

**ORDINANCE 2020-28**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 3.06 (e) OF THE CHARTER OF THE CITY OF LAKE WALES TO ALIGN THE FUNCTION OF THE MAYOR WITH THOSE OF THE INDIVIDUALS SERVING AS CITY COMMISSIONERS CONCERNING APPOINTMENT TO CITY BOARDS, COMMITTEES AND COMMISSIONS; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Commission of the City of Lake Wales ("City Commission") is the governing body of the City of Lake Wales, Florida, an incorporated Florida municipality; and

**WHEREAS**, §8-86 of the Lake Wales Code of Ordinances and §166.031, Florida Statutes, sets forth the process for amending the Charter of a Florida municipality and specifically allows for charter amendments to be proposed to municipal electors by the municipality's governing body; and

**WHEREAS**, the City Commission of the City of Lake Wales finds it in the best interests of the citizens of the City to initiate an ordinance proposing an amendment to Article III, Section 3.10 (Reserved) of the City's Charter to identify the duties of the City Commissioners; and

WHEREAS, the City Commission of the City of Lake Wales finds that this ordinance proposes a single-subject amendment to the *Charter of the City of Lake Wales, Polk County, Florida*; **NOW, THEREFORE**,

Be it enacted by the City Commission of the City of Lake Wales, Florida:

Article III, Section 3.06 (e) of the *Charter of the City of Lake Wales, Polk County, Florida*, shall be amended to align the function of the mayor regarding appointments to the various citizen advisory and regulatory boards, commissions, committees and authorities with the duties of city commissioners concerning such appointments as follows:

**Section 1.**

**§ 3.06 (e). Functions and powers of mayor.**

(e) The mayor, in conjunction with the city commissioners, will make appointments to the various citizen advisory and regulatory boards, commissions, committees and authorities. Each of the commissioners may suggest individuals for appointment and the appointments will be made by the mayor with the advice and consent of the city commission.

**Ballot Title:**

Adoption of a Charter provision providing for a cooperative process whereby the mayor and the members of the city commission will collaborate in the appointment of individuals to the various citizen advisory and regulatory boards, commissions, committees and authorities.

**Ballot Summary:**

Proposing a process whereby the mayor and the members of the city commission will work cooperatively to make appointments of individuals to the various citizen advisory and regulatory boards, commissions, committees and authorities of the City of Lake Wales.

**Ballot Question:**

**Shall the above described Amendment be adopted?**

FOR \_\_\_\_\_

AGAINST \_\_\_\_\_

**Section 2.** After final passage of this Ordinance, the proposed amendment shall be placed on the ballot for a vote of the electors at the 2021 municipal election held within the City Lake Wales, Florida, or at a special election called for the purpose of voting on charter amendments, whichever election occurs first. In accordance with §166.031, Florida Statutes, Section 1 of this Ordinance shall take effect only upon adoption of the amendment by a majority of the electors voting in a regular municipal election or in a duly called special election to consider the proposed amendment.

INTRODUCED on First Reading this \_\_\_\_\_ day of \_\_\_\_\_,  
2020.

PASSED AND ENACTED on Second Reading, with a quorum present and voting, by the City Commission of the City of Lake Wales, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF LAKE WALES, FLORIDA**

\_\_\_\_\_  
Eugene Fultz, Mayor

Attest:

\_\_\_\_\_  
Jennifer Nanek, CMC, City Clerk

Prepared by:

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Albert C. Galloway, Jr., City Attorney