

## CHAPTER 2016-263

### Committee Substitute for House Bill No. 1339

An act relating to the City of Webster, Sumter County; providing legislative intent; codifying, amending, repealing, and reenacting special acts relating to the city; repealing chapter 57-1944, Laws of Florida; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Chapter 57-1944, Laws of Florida, relating to the City of Webster, is codified, reenacted, amended, and repealed as provided in this act.

Section 2. The charter of the City of Webster is re-created and reenacted to read:

Section 1. Short title.—This act, together with any future amendments thereto, shall be known and may be cited as the “Charter of the City of Webster,” hereinafter referred to as the “charter.”

Section 2. Body corporate; continuous existence.—

(1) The incorporated municipality of the City of Webster, now existing, shall continue to be a body corporate and a municipal corporation within Sumter County under the name of the city, and as such, shall have perpetual succession and existence in accordance with general law.

(2) The codes, ordinances, policies, and actions, of whatever type or nature, of the City of Webster shall carry forward after the effective date of this act insofar as consistent with this act and the said codes, ordinances, policies, and actions are ratified and affirmed.

Section 3. Boundaries.—The boundaries and corporate limits existing at the time of the adoption of this charter may be amended as provided by general law. The boundaries are described as follows:

The South ½ of the Northeast ¼ and the East ½ of the Southeast ¼ of Section 36, Township 21 South, Range 22 East, Sumter County, Florida; and the Southwest ¼ of the West ½ of the Southeast ¼ of Section 31, Township 21 South, Range 23 East, Sumter County, Florida; and the East ½ of the Northeast ¼ of Section 1 Township 22 South, Range 22 East, Sumter County, Florida; and the West ½ of the Northeast ¼ of Section 6, Township 22 South Range 23 East, Sumter County, Florida.

TOGETHER WITH:

The South-½ of the Northeast-¼; and the East-½ of the Southeast-¼; and the East-½ of the Southeast-¼ of the of the Northwest-¼ all being

in Section 36, Township 21 South, Range 22 East, Sumter County, Florida.

And

The Southwest-1/4 and the West-1/2 of the Southeast-1/4 of Section 31, Township 21 South, Range 23 East, Sumter County, Florida.

And

The East 1/2 of the Northeast-1/4 of Section 1, Township 22 South, Range 22 East, Sumter County, Florida.

And

The West-1/2 of the Northeast-1/4; and the Northwest-1/4 of Section 6, Township 22 South, Range 23 East, Sumter County, Florida.

TOGETHER WITH:

The South-1/2 of the Northeast-1/4 and the East-1/2 of the Southeast-1/4 of Section 36, Township 21 South, Range 22 East, Sumter County, Florida.

And

The Southwest-1/4 and the West-1/2 of the Southeast-1/4 of Section 31, Township 21 South, Range 23 East, Sumter County, Florida.

And

The East-1/2 of the Northeast-1/4 of Section 1, Township 22 South, Range 22 East;

W-1/2 of the NE-1/4 and the NW-1/4 of Section 6, Township 22 South, Range 23 East;

And

The East-1/2 of the Southeast-1/4 of the Northwest-1/4, Section 36, Township 21 South, Range 22 East, Sumter County, Florida.

And

All that portion of the East-1/4 of Section 31, Township 21 South, Range 23 East, Sumter County, Florida, lying Southerly of the abandoned Seaboard Coastline Railroad right of way and Northerly of County Road Number 478, LESS beginning 264 feet East of the Southwest corner of the Southeast-1/4 of the Southeast-1/4 of said Section, from thence run North 165 feet, then run East 132 feet, thence run South 165 feet, thence run West 132 feet to a Point of Beginning.

TOGETHER WITH:

Lot 12, Block A, BAYS SUBDIVISION, as recorded in Plat Book 4, Page 46, Public Records of Sumter County.

TOGETHER WITH:

The North 435.00 feet of the South 870 feet of the West ¾ of the Northwest ¼ of the Northeast ¼ of Section 1 Township 22 South, Range 22 East, Sumter County, Florida.

