida, the provisions of all general laws relating to and governing municipalities generally in the State of Florida are hereby adopted and incorporated herein as though expressly set forth in full, it being intended that all such powers, rights, and limitations be and are hereby granted to the City of Opa-locka.
- (2) The powers of the City shall be construed liberally in favor of the City, limited only by the Constitution, general law and specific limitations contained herein. Special acts pertaining to the jurisdiction and exercise of powers by the City shall be considered amendments to this Charter and, pursuant to the provisions adopted for the incorporation of other Charter amendments, shall be incorporated as amendments to the Charter. Enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated herein or applied thereby, or appropriated to the exercise of such powers, it is intended that the City shall have and may exercise all powers which, under the Constitution of the State, it would be competent for this Charter specifically to enumerate.
- (3) The powers of the City, in addition to limitations imposed by law, are further limited as follows:
 - (a) The Commission shall have and exercise all powers of the City not specifically conferred upon other offices [officers] and employees. It may delegate any power except the power to fix the rate of taxes, enact ordinances and resolutions, incur debts, adopt a budget and appropriate money.
 - (b) The City may not otherwise dispose of that part of its real property now, or hereafter held for parks, playgrounds or other recreational facilities, except by ordinance passed by 4/5 vote of the City Commission.

(Res. No. 12-8434, § 2, 7-18-12)

ARTICLE II. CITY COMMISSION

Section 2.1. Election and Term of Office.

The commission shall consist of the mayor and four (4) commissioners elected from the City at large in the manner and for terms provided for herein or until their successors have been elected and take office.

(Res. No. 12-8434, § 2, 7-18-12)

Section 2.1.1. Term limits.

- (a) No person may appear on the ballot for re-election to the office of mayor or city commissioner of the City of Opa-locka if, by the end of the current term of office, the person will have served (or, except for resignation, suspension, or removal, would have served) in office for eight (8) consecutive years.
- (b) For purposes of this section, service as a city commissioner shall include any service on the city commission, regardless of whether the seats are specifically designated, and regardless of whether a city commissioner seeks to run for re-election to the city commission from another designated seat.
- (c) The limitation on appearing on the ballot set forth in subparagraph "(a)," relating to eight (8) consecutive years, shall not be extended by switching from mayor to commissioner, or vice versa, or by running for different positions on the city commission, including mayor.
- (d) If approved by the voters, this amendment shall take effect as of the November 2014 elections, and elected service prior to November 2014, shall be measured retroactively from the elected official's first consecutive election as an elected official of the City of Opa-locka.

(Res. No. 14-8826, § 2, 7-23-14)

Section 2.2. Qualifications.

The mayor and commissioners shall be qualified electors of the City. If the mayor or a commissioner shall cease to possess any of these qualifications or shall be convicted of crime involving moral turpitude, his office shall immediately become vacant.

(Res. No. 12-8434, § 2, 7-18-12)

Section 2.3. Mayor and commission compensation.

Compensation for the mayor and commissioners shall be set at five hundred fifty dollars (\$550.00) per month.

(Res. No. 12-8434, § 2, 7-18-12)

Section 2.4. Presiding officer, mayor; commissioners; vice mayor.

- (a) The candidate for mayor receiving the highest number of votes in each general election shall, for a term of four (4) years immediately following thereafter, have the title of mayor, shall preside at meetings of the commission, and shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties.
- (b) The candidate for commissioner receiving the highest number of votes in each general election shall, for the term of two (2) years immediately following thereafter, have the title of vice mayor.
- (c) All candidates for the office of mayor shall qualify and stand for election separate and apart from those candidates qualifying and standing for election as commissioners. The term of office of the mayor shall be four (4) years. The terms of office for commission members shall be four (4) years.

(Res. No. 12-8434, § 2, 7-18-12)

Section 2.5. Powers.

All powers of the city and the determination of all matters of policy shall be vested in the commission. Without limitation of the foregoing, the commission shall have power to:

- (1) Appoint and remove the city manager;
- (2) Establish administrative departments;
- (3) Adopt the budget of the city;
- (4) Authorize the issuance of bonds by a bond ordinance;
- (5) Inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs;
- (6) Appoint the members of the duly constituted City boards and committees;
- (7) Adopt plats;
- (8) Adopt and modify the official map of the city;
- (9) Regulate and restrict the height and number of stories of buildings and other structures, the size of yards and courts, the density of population and the locations and use of buildings for trade, industry, business, residence or other purposes;
- (10) Provide for safe and sanitary housing accommodation[s] for families of low income;
- (11) Adopt, modify and carry out plans proposed the clearance of slum districts and rehabilitation of blighted areas;
- (12) Adopt, modify and carry out plans proposed for the replanning, improvement and redevelopment of neighborhoods and for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed in whole or in part by disaster;
- (13) Provide for an independent annual audit.

(Res. No. 12-8434, § 2, 7-18-12)

Section 2.6. Induction of commission into office; meetings of commission.

