

City of Archer Charter



CHARTER OF THE CITY OF ARCHER, FLORIDA

ARTICLE I AUTHORITY, BOUNDARIES, CONTINUITY

SECTION ONE. Authority. The government of the City of Archer, Alachua County, Florida, derives its powers and authorities by:

- A) The General Laws of the State of Florida.
- B) This Charter of and for the City of Archer, effective 12:01 A.M. January 1, 1997.

SECTION TWO. Replacement of Former Charter. The Charter of the City of Archer adopted by Ordinance #168 on August 14, 1978, and approved by referendum on October 10, 1978, is hereby amended in its entirety and fully restated herein and shall take effect 12:01 A.M. January 1, 1997.

SECTION THREE. Boundaries. The boundaries of the City of Archer shall be defined as:

LEGAL DESCRIPTION (Corporate Limits of the City of Archer)

That part of Sections 9, 16, 17 and 21, Township 11 South, Range 18 East, Archer, Alachua County, Florida, being more particularly described as follows: Commence at the Southwest corner of said Section 9 and the Northwest corner of said Section 16 (also known as the Southwest corner of Yulee Place, as per plat recorded in Plat Book "A", page 7 ½ of the public records of said Alachua County, Florida), for a POINT OF BEGINNING; from the said POINT OF BEGINNING proceed Northerly along the West line of said Section 9 and along the West line of said Yulee Place, a distance of 990 feet; thence Easterly on a Westerly extension of the South line of Lot 7, Block 1 of said Yulee Place, a distance of 15 feet to the Southwest corner of said Lot 7, Block 1; thence continue Easterly along the said South line of said Lot 7, Block 1, a distance of 315 feet to the Southeast corner of said Lot 7, Block 1, thence Northerly along the East line of said Lot 7, Block 1, and along the East line of Lot 8, Block 1, and along the East line of Lots 1 and 2 of Block 2 of said Yulee Place, a distance of 660 feet to the Northeast corner of said Lot 2, Block 2; thence Westerly along the North line of said Lot 2, Block 2; a distance of 330 feet to an intersection with the said West line of Section 9 and the said West line of Yulee Place; thence Northerly, along the said West line of Section 9 to an intersection with the Southwesterly right of way line of State Road No. 45, thence Southeasterly along the said Southwesterly right of way line to an intersection with the North line of the Southwest ¼ of said Section 9, and the North line of said Yulee Place; thence Southerly, across the right of way of 5th Street (a 15 foot wide right of way according to said Plat Book "A", page 7 ½), to the Northeast corner of the North 210 feet of the West 210 feet of Lot 5 of said Block 2, thence Southerly along a line that is parallel with and 225 feet Easterly of the said West line of Section 9, a distance of 210 feet, thence Easterly, crossing the right of way of said State Road No. 45 to the Southwest corner of the Florida Board of Forestry and Parks property (which is at an