TOGETHER WITH:

Parcel Number: Q31-002, that is, begin at the Northwest corner of the Southwest-¼ of the Northwest-¼ of Section 31, Township 21 South, Range 23 East, Sumter County, Florida, and run thence East 420 feet, thence South 210 feet, thence West 420 feet, thence North 210 feet to the Point of Beginning.

TOGETHER WITH:

Parcel Number S01-078, that is the South 435.00 feet of the West ¾ of the Northwest-¼ of the Northeast-¼ of Section 1, Township 22 South, Range 22 East, Sumter County, Florida; LESS that portion platted as Tract 5, 6, and 7 Rodgers’ Subdivision as recorded in Plat Book 4, Page 47 of the Public Records of Sumter County, Florida.

TOGETHER WITH:

The West ¾ of the Northwest ¼ of the Northeast ¼, LESS the North 221.51 feet of the West 257.47 feet and the South 870.00 feet thereof of Section 1, Township 22 South, Range 22 East, Sumter County, Florida; LESS that portion platted as Tracts 5, 6, 7 Rodgers’ Subdivision as recorded in Plat Book 4, Page 47 of the Public Records of Sumter County, Florida.

Section 4. Municipal powers.—

(1) The city, as a body corporate and politic, has all powers of a municipality existing under the Constitution and laws of the State of Florida, as fully and completely as though such powers were specifically enumerated in this charter, unless otherwise specifically prohibited by or contrary to the provisions of this charter.

(2) Without limiting the generality of subsection (1), the city has all governmental, corporate, and proprietary powers necessary to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes under the home rule powers of municipalities as set forth in the Constitution of the State of Florida and general law.

(3) The city has all planning and land use regulatory powers of a municipality with regard to all lands located within the city limits of the city.

(4) The powers of the city shall be liberally construed in favor of the city.

Section 5. City council; composition; qualifications for office.—

(1) COMPOSITION OF THE CITY COUNCIL.—

(a) There shall be a five-member city council consisting of the mayor and four city council members.

(b) The mayor and city council members shall run for office at large and be elected at large.

(2) QUALIFICATIONS FOR OFFICE.—

(a) Each candidate for office shall be a qualified elector of the city.

(b) Each candidate for office must have resided in the city continuously for a minimum of 12 months immediately before qualifying. A resident, for the purpose of qualifying for office, and while maintaining office, shall be a person whose principal place of physical residence is in the city.

(c) The charter officers of the city manager and city attorney may not be candidates for any elected office while holding a charter officer position.

Section 6. City elections.—

(1) ELECTION PROCEDURE.—All elections shall be held in accordance with the provisions of the state election code except as otherwise provided by this charter, or by the present or future ordinances of the city.

(2) REGISTRATION OF ELECTORS.—A citizen of the United States who has resided within the city for a period of at least 30 days shall be eligible to register as a city elector so long as residency is maintained. Registration shall be permanent and in conformity with general law.

(3) CANVASSING AND QUALIFICATION.—

(a) Unless a majority of the city council votes to use the supervisor of elections for qualifying of candidates and conducting the election and the county canvassing board for canvassing the election, the city council shall conduct the election and has authority to determine the qualification of its members, subject to review by the courts.

(b) If the city council has not authorized the county canvassing board to canvass the election, at the time that the city council meets to canvass the results of an election, a registered elector of the city is entitled to file with the city council an affidavit setting out the facts showing that a candidate has violated the provisions of this charter as to the manner of his or her election, or is otherwise unqualified to hold office, and the city council shall take proof at such meeting and declare the results.

(c) The city council may by ordinance authorize the supervisor of elections to provide for qualifying for candidates and conduct the election and for the county canvassing board to canvass the election. If the city council provides the supervisor of elections and the county canvassing board with such authority, then the supervisor of elections is responsible for the qualifying of candidates and conducting the election and the county canvassing board shall canvass the election. Once an ordinance is enacted authorizing the transfer of these responsibilities, the supervisor of elections and the county canvassing board shall retain this authority at all subsequent elections unless the city council enacts a subsequent ordinance transferring such responsibility back to the city. Such ordinance must be enacted and provided to the supervisor of elections and county canvassing board at least 1 year before the next general election.