The first meeting of each newly elected commission and mayor for induction into office shall be held as soon as practicable after the vote has been certified.

(Res. No. 12-8434, § 2, 7-18-12)

Section 2.7. Vacancies; Forfeiture of Office; Filling of Vacancies.

- (A) *Vacancies.* The office of a Commission member shall become vacant upon his/her death, resignation, disability, suspension or removal from office in any manner authorized by law, or by forfeiture of his/her office.
- (B) *Forfeiture of Office.*
 - (1) *Forfeiture by disqualification.* The Mayor, Vice Mayor or Commission member, shall forfeit his/her office if at any time during his/her term s/he:
 - (1) ceases to maintain his/her permanent residence in the City.

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- (2) by legal declaration of mental incompetence of a member.
 - (3) otherwise ceases to be a qualified elector of the City.
 - (4) is convicted of a felony.
 - (5) violates any express prohibition of this Charter.
 - (6) lacks at any time during the term of office for which elected any qualification for the office prescribed by this Charter or by law.
- (2) *Forfeiture by absence.* The Mayor, Vice Mayor or Commission member shall be subject to forfeiture of his/her office, in the discretion of the remaining Commission members, if s/he is absent without good cause from any three regular meetings of the Commission during any calendar year or if s/he is absent without good cause from any three consecutive regular meetings of the Commission, whether or not during the same calendar year.
- (3) *Procedures.* The Commission shall be the sole judge of the qualifications of its members and shall hear all questions relating to forfeiture of a Commission member's office, including whether or not good cause for absence has been or may be established. The burden of establishing good cause shall be on the Commission member in question; provided, however, that any Commission member may at any time during any duly held meeting move to establish good cause for the absence of him/herself or the absence of any other Commission member, from any past, present or future meeting(s), which motion, if carried, shall be conclusive. A Commission member whose qualifications are in question, or, who is otherwise subject to forfeiture of his/her office, shall not vote on any such matters. The Commission member in question shall be entitled to a public hearing upon request regarding an alleged forfeiture of office. If a public hearing is requested, notice thereof shall be published in one or more newspapers of general circulation in the City at least one week in advance of the hearing. Any final determination by the Commission that a Commission meeting has forfeited his/her office shall be made by a majority of the Commission by resolution. All votes and other acts of the Commission member in question prior to the effective date of such resolution shall be valid regardless of the grounds of forfeiture.
- (C) *Filling of vacancies.* A vacancy on the Commission shall be filled as follows:
- (1) If less than six (6) months remain in the unexpired term, the vacancy shall be filled by the City Commission within 30 calendar days following the occurrence of the vacancy.
 - (2) If six (6) months or more remain in the unexpired term, the vacancy shall be filled by the City Commission within 30 calendar days following the occurrence of the vacancy. The person chosen shall fill the vacancy until the next regularly scheduled Miami-Dade County-wide election, at which time an election shall be held to fill the vacancy for the balance of the term. However, if the Commission is unable to fill the vacancy within the 30 day period, a special election to fill that vacancy shall be held no later than 90 calendar days following the occurrence of the vacancy. The person so elected shall serve until the next scheduled City Regular Election, at which time any remaining balance of the term shall be filled by election.
 - (3) If the Mayor's position becomes vacant, the Vice Mayor shall complete the term of Mayor. Vacancy of Vice Mayor thus created shall be filled in the manner that the position of Vice Mayor is generally filled under this Article. If the elected Mayor shall be returned to office, s/he shall automatically resume the duties of the office for the remainder of the term for which elected, and the Vice Mayor shall return to complete the balance of his/her term. The appointment of the person to complete the term of the Vice Mayor shall be automatically rescinded.
 - (4) A vacancy in a Commission seat shall be filled by a qualified elector residing in the City.
 - (5) Persons filling vacancies shall meet the qualifications specified in this Article.

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- (6) If no candidate for a vacancy meets the qualifications under this Article for that vacancy, the Commission shall appoint a person qualified under this Article to fill the vacancy.
 - (7) Notwithstanding any quorum requirements established in this Charter, if at any time the full membership of the Commission is reduced to less than a quorum, the remaining members may, by majority vote, confirm additional members to the extent otherwise permitted or required under this subsection (C).
 - (8) In the event that all members of the Commission are removed by death, disability, recall, forfeiture of office and/or resignation, the Governor of the State of Florida shall appoint interim Commission members who shall call a special election within not less than 30 calendar days or more than 60 calendar days after such appointment. Such election shall be held in the same manner as the first elections under this Charter; provided however, that if there are less than six months, remaining in any of the unexpired terms, such interim Commission appointee(s) by the Governor shall serve out the unexpired terms. Appointees must meet all requirements for candidates provided for in this Article.

(Res. No. 12-8434, § 2, 7-18-12)

Section 2.8. Recall.

The electors of the City shall have the power to recall and to remove from office any elected official of the City to the extent permitted and in the manner prescribed by the Constitution and the laws of the State of Florida. The minimum number of electors of the City which shall be required to initiate a recall petition shall be ten (10) percent of the total number of electors registered to vote at the last regular City election.