intersection with the Northeasterly right of way line of said State Road No. 45), as per a description recorded in Deed Book 253 at page 179 of the said public records of Alachua County; thence Easterly, along the South line of the said State Forestry property to the Southeast corner of the said State Forestry property; thence Northwesterly along the East line of the said State Forestry property to an intersection with the North line of the Southwest $\frac{1}{4}$ of said Section 9; thence Westerly along the North line of said Southwest $\frac{1}{4}$ to the Southeast corner of the South 901.03 feet of the West 331.42 feet of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 9, thence Northerly, parallel with and 331.42 feet Easterly of the West line of said section 9, a distance of 901.03 feet to the Northeast corner of the said South 901.03 feet of the West 331.42: feet of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 9; thence Westerly, along the North line of the said South 901.03 feet of the West 331.42 feet to an intersection with the Easterly right of way line of County Road No. 24; thence Northerly, along the said Easterly right of way line of County Road No. 24 to an intersection with the South line of the Southwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of said Section 9; thence Easterly to the Southeast corner of said Southwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$; thence Northerly to the Northeast corner of said Southwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$; thence Westerly along the North line of said Southwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ to an intersection with the said Easterly right of way line of County Road No. 24; thence Northerly along said Easterly right of way line to an intersection with the North line of said Section 9; thence Easterly, along the North line of said Section 9 to the Northwest corner of that part of the Northeast $\frac{1}{4}$ of said Section 9 known as Venable Estates; thence Southerly, along the West line of said Venable Estates to the Northeast corner of the West $\frac{1}{2}$ of Southwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of said Section 9; thence continue Southerly to the Southeast corner of said West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$, thence Easterly, along the North line of the Southeast $\frac{1}{4}$ of said Section 9 to a point 307 feet Westerly of the Northeast corner of the Southeast corner of said Section 9; thence Southerly parallel with and 307 feet Westerly of the East line of the Southeast $\frac{1}{4}$ of Section 9 to an intersection with the Northerly right of way line of State Road No. 24; thence Southwesterly along the Northerly right of way line of said State Road No. 24 to an intersection with the Easterly line of the Southwest $\frac{1}{4}$ of said Section 9; thence Southerly along the Easterly line of said Southwest $\frac{1}{4}$ to the Southeast corner of said Southwest $\frac{1}{4}$ of Section 9; thence Easterly along the South line of said Section 9 to an intersection with the Northerly boundary of the abandoned Seaboard Coastline Railroad; thence North 49 deg. 38 min 49 sec East along said Northerly boundary 575 feet more or less, to a point which bears South 40 deg 25 min 21 sec East from a concrete monument; thence North 40 deg 25 min 21 sec West, 107.29 feet to said concrete monument; thence continue North 40 deg 25 min 21 sec West, 531.53 feet to a concrete monument on the Southerly right of way line of State Road No. 24, which lies North 56 deg 10 min East, 79.58 feet from a concrete monument on the intersection of said Southerly right of way line with the West line of the Southeast $\frac{1}{4}$ of said Section 9; thence North 56 deg 10 min East, along said Southerly right of way line, 625.07 feet; thence South 31 deg 12 min 27 sec East, 575.16 feet to an intersection with the Northerly boundary of said abandoned Seaboard Coastline Railroad; thence Southeasterly crossing said abandoned Railroad right of way to the Southeasterly right of way line of said abandoned Railroad right of way (owned by the City of Gainesville, as per a description recorded as Parcel No. II in Official Record Book 735 at page 381 of the said public records of Alachua County); thence Northeasterly along the said Southeasterly right of way line to a point that lies 380 feet Southwesterly (measured along the said Southeasterly right of way line) from an intersection with the East line of said Section 9 (

said point being the Northwest corner of that certain parcel of land as per description recorded in Official Record Book 821 at page 656 of the said public records of Alachua County); thence Southerly parallel with the East line of said Section 9 and along the West line of the said parcel (O.R. 821, pg. 656) a distance of 200 feet to the Southwest corner of the said parcel (O.R. 821, pg. 656); thence Easterly along the South line of the said parcel (O.R. 821, pg. 656) to an intersection with the East line of said Section 9; thence Southerly along the East line of said Section 9 to the Southeast corner of said Section 9 and the Northeast corner of said Section 16; thence Southerly along the East line of said Section 16 to the Southeast corner of said Section 16; thence Westerly along the South line of said Section 16 and along the North line of said Section 21 to the Northeast corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21; thence Southerly to the Southeast corner of said Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$; thence Westerly to the Southwest corner of said Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$; thence Northerly to the Northwest corner of said Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$; thence Westerly along the South line of said Section 16 and along the North line of said Section 21 to an intersection with the Westerly right of way line of said State Road No. 45.; thence Southerly and Southeasterly along the said Westerly right of way line of State Road No. 45 to an intersection with the South line of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 21; thence Westerly along the said South line of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 21 to an intersection with the Easterly right of way line of the abandoned Seaboard Coastline Railroad; thence Northwesterly and Northerly along the said Easterly right of way line of the abandoned Seaboard Coastline Railroad to an intersection with said North line of Section 21 and the said South line of Section 16; thence Westerly along the said South line of Section 16 to the Southwest corner of said Section 16 and the Southeast corner of said section 17; thence Westerly along the said South line of Section 17 to the Southwest corner of the East $\frac{1}{2}$ of said Section 17; thence Northerly along the West line of the said East $\frac{1}{2}$ of Section 17 to the Northwest corner of the said East $\frac{1}{2}$ of Section 17; thence Easterly along the North line of said Section 17 to the Northeast corner of said Section 17 and the said Northwest corner of Section 16 and the said Southwest corner of Section 9 and the said POINT OF BEGINNING.

SECTION FOUR. Continuation of Existing Ordinances, Resolutions, Regulations, and Contracts. All existing ordinances, resolutions, regulations, and contracts which are not inconsistent with this Charter shall remain in full force and effect.