Section 7. Terms of office.—

(1) The term of office for the mayor and each city council member is 4 years. Consecutive terms are limited to two full 4-year terms with a minimum of a 1-year period of time out of office before being allowed to run for the city council subsequently.

(2) The mayor and each city council member shall remain in office until his or her successor is elected and assumes the duties of the position.

(3) The terms of office in effect on the effective date of this charter shall continue to be in effect and elections shall occur accordingly.

(4) The mayor and city council members may succeed themselves.

Section 8. Powers and duties of city council.—

(1) The form of government of the City of Webster shall be the council-manager form of government whereby the mayor and city council are collectively the head of city government with regard to policy with a city manager serving in the role of chief administrative officer as set forth in this charter. The city attorney shall be the only charter officer aside from the mayor and city council and the city manager.

(2) Except as otherwise prescribed in this charter or provided by general law, all policy setting, legislative, and police powers of the city are vested in the mayor and city council, including, but not limited to, the following:

(a) Enacting ordinances under the police power, land development regulatory power, and other home rule powers pertinent to municipalities.

(b) Establishing public policy and providing general direction for administrative actions.

(c) Reviewing and approving all policy manuals relating to the operations and administration of city government.

(d) Reviewing and approving all administrative recommendations for staff classifications and reclassifications, and wages and salaries.

(e) Approving contracts and other fiscal matters relating to the operations of city government except as may be delegated to the city manager.

(f) Creating city departments and offices and establishing and funding positions for the operation and administration of such departments and offices as deemed necessary.

(g) Creating and appointing members to boards, commissions, committees, task forces, and such other bodies as deemed necessary.

(3) The city council shall provide for the exercise of its powers and for the performance of all duties and obligations imposed on the city by general law by means of ordinance, resolution, motion, policy directive, or other appropriate action.

(4) The city council shall adopt a purchasing policies manual and a personnel policies manual.

(5) Neither the city council nor any of its members shall dictate the appointment of any person to office or employment by the city manager or in any manner prevent the city manager from using his or her own judgment in selecting those officers or employees which he or she is entitled to appoint or select under the provisions of this charter. Except for purposes of inquiry and information, the city council and its members shall deal with the administrative service solely through the city manager and neither the city council nor any member thereof shall give orders to the subordinates of the city manager, either publicly or privately.

Section 9. Powers and duties of the mayor and mayor pro tempore.—

(1) MAYOR.—The mayor shall be a member of the city council and is considered, in every respect, as part of the city council for the purposes of votes and actions by the city council. In addition to the regular powers invested in any city council member, the mayor shall:

(a) Be recognized by the Governor for purposes of military law and have the power to declare an emergency.

(b) Preside at meetings of the city council and be recognized as the head of city government for all ceremonial occasions and purposes, but has no administrative duties except as to carry out the responsibilities provided in this charter.

(c) Execute city contracts, deeds, and other documents unless delegated to the city manager.

(d) Have the power to represent the city in all agreements with other governmental entities and provide certifications to other governmental

entities that the city council has approved unless such powers are delegated to another city official.

(e) Coordinate with both elected officials and city staff of neighboring cities and counties on items that are of mutual concern or items that require an exchange of information.

(f) Coordinate with the city manager, city attorney, and city council on city legal matters.

(2) MAYOR PRO TEMPORE.—At the first regular meeting after each regular municipal election, at which newly elected city council members assume their duties of office, the five city council members shall, by majority vote of the city council, select a city council member, exclusive of the mayor, to act as mayor pro tempore. In addition to the regular powers invested in any city council member, the mayor pro tempore shall:

(a) Have all the powers and duties of the mayor in the absence from the city of the mayor or his or her inability to act, whether by reason of his or her death, resignation, impeachment, mental or physical sickness, or for any other reason, and the city clerk certifies as to the absence from the city of the mayor or his or her inability to act, upon demand, when the mayor is so absent from the city or unable to act; and

(b) Serve as acting mayor during the absence or disability of the mayor, and, during such period, has the same powers and duties as the mayor.

(3) ALTERNATIVE TO FILLING VACANCY.—In the absence of the mayor and the mayor pro tempore, the remaining city council members shall elect a city council member to serve as acting mayor.