(Res. No. 12-8434, § 2, 7-18-12)

ARTICLE III. ADMINISTRATIVE

Section 3.1. City Manager.

There shall be a City Manager (the "City Manager") who shall be the chief administrative officer of the City. The City Manager shall be responsible to the Commission for the administration of all City affairs and for carrying out policies adopted by the Commission. The term, conditions, and compensation of the City Manager shall be established by the Commission.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.2. City Manager; Appointment, Removal.

The City Manager shall be appointed a majority vote of the Commission. The City Manager may be removed by a majority vote of the Commission provided that at least three (3) affirmative votes shall be required for removal.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.3. Powers and Duties of the City Manager.

The Manager shall:

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- (1) Be responsible for the appointing, hiring, promoting, supervising and removing of all City employees, except the City Attorney, the City Clerk, and all employees of the Office of the City Attorney and all employees of the Office of the City Clerk.
 - (2) Direct and supervise the administration of all departments and offices but not City boards or committees, unless so directed by the Commission from time to time;
 - (3) Attend Commission meetings and have the right to take part in discussion, but not the right to vote;
 - (4) Ensure that all laws, provisions of this Charter and directives of the Commission, subject to enforcement and/or administration by him/her or by employees subject to his/her direction and supervision, are faithfully executed;
 - (5) Prepare and submit to the Commission a proposed annual budget and capital program;
 - (6) Submit to the Commission and make available to the public an annual report on the finances and administrative activities of the City as of the end of each fiscal year;
 - (7) Prepare such other reports as the Commission may require concerning the operations of City departments, offices, boards and agencies;
 - (8) Keep the Commission fully advised as to the financial condition and future needs of the City and make such recommendations to the Commission concerning the affairs of the City as s/he deems to be in the best interests of the City;
 - (9) Execute contracts and other documents on behalf of the City as authorized by the Commission;
 - (10) Perform such other duties as are specified in this Charter or as may be required by the Commission; and
 - (11) Pursue the collection of all allowable fees and taxes and maximize financial reserves as is necessary to sustain the City and the service levels requested by the citizenry. Periodically compare fee structure to similarly sized municipalities to ensure fair and appropriate pricing.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.4. Acting City Manager.

To perform his/her duties during his/her temporary absence or disability, the City Manager may designate by letter filed with the Commission, a qualified employee of the City. In the event of failure of the City Manager to make such designation or should the Commission be dissatisfied with performance of the person designated, the Commission may appoint another employee to serve as Acting City Manager during the absence or disability of the City Manager.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.5. Bond of City Manager.

The City Manager shall furnish a fidelity bond to be approved by the Commission, and in such amount as the Commission may fix, said bond to be conditioned on the faithful performance of his/her duties. The premium of the bond shall be paid by the City.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.6. City Clerk.

The city clerk shall be appointed by a majority vote of the commission. The City Clerk may be removed by a majority vote of the City Commission, provided that at least three (3) affirmative votes shall be required for removal. The city clerk shall be the official keeper of the city seal and shall in addition thereof, but not in limitation thereof, perform and be responsible for the following:

- (1) The city clerk shall be the supervisor of elections and shall be responsible for the preparation of the ballot and the conduct of all elections of the city.
- (2) The city clerk shall appoint such deputy clerks as may from time to time be necessary to carry out the duties of the office.
- (3) The city clerk shall attend all meetings of the city commission and shall keep the minutes of all such meetings.
- (4) The city clerk shall certify and maintain all permanent official records and archives of the city.
- (5) The city clerk shall perform such other duties as required by ordinance or resolution of the city commission or as otherwise provided by this charter.

Section 3.7. City Attorney.

The City Commission shall appoint by majority vote an individual attorney or law firm to act as the City Attorney under such terms, conditions, and compensation as may be established by the Commission. The City Attorney shall report to the Commission and may be removed by majority vote of the Commission, provided that at least three (3) affirmative votes shall be required for removal.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.8. Expenditure of City Funds.

No funds of the City shall be expended except pursuant to duly approved appropriations or as authorized by ordinance.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.9. City Boards and Agencies.

All City boards or agencies existing prior to the adoption of this charter shall be de-authorized subject to reauthorization under the provisions of this charter. The Commission shall establish or terminate such boards and agencies as it may deem advisable from time to time. The boards and agencies shall report to the Commission.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.10. Competitive Bid Requirements/Purchasing.

- (A) Except as otherwise provided by law, contracts for public improvements and purchases of supplies, materials or services shall be awarded or made on the basis of clearly drawn specifications and competitive bids, except in cases where the Commission, based on the written communication of the City Manager, specifically determines by affirmative vote of at least three Commission members that it is impracticable or not

advantageous to the City to do so. The City Commission shall have the power to reject all bids and advertise again.

- (B) The City Manager, by an ordinance approved by a majority (three or more votes) of the Commission may be granted purchasing power without competitive bidding or as otherwise provided by law.