SECTION FIVE. Rights of Elected Officials, Officers, and Employees. Nothing in this Charter except as otherwise specifically provided shall affect or impair the rights or privileges of persons who are elected officials, officers, and employees of the City of Archer at the time of adoption. Elected officials shall continue to hold their offices and discharge the duties thereof until their terms expire and their successors take office.

ARTICLE II SOVEREIGNTY, JURISDICTION, AND POWERS

SECTION ONE. Sovereignty. The City may do any lawful act to protect the sovereignty of the City and to protect its property, rights, privileges, government, obligations, and immunities.

SECTION TWO. Corporate Seal. The City may have a corporate seal and that

corporate seal may be adopted and changed by the City Commission by ordinance.

SECTION THREE. Powers of Local Self Government. The City shall have the general powers of local self government provided by Florida Statute Chapter 166.021 popularly known as the Municipal Home Rule Powers Act.

SECTION FOUR. Specific Powers. The powers of the City of Archer shall include but not be limited to the following:

- A) To organize and regulate its internal affairs and establish, alter, abolish, and terminate offices, positions, and employments including citizen board positions; define functions, powers and duties and to affix their terms, tenure, and composition.
- B) To adopt, amend, and repeal such ordinances, resolutions, and codes as may be required for the government of the City of Archer.
- C) To acquire by purchase, gift, devise, condemnation, or otherwise, property (including real, personal, or mixed) within or without the City to be used for any purpose necessary to meet the needs of the City, and to operate, maintain, repair, and improve any and all property by expenditure of monies of the City.
- D) To raise funds by taxation and to make such levy upon the taxable property of the City of Archer, by license and tax upon privileges, businesses, occupations and professions whatsoever carried on and engaged in within the corporate limits of the City, of such sums of money as the City Commission shall deem necessary for the purposes and means of the City by ordinance in a manner consistent with the Florida law.
- E) To appropriate and expend money for any public purpose.
- F) To borrow money for public purposes, and to issue such bonds as shall be permitted by Florida law.
- G) To levy special assessments upon property in a limited and determinable area for Special benefits conferred upon such property by any City work, service, or improvement and to provide for the payment of all or any part of the cost of the work, service, or improvement out of the proceeds of such special assessment.
- H) To levy special or local assessments for local improvements and to hold liens for public purposes.
- I) To purchase, hire, construct, own, operate, maintain or lease public utilities. To fix and collect just and reasonable fees and charges for the services furnished by such facilities. To exercise jurisdiction, control and supervision over any municipal utilities owned, operated, franchised, leased, or maintained by the City.

- J) To grant a franchise to any private organization for the use of streets and other public places to furnish any public utility service to the City and its inhabitants.
- K) To construct, acquire, operate, maintain, improve, or extend public improvements and projects for any public purpose and to regulate the use and manner of use thereof.
- L) To compel abatement and/or the removal of any nuisances within the City or upon property owned by the City beyond its limits.
- M) To establish and administer housing, urban renewal programs, conservation, flood controls, air pollution controls, and drainage programs either singly or in cooperation with governmental agencies and private enterprise in the development and operation of these programs.
- N) To establish administrative departments within City government.
- O) To establish citizen committees, boards, and commissions.
- P) To sue and be sued, and to have the power of eminent domain.

ARTICLE III CITY COMMISSION

SECTION ONE. Number and Selection. There shall be a City Commission composed of five members elected by the qualified voters of the City.

SECTION TWO. Eligibility. Each registered voter residing within the City of Archer for at least six months prior to the first day of the qualifying period shall be eligible to hold the office of City Commissioner.

SECTION THREE Election.

- A) City Commissioners shall be elected at large, but shall hold a specific seat on the City Commission, and those seats shall be numbered one through five. A candidate for City Commissioner shall run for no more than one seat in any election.
- B) Election shall be by majority vote, and in the event no candidate receives a majority for any one seat, a run off shall be held between the two candidates receiving the largest number of votes.
- C) Each City Commissioner shall be elected for a term of four years. Terms may be lengthened or shortened by up to six months to accommodate changes in election dates (pursuant to Section 3 (D)).