Section 10. Compensation and expenses.—

(1) The mayor and city council members shall continue to receive the salary in effect for their positions on the date that this charter becomes effective. Thereafter, they shall receive compensation as established by adoption of an ordinance that adjusts the salary, but an ordinance increasing such salary may not take effect until after the next regular city election. The salaries of the mayor and city council members may be different at the determination of the city council, but all salaries for city council members not serving as mayor shall be equal.

(2) The mayor and city council members shall be reimbursed for actual expenses incurred while performing their official duties in accordance with provisions of general law or resolution adopted by the city council.

Section 11. Vacancies; forfeiture of office; suspension; recall; filling of vacancies.—

(1) VACANCIES.—A vacancy in the office of mayor or of a city council member shall occur upon the death of the incumbent, removal from office as

authorized by general law, resignation, election or appointment to another public office which creates dual officeholding, judicially determined incompetence, or forfeiture of office.

(2) FORFEITURE OF OFFICE.—The mayor or a city council member shall forfeit his or her office upon determination by the vote of four members of the entire city council, acting as a body, that he or she has committed any of the following acts:

(a) Lacks at any time, or fails to maintain during his or her term of office, any qualifications for the office prescribed by this charter or otherwise required by law.

(b) Is convicted of a felony, or enters a plea of guilty or nolo contendere to a crime punishable as a felony, even if adjudication of guilt is withheld.

(c) Is convicted of a first degree misdemeanor arising directly out of his or her official conduct or duties or enters a plea or guilty or nolo contendere thereto, even if adjudication of guilt is withheld.

(d) Is found to have violated any standard of conduct or code of ethics established by law for public officials and has been suspended from office by the Governor, unless subsequently reinstated as provided by general law.

(e) Is absent from three or more regular meetings of the city council in a consecutive 6-month period, unless such series of absences, or any one of the absences, is excused by the city council by adoption of a resolution setting forth the fact of such excused absence or absences, thereby making the total of consecutive and unexcused absences less than three.

(3) SUSPENSION FROM OFFICE.—

(a) The mayor or a city council member shall be suspended from office by the city council acting as a body upon return of an indictment or issuance of an information charging the mayor or a city council member with any crime that is punishable as a felony or with any crime arising out of his or her official conduct or duties which is punishable as a misdemeanor.

(b) During the period of suspension, the mayor or the city council member shall not perform any official act, duty, or function, or receive any allowance, emolument, or privilege of office.

(c) If the mayor or a city council member is subsequently found not guilty of the charge, or if the charge is otherwise dismissed or altered so that suspension would no longer be required as provided in this charter, the suspension shall be lifted by the city council and the mayor or city council member is entitled to receive full back allowances and such other emoluments as he or she would have been entitled to had the suspension not occurred.



(4) RECALL.—The electors of the city, after following the procedures for recall established by general law, may remove the mayor or any city council member from office.

(5) FILLING OF VACANCIES.—

(a) If, for any reason other than recall, a vacancy occurs in the office of mayor within the first 3 years of a term, the mayor pro tempore shall assume the position of mayor, and within 30 days after the occurrence of such vacancy, a special election for mayor shall be held to elect a mayor for the remainder of the unfilled term.

(b) In the event that the office of mayor becomes vacant with less than 1 year remaining in the term, the mayor pro tempore shall serve as mayor for the remainder of the term of the mayor and the vacancy in his or her office shall be filled as provided in the charter for the remainder of his or her term.

(c) If, for any reason other than recall, a vacancy occurs in the office of a city council seat, other than mayor, within the last year of a term, the office shall be filled for the remainder of the term by appointment within 30 days after the occurrence of such vacancy by majority vote of the remaining city council members.

(d) If, for any reason other than recall, a vacancy occurs in the office of a city council seat within the first 3 years of a term, the office shall be filled by appointment within 30 days after the occurrence of such vacancy by majority vote of the city council and such appointment shall expire when a city council member is elected and he or she is seated in accordance with this charter.

(e) If a vacancy occurs as a result of a recall petition, such vacancy will be filled by special election as provided in general law.