(Res. No. 12-8434, § 2, 7-18-12)

ARTICLE IV. LEGISLATIVE

Section 4.1. Commission Meeting Procedure.

- (A) *Meetings.* The Commission shall hold at least 11 regular monthly meetings in each calendar year, at such times and places as the Commission may prescribe. Special meetings may be held on the call of the Mayor, City Manager or a majority of the Commission members upon no less than 24 hours notice to the public or such shorter time as a majority of the Commission deems necessary in case of an emergency affecting life, health, property or the public peace.
- (B) *Rules and Minutes.* The Commission shall determine its own rules of procedure and order of business and shall keep minutes open for public inspection.
- (C) *Quorum and Voting.* A majority of the Commission shall constitute a quorum. Voting on ordinances and resolutions shall be by roll call on final reading. Voting on all other matters may be by voice vote unless a Commission member or the City Clerk request otherwise. In the event that three or more Commission members are unavailable to vote on a particular matter due to required abstention pursuant to State law, then the remaining members of the Commission may vote and approve such matter by unanimous vote.
- (D) *Meeting Time Limits.* No meeting of the Commission shall extend later than midnight except upon the affirmative vote of a majority of members present at the meeting, provided that there is a quorum present

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.2. Prohibitions.

- (A) *Appointment and Removals.* Neither the Commission nor any of its members shall in any manner dictate the appointment or removal of any City employees, whom the City Manager or any of his/her subordinates are empowered to appoint. The Commission may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.
- (B) *Interference with Administration.*
- (1) Except for the purpose of inquiries and investigations made in good faith and in accordance with a resolution adopted by the Commission, the Commission and any of its individual members shall deal with City employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Commission nor its members shall give orders to any such employee, except the City Manager, the City Clerk and the City Attorney, either publicly or privately. It is the express intent of this Charter that recommendations for improvement in City government operations by individual Commission members are made solely to and through the City Manager. Commission members may discuss with the City Manager any matter of City business; however, no individual Commission member shall give orders to the City Manager.
 - (2) Any commissioner violating the provisions of this section, shall be guilty of a misdemeanor and upon conviction thereof shall cease to be a commissioner.

(C) *Holding Other Office.* No elected City Official shall hold any appointed City Office or, City employment while in office. No former elected City official shall hold any compensated appointive City office or City employment until one (1) year after the expiration of his/her term.

(D) Elected officials shall be prohibited for one (1) year following the expiration of their term of office from lobbying before any City board, committee or agency including the City Commission.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.3. Ordinances.

(A) *Actions Requiring an Ordinance.* In addition to other acts required by law or by specific provisions of this Charter to be affected or authorized by ordinance, those acts of the City Commission shall be by ordinance which:

- (1) Adopt or amend an administrative regulation or establish, alter or abolish any City office, department, board or agency;
- (2) Establish a rule or regulation the violation of which carries a penalty;
- (3) Levy taxes or appropriate funds;
- (4) Grant, renew or extend a franchise;
- (5) Set service or user charges for municipal services or grant administrative authority to set such charges;
- (6) Authorize the borrowing of money in accordance with section 4.11;
- (7) Convey or lease or authorize by administrative action the conveyance or lease of any lands of the City;
- (8) Regulate land use through zoning and other means;
- (9) Amend or repeal any ordinance previously adopted, except as otherwise provided in this Charter.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.4. Emergency Ordinances.

To meet a public emergency affecting life, health, property or the public peace, the Commission may adopt, in the manner provided in this Section, one or more emergency ordinances, but emergency ordinances may not: levy taxes, grant, renew or extend any municipal franchise; set service or user charges for any municipal services; or authorize the borrowing of money except as provided under the emergency appropriations provision of this Charter if applicable.

- (1) *Form.* An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated in a preamble as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms.
- (2) *Procedure.* An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced and shall be enacted by no less than four members of the Commission. After its adoption, the ordinance shall be published and printed as prescribed for other ordinances.
- (3) *Effective Date.* An emergency ordinance shall become effective upon adoption or at such other date as may be specified in the ordinance.

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- (4) *Repeal.* Every emergency ordinance except emergency appropriation ordinances shall automatically be repealed as of the 61st calendar day following its effective date, but shall not prevent reenactment of the ordinance under regular procedures, or if the emergency still exists, in the manner specified in this Section. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this Section for adoption of emergency ordinances.
 - (5) *Emergency Appropriations.* The Commission may make emergency appropriations in the manner provided in this Section. Notwithstanding the provisions of Section 4.11 to the extent that there are no available unappropriated revenues to meet such appropriations, the Commission may authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes, including renewals thereof, shall be payable no later than the last day of the fiscal year next succeeding the fiscal year in which the emergency appropriation ordinance was originally adopted.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.5. Annual Budget Adoption.