- D) The regular election of commissioners shall be held on the first Tuesday after the first Monday in November of each odd year as hereinafter set forth:
 - 1) Commission seats one, two and three shall be filled in the year 2000 with the expiration of the terms of those Commissioners (formerly City Council Members) elected in the year 1996.
 - 2) Commissions seats four and five shall be filled in the year 1998 with the expiration of the terms of those Commissioners (formerly City Council Members) elected in the year 1994.
- E) If required, a run off election shall be held on Tuesday two weeks after the election.
- F) Each elected Commissioner shall take office at the first regular meeting (as provided in Section 11 (A)) following his or her election.

SECTION FOUR. Judge of Qualifications. The City Commission shall be the judge of the election and qualifications of its members and of grounds of forfeiture of their office and for that purpose shall have the power to subpoena witnesses, administer oaths, and acquire production of evidence. A member of the City Commission charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be given at least one week in advance of the hearing.

SECTION FIVE. General Powers and Duties. The City Commission shall have the following general powers and duties:

- A) Adopt all ordinances and resolutions;
- B) Adopt budgets to provide for appropriations;
- C) Appoint and remove the City Manager, who shall be responsible to the City Commission for the administration of all City affairs placed in his or her charge by or under this Charter;
- D) Appoint such boards and commissions as shall be necessary to advise the City Commission and carry out such duties as shall be designated by the City Commission by ordinance;
- E) Provide for legal representation;
- F) Investigate the affairs of the City;
- G) Provide for an audit of the financial accounts of the City on an annual basis.

- H) Two or more City Commissioners may call the City Commission into regular or special session.

SECTION SIX. Action by Majority Vote. Unless otherwise provided by Florida law or this Charter, a majority vote of a quorum of the City Commission shall be required to take action.

SECTION SEVEN. Election of Mayor. The Mayor shall be selected by members of the City Commission from their number with due regard to his or her experience in government, ability, and qualifications. The Mayor shall be elected annually at the City Commission meeting held on the second Monday in January of each year, and shall hold office for a term of one year, or until his or her successor is elected and qualified.

SECTION EIGHT. Powers and Duties of the Mayor. The Mayor shall have the following powers and duties:

- A) Preside as Chairman of all City Commission meetings, and have a voice and a vote in the proceedings;
- B) Call the City Commission into regular or special session;
- C) Act as ceremonial head of government;
- D) Make such proclamations as the Mayor shall deem appropriate and in the best interest of the City;
- E) Execute such ordinances, resolutions, contracts, or communications as may be enacted or approved by the City Commission.
- F) Appoint committees of members of the Commission and/or general public to conduct hearings and make recommendations to the Commission.

SECTION NINE. Election of Vice Mayor. The Vice Mayor shall be selected by the members of the City Commission from their number with due regard to his or her experience in government, ability, and qualifications. The Vice Mayor shall be elected annually at the City Commission meeting held on the second Monday in January of each year, and shall hold office for a term of one year, or until his or her successor is elected and qualified.

SECTION TEN. Duties of the Vice Mayor. The Vice Mayor shall act as Mayor in the absence or disability of the Mayor.

SECTION ELEVEN. Procedure.

- A) Regular meetings of the City Commission shall be held on the second Monday of each month at a regular time which may be determined by the City Commission by resolution: in the absence of a resolution that time shall be 7:00 P.M. Upon providing public notice, a regular meeting may be rescheduled or canceled by the

City Commission.

- B) A quorum of the City Commission shall be three or more members.
- C) The City Commission shall establish rules to govern its meetings, provided such rules do not conflict with Florida law or this Charter.

SECTION TWELVE. Vacancies; forfeiture of office; filling of vacancies.

- A) The seat of a City Commissioner shall become vacant upon death, resignation, removal from office in any manner authorized by law, or forfeiture of office.
- B) A City Commissioner shall forfeit office if he or she:
 - 1) Lacks at any time during his or her term of office any qualifications for the office prescribed by this Charter or by Florida law; or
 - 2) Is convicted of a crime involving moral turpitude; or
 - 3) Fails to attend three consecutive regular meetings (as provided in Section 11 (A)) of the City Commission within a three calendar month period without excuse; absences of City Commissioners shall be excused by the City Commission; the City Commission may waive this provision (Section 12(B)(3)) upon review of the circumstances.
- C) A vacancy on the City Commission shall be filled in one of the following ways:
 - 1) If a vacancy occurs within six months before a regular City election, the City Commission by a majority vote of the remaining members may appoint a qualified person to fill the vacancy within thirty days of its occurrence. Said appointee shall serve until the next regular City election.
 - 2) If the City Commission fails to appoint a Commissioner within thirty days of the occurrence of the vacancy, or if the vacancy shall occur more than six months before the next regular City election, the vacancy shall be filled by a special City election to be called not more than sixty days after the date the vacancy shall occur.
 - 3) If the vacated City Commission seat is that of Mayor or Vice Mayor, upon appointment of a new City Commissioner, the City Commission shall elect one of its members to fill the office vacated.