(f) Before a person is appointed to fill a vacant seat on the city council, he or she must meet all qualifications for office.

Section 12. City council meetings; organizational meeting; quorum; special meeting.—

(1) The city council shall meet regularly at least once a month. All meetings are subject to notice and other requirements of law applicable to public meetings.

(2) The newly elected city council members, if any, shall be installed, on the second Tuesday after the first Monday in January after their election, after taking the oath of office.

(3) Installation into office shall be made by the city council and consist of declaring election results, administering the oath of office by the city attorney or city clerk, and receiving a bond from each city council member elected, if required by ordinance.

(4) The oath shall be in substantially the following form: “I, ....., do solemnly swear (or affirm), that I will support, protect, and defend the Constitution and government of the United States and of the State of Florida against all enemies, domestic or foreign, and that I will bear true faith, loyalty, and allegiance to the same, and that I am entitled to hold office under the Constitution; that I will faithfully perform all duties of the office of ....., of the City of Webster, on which I am about to enter, so help me, God.”

(5) The city council shall conduct its meetings in accordance with Robert’s Rules of Order except as prescribed by resolution or ordinance of the city council.

(6) Voting on ordinances and resolutions shall be by roll call. A majority of the city council constitutes a quorum. No action of the city council is valid unless adopted by an affirmative vote of the majority of the city council that is in attendance, unless otherwise provided by law or ordinance, or stated in this charter. A tie vote shall result in a motion failing. All actions of the city council shall be accomplished by ordinance, resolution, or motion, although the city council may express its consensus in other appropriate ways.

(7) The city council has the power to expel any member of the audience who is disorderly while the council is in session.

(8) Special meetings may be held at the call of the mayor or, in the absence of the mayor, at the call of the mayor pro tempore. Special meetings may also be called upon the request of a majority of the city council members as presented in writing to the city clerk. At least 24 hours’ prior notice of the meeting must be given to the public, unless a declared emergency situation exists.

Section 13. City manager; appointment, qualifications, and compensation.—

(1) The city council, by simple majority vote, shall appoint a city manager who shall be a charter officer of the city and the administrative head of the city government, under the direction and supervision of the city council, and who shall hold office at the pleasure of the city council under a contract that is entered consistent with controlling law. He or she shall receive such compensation as the city council may fix and determine in such contract. He or she shall be chosen solely on the basis of his or her executive and administrative qualifications, without regard to his or her political belief, and must be 21 years of age or older. The city manager need not be a resident of the city.

(2) The city manager is responsible to the city council for the proper administration of all affairs of the city coming under his or her jurisdiction. The city manager’s powers include the following, as well as those that are consistent with sound and generally accepted public management practices and principles consistent with this charter and other controlling law:

- (a) To see that the laws and ordinances of the city are enforced;
- (b) To appoint, suspend, or remove all city employees and appoint administrative officers provided for by and under this charter, except as otherwise provided by law;
- (c) To control, direct, and exercise supervision over all departments and divisions and offices of the city's government;
- (d) To fix the compensation of all subordinate city employees based on a range of pay rate for each class of employee approved by resolution of the city council;
- (e) To enforce the city's personnel rules and purchasing policies;
- (f) To see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise are faithfully kept and performed and, upon knowledge of any violation thereof, to call the same to the attention of the city attorney, whose duty it is hereby made to take such legal steps as may be necessary to enforce the franchise;
- (g) To attend all meetings of the city council, with a right to take part in the discussion but without having a vote;
- (h) To negotiate all contracts, franchises, acquisition, and disposition of property personally or through agents designated by him or her and, upon approval thereof by the council, implement on behalf of the city all agreements, leases, deeds, and other instruments in connection therewith;
- (i) To direct and supervise the administration of all departments, offices, and agencies of the city, except as otherwise provided by this charter or by law;
- (j) To make recommendations to the city council concerning the affairs of the city and facilitate the work of the city council in developing policy;
- (k) To assist the council to develop long-term goals for the city and strategies to implement those goals;
- (l) To recommend to the city council for adoption such measures as he or she deems necessary or expedient in the interest of the city;
- (m) To prepare and submit the annual budget, budget message, and capital program to the mayor for review and approval by the city council;
- (n) To administer financial transactions of the city, including investments, withdrawals, and expenditures in accordance with city investment policies and the adopted city budget;
- (o) To keep the mayor and the city council fully apprised as to the financial condition and the affairs of the city;