- (A) *Balanced Budget.* Each annual budget adopted by the Commission shall be a balanced budget and adopted in accordance with Florida law.
- (B) *Budget Adoption.* The Commission shall by ordinance adopt the annual budget on or before the thirtieth (30th) day of September of each year. If it fails to adopt the annual budget by this date, the Commission may by resolution direct that the amounts appropriated for current operations for the current fiscal year shall be deemed adopted for the ensuing fiscal year for a period of fifteen (15) days and renewed by resolution each fifteen (15) days, with all items in it prorated accordingly, until such time as the Commission adopts an annual budget for the ensuing fiscal year. An ordinance adopting an annual budget shall constitute appropriation of the amounts specified therein.
- (C) *Specific Appropriation.* The budget shall be specific as to the nature of each category of appropriations therein. Reasonable appropriations may be made for contingencies, but only within defined spending categories.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.6. Fiscal Year.

The fiscal year of the City government shall begin on the first day of October and shall end on the last day of September of the following calendar year. Such fiscal year shall also constitute the annual budget and accounting year.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.7. Appropriation Amendments During the Fiscal Year.

- (A) *Supplemental Appropriations.* If, during any fiscal year, revenues in excess of those estimated in the annual budget are available for appropriation, the Commission may by ordinance make supplemental appropriations for the fiscal year up to the amount of such excess.
- (B) *Reduction of Appropriations.* If, at any time during the fiscal year, it appears probable to the City Manager that the revenues available will be insufficient to meet the amount appropriated, s/he shall report in writing to the Commission without delay, indicating the estimated amount of the deficit, and his/her

recommendations as to the remedial action to be taken. The Commission shall then take such action as it deems appropriate to prevent any deficit spending.

- (C) The Commission may otherwise amend the annual budget from time to time during the year, by ordinance, as it deems necessary to do so.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.8. Authentication, Recording and Disposition of Ordinances; Resolutions and Charter Amendments.

- (A) *Authentication.* The Mayor and the City Clerk shall authenticate by their signature all ordinances and resolutions adopted by the Commission. In addition, when Charter amendments have been approved by the electors, the Mayor and the City Clerk shall authenticate by their signatures the Charter amendment, such authentication to reflect the approval of the Charter amendment by the electorate.
- (B) *Recording.* The City Clerk shall keep properly indexed books in which shall be recorded, in full, all ordinances and resolutions passed by the Commission. Ordinances shall, at the direction of the Commission, be periodically codified. The City Clerk shall also maintain the Charter in current form including all Charter Amendments.
- (C) *Availability of Enactments.* The Commission shall establish procedures for making all resolutions, ordinances, technical codes adopted by reference, and this Charter available for public inspection and available for purchase at a reasonable price.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.9. Tax Levy, Assessments and Fees.

The City, by majority of the Commission, shall have the right to levy, assess and collect all such taxes, assessments and fees as are permitted by law, including without limitation, fines, ad valorem taxes, special assessments and fees, excise, franchise or privilege taxes and taxes on services and utilities.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.10. Independent Audit.

The Commission shall provide for an annual independent audit of all City accounts and may provide more frequent audits as it deems necessary. Audits shall be made in accordance with generally accepted auditing standards by a certified public accountant or firm of such accountants who have no personal interest direct or indirect in the fiscal affairs of the City government, its employees or officers. Residency, per se, shall not constitute a direct or indirect interest. A summary of the results, including any deficiencies found, shall be made public. A written response to any noted deficiencies shall be the responsibility of the City Manager. The response shall be made public no more than 90 calendar days from delivery of the independent auditor's report.

(Res. No. 12-8434, § 2, 7-18-12)

Section 4.11. Borrowing.

The City shall incur no debt unless the incurrence of such debt is approved by a majority of the Commission.

(Res. No. 12-8434, § 2, 7-18-12)

ARTICLE V. ELECTIONS

Section 5.1. Municipal Elections.

- A. *Holding elections[.]* The regular election for members of the commission and mayor shall be held on the first Tuesday after the first Monday in November of each even numbered calendar year. The commission shall order special elections on other dates to fill vacancies on the commission when such elections are mandatory under this charter. Special elections may also be called on at least thirty (30) days notice at any time to validate general obligation bond issues, to ratify a new charter or amend a current one, to initiate ordinances or secure an expression from the electors on referred ordinances in the manner prescribed in this charter, or for any or all other lawful purposes.
- B. *Regulation of elections.* The commission shall by ordinance establish such rules and regulations as it considers needful or desirable, not inconsistent with this charter, governing the conduct of municipal elections, for the prevention of fraud in such elections, and for the recount of ballots in case of doubt or fraud. Municipal elections shall be supervised by the city clerk and conducted by an election board consisting of an election clerk and two (2) or more qualified electors for each precinct appointed by the commission who shall act as inspectors of the election.
- C. *Registration of voters; compliance with ordinances and laws[.]* Elections and maintenance of voters registration lists shall be conducted in accordance with the ordinances of the city and the laws of the State of Florida.
- D. *Regular elections of mayor and commissioners; run-off elections; qualifications of voters; conduct to conform to statutes.*
- (1) A general election shall be held on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to the elective office of mayor or commission where said are expiring, unless the general election being conducted by the Miami Dade County Elections Department is held on another day, in which case the Opa-locka election shall be held on the same day. The candidate for mayor receiving highest number of ballots cast shall be deemed the duly elected mayor. The two (2) candidates for commission receiving the highest number of votes cast for commission shall be deemed duly elected. In any special election to fill an unexpired term on the Commission, the candidate receiving the highest number of votes shall be deemed duly elected.
 - (2) Any person who shall possess the qualifications requisite to be an elector at the general state election and shall have resided in the City of Opa-locka more than forty-five (45) days next preceeding the city election at which he offers to vote, and shall have registered with the elections division of Miami Dade County, shall be a qualified elector of the city.
 - (3) Any person who shall be a qualified elector of the city and who shall have resided in the City of Opa-locka more than 365 days prior to the day of the election at which the said person seeks to qualify as a candidate for the office of commissioner or mayor shall be qualified as candidate to seek the office of commissioner or mayor.
 - (4) All elections held in the City of Opa-locka shall be conducted and held according to the provisions of the general election laws of the State of Florida, except as otherwise provided for in the Charter of the City of Opa-locka and except that the City Commission shall be substituted for a board of county commissioners.

