

TAB 2



City of Palmetto Agenda Item

Meeting Date

March 21, 2011

Presenter: Mark Barnebey

Department: City Attorney

Title: Check Register Ordinance

Background:

Section 2-46 of the City Code currently requires the City Commission to approve the check register on a monthly basis. This ordinance has been in the City's Code since 1975. Because the check register is just a list of checks that have already been issued, there seems to be no need to have this formally approved by the City Commission. Having this document formally approved by the Commission just adds an additional item to the agenda and creates an unnecessary potential for voting conflicts.

Discussion:

We have proposed an amendment to the ordinance which would still require the Clerk to submit the check register to the Commission for informational purposes, but would not require formal approval.

Budgeted Amount: \$0.00 **Budget Page No(s):** **Available Amount:** \$0.00 **Expenditure Amount:** \$0.00

Additional Budgetary Information:

Funding Source(s): **Sufficient Funds Available:** Yes No **Budget Amendment Required:** Yes No **Source:**

City Attorney Reviewed: Yes No N/A **Advisory Board Recommendation:** For Against N/A **Consistent With:** Yes No N/A

Potential Motion/Direction Requested: Approve advertising for and authorize the public hearing for Ordinance 2011-11 regarding the check register.

Staff Contact:

Attachments: Proposed Ordinance 2011-11

**CITY OF PALMETTO
ORDINANCE NO. 2011-11**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO REVISE PROVISIONS RELATED TO THE CITY CHECK REGISTER; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and

WHEREAS, Chapter 166, Florida Statutes, the “Municipal Home Rule Powers Act,” implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

Section 1. Amendment of Section 2-46 of the City of Palmetto Code of Ordinances. Section 2-46 of the City of Palmetto Code of Ordinances is hereby amended to read in its entirety as follows:

Sec. 2-46. Check Register.

All expenditures made by the City shall be shown on the check register and a copy of the check register shall be presented by the City Clerk to the Mayor and City Commission on a monthly basis for informational purposes.

Section 2. Repeal of Ordinance. This Ordinance hereby repeals any and all provisions of ordinances in conflict herewith to the extent of such conflict.

Section 3. Severability. If any section, sub-section, paragraph, sentence, clause or phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

Section 4. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14, upon execution by the Mayor, or if disapproval occurs, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes of the City Commission.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this ___ day of _____, 2011.

First Reading: _____, 2011

Publication: _____, 2011

Second Reading and

Public Hearing: _____, 2011

CITY OF PALMETTO, FLORIDA,
BY AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

By: _____
SHIRLEY GROOVER BRYANT,
MAYOR

ATTEST: James R. Freeman
City Clerk

By: _____

City Clerk/Deputy Clerk.