SECTION THIRTEEN. Form of Ordinances. Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject which shall be clearly expressed in its title. The enacting clause shall be "BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ARCHER, FLORIDA".

A proposed ordinance shall be read by title or in full on at least two separate dates, at either regular or special meetings of the City Commission. On one of the foregoing dates, the ordinance shall be read in full. Every adopted ordinance shall become effective ten days after the date of its adoption or as otherwise specified therein.

SECTION FOURTEEN. Form of Resolution. The enacting clause for all resolutions shall be "BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ARCHER, FLORIDA".

SECTION FIFTEEN. Adoption of Ordinances by Reference. The City Commission may adopt any standard code of technical regulations, county ordinance, state statute, state regulation, federal statute, or federal regulation by reference thereto in an adopting ordinance. The procedure and requirements covering such an adopting ordinance shall be as prescribed for ordinances generally.

SECTION SIXTEEN. Record of Ordinances. The City Clerk shall authenticate and file all ordinances, resolutions, and regulations passed by the City Commission. All ordinances, resolutions, and regulations passed by the City Commission shall be kept in a properly indexed book or books and shall be maintained as permanent records.

SECTION SEVENTEEN. 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 administrative officers or employees whom the manager or any of his or her subordinates are empowered to appoint, but the commission may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.

- B) Interference with administration. Except for the purpose of inquiries and investigations, the commission or its members shall deal with city officials and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the commission nor its members shall give orders to any such officer or employee, either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the commission from closely scrutinizing by questions and personal observation, all aspects of city government operations so as to obtain independent information to assist the members in the formulation of sound policies to be considered by the commission. It is the express intent of this charter, however, that recommendations for improvement in city government operations by individual commission members be made by and through the city manager, so that the manager may coordinate efforts of all city departments to achieve the greatest possible savings through the most efficient and sound means available.

**ARTICLE IV
CITY MANAGER**

SECTION ONE. The City Manager shall be the chief administrative officer of the City of Archer. The City Manager shall be responsible to the City Commission for the administration of all City affairs placed in his or her charge by or under this Charter.

SECTION TWO. Powers and Duties of the City Manager. The City Manager shall:

- A) Appoint, and when he or she deems it necessary for the good of the City, suspend or remove any City employees and appointed administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. The City Manager may authorize any administrative officer who is subject to his or her discretion and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency;
- B) Direct and supervise administration of all departments, offices, and agencies of the City, except as otherwise provided in this Charter or Florida law;
- C) Attend City Commission meetings and take part in discussion, but shall not vote;
- D) See that all laws, provisions of this Charter and acts of the City Commission subject to enforcement by the City Manager, or by officers subject to his or her direction and supervision, are faithfully executed;
- E) Prepare and submit the annual budget, budget message, and capital program to the City Commission;
- F) Submit to the City Commission and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;
- G) Make such other reports as the City Commission may require concerning the operations of City departments, offices and agencies subject to the City Manager's direction and supervision;
- H) Keep the City Commission fully advised as to the financial condition and future needs of the City and make such recommendations to the City Commission concerning the affairs of the City as the City Manager deems desirable;
- I) Sign contracts on behalf of the City pursuant to the provisions of appropriations ordinances;
- J) Give notice of such meetings to its members and the public and keep the journal of the City Commission's proceedings which shall be a public record.
- K) Perform the duties of City Clerk and City Treasurer;

- L) Perform such other duties as are specified in this Charter or may be required by the City Commission.

ARTICLE V FINANCES

SECTION ONE. Fiscal Year. The fiscal year of the City of Archer shall begin on the first day of October and end on the last day of September of each year.

SECTION TWO. Submission of Budget. Unless prohibited from doing so by Florida law, the City Manager shall submit to the City Commission a budget for the ensuing fiscal year and an accompanying message explaining that budget on or before the regular City Commission meeting in August of each year.