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- (5) The name of any elector of the city shall be printed upon the ballot as a candidate for nomination to the office of commissioner or mayor of the City of Opa-locka the sum of two hundred fifty dollars (\$250.00) being deposited with the Clerk of the City of Opa-locka at the time of seeking qualifications as a qualifying fee for such candidate to the office of commissioner or mayor of the City of Opa-locka, Florida.

The qualification period for elector candidates for the office of mayor and commissioner shall commence at 9:00 a.m. on the first Monday in August of each even-numbered year, and continuing until 12 noon on the Friday which is eleven (11) days after the commencement date. Each elector shall submit concurrently there with a sworn statement of the elector's name, address together with a statement under oath as to residency in the City of Opa-locka for more than 365 days prior to the date of election sought for qualification as a candidate, occupation and willingness to serve if elected.

- (6) The word "resident" and all of its derivatives shall mean that a person shall be considered as such when he actually lives in a house, trailer, or an apartment within the boundaries of the City of Opa-locka. The Supervisor of Elections is required to request proof of residency including but not limited to homestead exemption, driver's license, motor vehicle registration, voter's registration card, lease agreement, from anyone who applies to qualify as a candidate for the office of commissioner or mayor. A business address or location shall not entitle a proposed candidate or elector to be considered as a "resident".

- E. *Form of ballots; listing of candidates.* All ballots used in any regular, special or general election of commissioners or mayor held under authority of this charter shall be without party mark or designation and without any insignia or mark of any association or organization thereon, and shall be substantially in the same form as the election ballot used in all general state elections. The following additional provisions with respect to ballots used in any general or special election of commissioners [or mayor] shall also apply:

- (1) The full names of all candidates nominated for the commission or mayor as hereinbefore provided, except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots. If two (2) candidates with the same surname, or with names so similar as to be likely to cause confusion, are nominated, the addresses of their places of residence may be placed with their names on the ballot.
- (2) The names of the candidates shall be arranged in the alphabetical order of their surnames.
- (3) Where voting machines are not used, commissioners or mayor shall be voted for on ballots separate and distinct from ballots used for any other office or question, and the ballot boxes used for the election of commissioners or mayor shall be separate and distinct from ballot boxes used for any other office or question.
- (4) When voting machines are used, the laws of the State of Florida shall apply, and the form of the ballot shall be modified to conform thereto.

- F. *What commissioners declared elected; how tie vote decided.* At any regular municipal election held under the provisions of this charter, the candidates for the office of commissioner, in number equal to the number of commissioners to be elected, who shall have received the greatest number of votes cast, shall be declared elected. The candidate for Mayor receiving the greatest number of votes cast shall be declared elected. A tie between two (2) or more candidates for the office of commissioner shall be decided by a run-off election to be held within thirty (30) days of the certification of the results of the regular election. Similarly, a tie between two or more candidates for mayor shall be decided by a run-off election to be held within thirty (30) days of the certification of the results of the regular election. No runoff shall be held less than twenty-one (21) days after the regular election.

- G. *Candidacy of incumbent commissioner and mayor.* If an incumbent commissioner qualifying for nomination and election to the office of mayor or an incumbent mayor qualifies for nomination and election to office of

commissioner resigns to run as required herein or by State law, the remaining term of his office becomes vacant thereby, and said vacancy shall be filled in accordance with the procedure set forth in this Charter.

(Res. No. 12-8434, § 2, 7-18-12)

Section 5.2. Initiative and Referendum.

(A) *Power to Initiate and Reconsider Ordinances.*

- (1) *Initiative.* The electors of the City shall have the power to propose ordinances to the Commission and, if the Commission fails to adopt an ordinance so proposed without any change in substance, to adopt it at a City election, provided that the required signatures in Sec. 5.2(c)(1) have been met and provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes or setting salaries of City officers or employees.
- (2) *Referendum.* The electors of the City shall have power to require reconsideration by the Commission of any adopted ordinance and, if the Commission fails to repeal an ordinance so reconsidered, to approve or reject it at a City election, provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes or setting salaries of city officers or employees.