(p) To act as director of any department as needed;

(q) To have prepared and to submit to the city council, within 6 months after the close of each fiscal year, a complete audit of the financial condition of the city for the preceding fiscal year;

(r) To sign all checks and agreements or other documents approved by the city council or required for daily business needs of the city issued by the city except as otherwise provided in this charter and to sign such other documents approved by the city council or required for the daily business of the city;

(s) To perform such other duties as required by this charter or as directed by the city council;

(t) To prepare or administer the preparation of city policies manuals, ordinances, and similar materials for city council review and approval;

(u) To review employee disciplinary actions taken by subordinate staff and take final administrative action before initiation of review, if any, by the city council;

(v) To purchase supplies and equipment of the various departments of the city; and

(w) During his or her absence of no more than 14 days, to appoint an acting city manager. However, with regard to an absence or disability of any longer period or such other period of time as may be determined by the city council, the city council may, by resolution, designate some properly qualified person to temporarily execute the functions of the office. The person thus designated has the same powers and duties as the city manager, and shall be known while so serving as acting city manager.

(3) The city manager or acting city manager may be removed by the city council at any time consistent with the terms of his or her contract and controlling law.

#### Section 14. City attorney; qualifications; powers and duties.—

(1) The city attorney is the chief legal officer and advisor of the city.

(2) The city attorney must be a member in good standing of The Florida Bar.

(3) The city attorney shall:

(a) Serve as chief advisor to the city council and all city departments, offices, advisory boards, and agencies;

(b) Attend all city council meetings, unless excused by motion and vote of the city council, and perform such professional duties as may be required by law or by the city council in furtherance of the law;

(c) Engage in litigation on behalf of the city council pursuant to its direction; and

(d) Appoint assistants to assist in the provision of legal services to the city.

(4) The city attorney shall be a charter officer of the city and be appointed by a majority vote of the full city council and shall serve at the pleasure of a majority vote of the full city council.

Section 15. City clerk qualifications; powers and duties; option for city administrator or city manager.—

(1) The city clerk is an employee of the city appointed by the city manager and shall fulfill the role of a functioning administrative officer of the city serving under the direction and managerial control of the city manager.

(2) The city clerk shall be selected by the city manager on the basis of education, experience, expertise, and administrative ability pertaining to administering municipal government.

(3) The city clerk shall operate under the direction and managerial control of the city manager and shall:

(a) Prepare the agenda for review and approval by the mayor and attend city council meetings, take part in discussion, and furnish information as requested by the city council;

(b) Process and maintain all official city documents and records and ensure that all actions of the city council are recorded, including, but not limited to, providing for regular codification of city codes and ordinances in conjunction with the city attorney;

(c) Supervise the preparation and indexing of minutes;

(d) Act as chief financial officer, prepare reports relative to city finances and assets, and maintain various property files; and

(e) Perform such other city clerk related duties as required by the city council and city manager.

Section 16. Police department.—

(1) The police department of the City of Webster is created and established and shall consist of a chief of police and as many subordinate officers, patrol officers, and employees as are necessary for the functioning of the department.

(2) The chief of police may appoint additional patrol officers upon approval of the city manager.

(3) The chief of police shall be appointed by the city manager and shall serve under the direction and supervision of the city manager. The chief of police shall aid in the enforcement of order in the city. He or she shall attend in person or by deputy all meetings of the city council, and perform such duties appropriate to his or her office as may be imposed upon him or her by the law, the ordinances of the city, the direction of the city manager or the city council. He or she is the head of the police department and responsible for seeing that the laws and ordinances of city and state are enforced.

(4) The chief of police and all officers must be certified as required by general law.

(5) The chief of police shall assume such other duties as directed by the city council or city manager.

#### Section 17. Department of public works.—

(1) The department of public works is established as an administrative branch or division of the city and is responsible for stormwater control, water and wastewater services, maintenance and repair of city signage, curbs, rights-of-way, public parking, streetlights, and such other services as designated by the city council or the city manager.