SECTION THREE. Budget. The budget shall provide a complete financial budget plan of all City funds and activities for the ensuing fiscal year, and except as required by law or this Charter, shall be in the same form as the City Manager deems desirable or the City Commission may require.

SECTION FOUR. Budget Adoption. The budget shall be adopted by the City Commission by resolution.

SECTION FIVE. Budget Amendment. The budget may be amended by resolution:

- A) If during the fiscal year, the City Manager certifies there are available for appropriation revenues in excess of those estimated in the budget, the Commission, by resolution may make supplemental appropriations for the year up to the amount of such excess.
- B) To meet a public emergency affecting life, health, property, or public peace, the Commission may make emergency appropriations. To the extent that there are no available unappropriated funds to meet such appropriations, the Commission may, by resolution, authorize the issuance of emergency notes which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.
- C) At any time during the fiscal year it appears probable to the City Manager that the revenue available will be insufficient to meet the amount appropriated, the City Manager shall report to the City Commission without delay, indicating the estimated amount of deficit, any remedial action taken by the City Manager, and his or her recommendations as to any other steps to be taken. The Commission shall then take such further action as it deems necessary to prevent or minimize a deficit and for that purpose it may by resolution reduce one or more appropriations.

- D) At any time during the fiscal year, the City Commission may transfer part or all of the unencumbered appropriation balance among programs within a department, office, or agency, or from one department, office, or agency to another.
- E) No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be effective immediately upon adoption.

SECTION SIX. Lapse of Appropriations. Every appropriation except an appropriation for capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it has been made has been accomplished or abandoned. The purpose for any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrances of the appropriation.

SECTION SEVEN. Special Assessments. Special Assessments may be levied upon any property taxable or tax exempt in a limited and determinable area for benefits conferred upon or necessitated by such property by any municipal work, services or improvements. The amount assessed against any property for the work, improvement, or action exclusive of service shall not exceed the value of the benefits accruing to the property therefrom.

SECTION EIGHT. Bonds. For the purpose of this chapter "bonds" shall mean ad valorem bonds, revenue bonds, certificates of indebtedness, special assessment bonds, and certificates, and other evidences of indebtedness. The words "revenue bonds" shall mean bonds payable solely from the revenues derived from the sources of revenue other than ad valorem taxes on real and personal property. The words "ad valorem bonds" shall means bonds with principal or interest thereon payable from the proceeds of ad valorem taxes levied on real and personal property situated in the City or any part thereof.

SECTION NINE. Power to Issue Bonds. The City may issue any bonds which municipalities are or may hereafter be authorized to issued under Florida law.

SECTION TEN. Authorization of Bonds. Revenue bonds may be issued when authorized by the City Commission. Ad valorem bonds may be issued when authorized by the City Commission and approved by the electorate, but the aggregate amount outstanding shall not exceed 20% of the assessed valuation of the taxable real property in the City.

SECTION ELEVEN. Ad Valorem Bond Elections. When the City Commission authorizes the issuance of any ad valorem bonds, the City Commission shall direct the holding of an election for the purpose of obtaining approval or disapproval of such ad valorem bonds. The resolution of the City Commission calling for such election shall state the purpose or purposes for which the bonds are to be issued, the maximum amount of the bonds, the maximum maturity date of the

bonds, and the maximum rate of interest which the bonds will bear. More than one bond proposal may be submitted at any bond election. A bond election may be held simultaneously with any other election taking place in the City. Only qualified electors shall be entitled to vote in ad valorem bond elections.

ARTICLE VI REGISTRATION AND ELECTION

SECTION ONE. Elector of the City of Archer. Any person who is a resident of the City of Archer, and who is registered in the registration books and records of the Supervisor of Elections of Alachua County, Florida, shall be an elector of the City of Archer. Only electors of the City of Archer shall be entitled to vote in City elections.

SECTION TWO. Non-Partisan Elections. All elections shall be non-partisan.

SECTION THREE. The City Commission shall regulate City elections by ordinance.

ARTICLE VII GENERAL PROVISIONS

SECTION ONE. Effective Partial Invalidity. A determination that any part of this Charter is invalid shall not invalidate or impair the force or effect of any other part thereof except to the extent that such other part is wholly dependent for its operation upon the part declared invalid.

SECTION TWO. Amendment. This Charter may be amended as provided by Florida Statute Chapter 166.021.

END