(B) *Commencement of Proceedings.* A minimum of ten electors may commence initiative or referendum proceedings by filing with the City Clerk an affidavit (the "Affidavit") stating they will constitute the petitioners' committee (the "Committee") and be responsible for circulating the petition (the "Petition") and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the Committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. Promptly after the Affidavit of the Committee is filed, the City Clerk shall at the Committee's request, issue the appropriate Petition blanks to the Committee at the Committee's expense. Petitioners' proposed ordinance shall be approved as to legal sufficiency by the City Attorney prior to circulation.

(C) *Petitions.*

- (1) *Number of Signatures.* Initiative and referendum petitions must be signed by at least ten (10) percent of the total number of electors registered to vote at the last regular City election.
- (2) *Form and Content.* All pages of a Petition shall be assembled as one instrument of filing. Each signature shall be executed in ink and shall be followed by a printed name and address of the person signing. Petitions shall contain or have attached throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.
- (3) *Affidavit of Circulator.* Each page of a Petition shall have attached to it when filed an affidavit executed by the circulator stating that s/he personally circulated the page, the number of signatures contained, that all the signatures were affixed in his/her presence that s/he believes them to be genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.
- (4) *Filing Deadline.* All Petitions must be filed within 60 calendar days of the date a proper Affidavit is filed pursuant to subsection (B) of this section.

(D) *Procedure for Filing.*

- (1) *Certificate of Clerk; Amendment.* Within 20 calendar days after an initiative Petition is filed or within five business days after a referendum Petition is filed, the City Clerk shall verify all signatures required for initiatives or referendums with the Miami-Dade Supervisor of Elections and complete a certificate

as to its sufficiency ("the Certificate"). If insufficient the Certificate shall specify the particulars of the deficiency. A copy of the Certificate shall be promptly sent to the Committee by registered mail. Grounds for insufficiency are only those specified in subsection (C) of this Section. A Petition certified insufficient for lack of the required number of valid signatures may be amended once if the Committee files a notice of intention to amend it with the City Clerk within two calendar days after receiving the copy of the Certificate and files a Supplementary Petition ("Supplementary Petition") with the City Clerk with additional valid signatures within ten calendar days after receiving the copy of such Certificate. Such Supplementary Petition shall comply with the requirements of subsection (C) of this Section. Within five business days after a Supplementary Petition is filed the City Clerk shall, after verifying signatures with Miami-Dade County Supervisor of Elections, complete a Certificate as to the sufficiency of the Petition as amended ("Amended Petition") and promptly send a copy of such Certificate to the Committee by registered mail. If a Petition or Amended Petition is certified sufficient, or if a Petition or Amended Petition is certified insufficient and the Committee does not elect to amend or request Commission review under paragraph (2) of this subsection within the time required, the City Clerk shall promptly present his/her certificate to the Commission and such Certificate shall then be a final determination as to the sufficiency of the petition.

- (2) *Commission Review.* If a Petition has been certified insufficient and the Committee does not file notice of intention to amend it or if an Amended Petition has been certified insufficient, the Committee may, within two calendar days after receiving the copy of such Certificate, file a request with the City Clerk that it be reviewed by the Commission. The Commission shall review the Certificate at its next regularly scheduled meeting following the filing of such request and approve or disapprove it. The Commission's determination shall then be a final determination as to the sufficiency of the Petition.

(E) *Action on Petitions.*

- (1) *Action by Commission.* When an initiative or referendum Petition has been finally determined sufficient, the Commission shall promptly consider the proposed initiative ordinance or reconsider the referred ordinance by voting its repeal. If the Commission fails to adopt a proposed initiative ordinance without any change in substance within 45 calendar days or fails to repeal the referred ordinance within 30 calendar days, it shall submit the proposed or referred ordinance to the electors of the City. If the Commission fails to act on a proposed initiative ordinance or a referred ordinance within the time period contained in this paragraph, the Commission shall be deemed to have failed to adopt the proposed initiative ordinance or failed to repeal the referred ordinance on the last day that the Commission was authorized to act on such matter.
- (2) *Submission to Electors.* The vote of the City on a proposed or referred ordinance shall be held not less than 30 calendar days or more than 60 calendar days from the date the Commission acted or was deemed to have acted pursuant to paragraph (1) of this subsection. If no regular election is to be held within the period described in this paragraph, the Commission shall provide for a special election. Copies of the proposed or referred ordinance shall be made available at the polls.
- (3) *Referendum.* See [subsection] F(2)

(F) *Results of Election.*

- (1) *Initiative.* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. If the proposed initiative ordinance fails, it or any ordinance that is substantially similar may not be submitted in accordance with this Article for at least one year from the date of the election.
- (2) *Referendum.* If a majority of the qualified electors voting on a referred ordinance vote for repeal, the repealed ordinance shall be considered repealed upon certification of the election results.