(2) The position of director of public works shall be appointed by the city manager. The director of public works shall serve under the direction of the city manager and assist in carrying out the policies and programs of the city council. He or she shall coordinate the work and activities of the department of public works. He or she shall make periodical inspections of streets, public buildings, public works, public machinery, and all public property, and make report thereof to the city manager. He or she shall perform such other duties as may be delegated to him or her.

#### Section 18. Limit of employment of city council members; conflict.—

(1) Neither the mayor nor city council members shall be in the employment of the city while in office, nor shall a former mayor or city council member be employed by the city until after the expiration of 1 year from the time of leaving office.

(2) Any elected official, city officer, or employee who has a substantial financial interest, direct or indirect, or by reason of ownership of stock in any corporation in any contract with the city or in the sale of any land, material, supplies, or services to the city or to a contractor supplying the city, shall make known such interest, either in writing or at a public meeting, and shall refrain from voting upon or otherwise participating in his or her capacity as an elected official, city officer, or employee in the making of such sale or in the making or performance of such contract. Any elected officer, city officer, or employee who willfully conceals such a substantial financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit his or her office or position.

Violation of this section with knowledge, express or implied, of the person or corporation contracting with or making sale to the city shall render the contract or sale voidable by the city council.

Section 19. Budget and appropriations.—

(1) The city council shall adopt a budget and set tax rates in accordance with general law.

(2) The city council has all powers of local government vested in it by general law relative to fiscal processes and procedures.

(3) The city council shall adopt a financial policy, at such times as it deems appropriate, to provide for financial management policies of the city.

(4) The city council shall enact a purchasing code to regulate the procurement of goods and services in accordance with sound and generally accepted public management practice and principles.

Section 20. City records.—

(1) All city public records shall be maintained by the city clerk in accordance with general law.

(2) All ordinances or resolutions of the city council shall be executed by the mayor or, in the mayor’s absence, by the mayor pro tempore, or in the absence of both, by the acting mayor, and attested to by the city clerk with approval, as to form and legality, by the city attorney.

Section 21. Charter amendment.—

(1) This charter may be amended in accordance with the provisions of the Municipal Home Rule Powers Act, chapter 166, Florida Statutes, or as may otherwise be provided by general law. The form, content, and certification of any petition to amend shall be established by ordinance.

(2) A charter review committee may be appointed at any time by the city council. The committee shall complete its work and present any recommendations for change within the time period as prescribed by the city council. The city council may act on the proposed changes to the charter and place the proposed changes on the next scheduled general election ballot if it concurs with the proposals.

Section 22. Standards of conduct.—All elected officials, appointed officials, and employees of the city are subject to the standards of conduct for the public officers and employees established in general law. In addition, the city council may, by ordinance, establish a supplemental code of ethics for the city, which may in no case diminish the provisions of general law.

Section 23. Ordinances preserved.—All ordinances in effect upon the adoption of this charter, to the extent not inconsistent with it, remain in force until repealed or changed as provided in this charter.

Section 24. Rights of officers and employees.—

(1) Except as otherwise expressly provided in this charter, this charter does not affect or impair the rights or privileges of persons who are officers or employees of the City of Webster at the time of adoption.

(2) All officers heretofore elected or appointed and holding office in the City of Webster continue to hold their respective offices and discharge the duties thereof until their successors are elected and qualified.

Section 25. Pending matters.—

(1) All rights, title, claims, actions, orders, contracts, ownership of property, uncollected taxes, dues, judgments, decrees, and legal or administrative proceedings involving the City of Webster, and all property and property rights of every nature whatever held or owned by the city, shall continue, except as modified pursuant to this charter.

(2) No obligation or contract of the said municipality of any nature whatsoever, including outstanding indebtedness and bonds heretofore issued, may be impaired or avoided by this act, but all debts and obligations of the City of Webster shall pass to and be binding upon the City of Webster hereby organized and created.

Section 3. Chapter 57-1944, Laws of Florida, is repealed.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor March 25, 2016.

Filed in Office Secretary of State March 25, 2016.