(Res. No. 12-8434, § 2, 7-18-12)

ARTICLE VI. CHARTER AMENDMENTS

Section 6.1. Procedure to Amend.

- (A) The Charter may be amended in accordance with the provisions of Section 5.03 of the Home Rule Charter of Miami-Dade County. The City shall enact an ordinance to implement this Article.
- (B) If conflicting amendments are adopted at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(Res. No. 12-8434, § 2, 7-18-12)

ARTICLE VII. GENERAL PROVISIONS

Section 7.1. Severability.

If any article, section or part of a section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter or the context in which such article, section or part of section so held invalid may appear, except to the extent that an entire article, section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

(Res. No. 12-8434, § 2, 7-18-12)

Section 7.2. Conflicts of Interest; Ethical Standards.

- (A) All Commission members, officials and employees of the City shall be subject to the standards of conduct for public officers and employees set by Miami-Dade County or such other ethical standard adopted by the Commission. The Commission may, by ordinance, adopt additional standards of conduct and a code of ethics, but in no case inconsistent with state law.
- (B) All elected officials, employees and appointed board or committee members shall disclose any interest in real estate or other business(es) upon entering office or being hired and shall re-disclose annually thereafter, except as otherwise provided by law.
- (C) Without in any way limiting the generality of the foregoing, no Commission member shall have a financial interest, direct or indirect, or by reason of ownership of stock or other equity ownership in any corporation or entity, in any contract or in the sale to the City or to a contractor supplying the City of any land or rights or interest in any land, materials, supplies, or services unless, after full disclosure to the Commission of the nature and extent of such interest, the same is authorized by the Commission before the event or accepted and ratified by the Commission after the event. No member of the Commission who possesses such a financial interest shall vote on, or participate in the Commission deliberations concerning, any such contract or sale. Any violation of this Section with the knowledge of the person or entity contracting with the City shall render the contract voidable by the Commission.

(Res. No. 12-8434, § 2, 7-18-12)

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(Supp. No. 65)

Section 7.3. City Personnel System.

All new employment, appointments and promotions of City employees shall be made pursuant to personnel procedures to be established by the Manager from time to time. The City shall make all efforts to encourage the hiring of City residents and to encourage employees to reside within the municipal boundaries.

(Res. No. 12-8434, § 2, 7-18-12)

Section 7.4. Variation of Pronouns.

All pronouns and any variation thereof used in this Charter shall be deemed to refer to masculine, feminine, neutral, singular or plural as the identity of the person or persons shall require and are not intended to describe, interpret, define or limit the scope, extent, or intent of this Charter.

(Res. No. 12-8434, § 2, 7-18-12)

Section 7.5. No Discrimination.

The City shall not adopt any ordinance or policy that discriminates against any person due to race, religion, color, national origin, physical or mental disability, creed, age, sexual preference or gender.

(Res. No. 12-8434, § 2, 7-18-12)

Section 7.6. Precedence over Related Laws.

In case of a conflict between the provisions of this Charter and the provisions of the Code to be adopted pursuant thereto, the Charter terms shall control. Moreover, nothing in this Charter shall be construed to alter, abolish, affect or amend the general laws of this State, now in force, or which hereinafter may be enacted relative to or affecting this City, except where such laws are in direct conflict in which case the provisions of this Charter or Code adopted pursuant thereto shall supersede and be in full force and effect to the extent permitted by law.

(Res. No. 12-8434, § 2, 7-18-12)

ARTICLE VIII. TRANSITION PROVISIONS

Section 8.1. Interim adoption of codes, ordinances and resolutions; Pending matters.

Unless otherwise modified or replaced by this Revised Charter, or the City Commission, all codes, ordinances and resolutions in effect on the date of adoption of this Revised Charter shall remain in force and effect as municipal codes, ordinances and resolutions of the City, to the extent they are not in conflict with this Revised Charter, and all officers shall continue to hold their office until replaced as provided herein. All pending actions and matters shall continue unimpaired except where in conflict, or upon action of the City Commission. The City Commission may adopt transition ordinances, including emergency ordinances as provided herein, as may be required to achieve a smooth and continuous transition.

(Res. No. 12-8434, § 2, 7-18-12)

Section 8.2. Effective Date; Terms of office.

This Revised Charter shall take effect upon adoption and ratification by a majority vote of the electors of the City at an election called for that purpose. Upon adoption, the terms of any officeholders now scheduled to expire in November 2012, shall still expire in 2012, and shall be filled thereafter in the manner provided herein. The terms of those office holders scheduled to expire in 2014 shall still expire in 2014 (which scheduled elections shall continue unimpaired by, but subject to, the provisions of this Charter).

(Res. No. 12-8434, § 2, 7-18-12)

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²This charter, being Laws of Florida, 1953, Ch. 29347, constituting §§ 1 through 194, is set out herein. The following table shows the disposition of the amendments thereto.

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