

ARTICLE V. - CITY MANAGER

Sec. 31. - City manager—Appointment; removal; qualifications; participation by council regarding administrative services.

- (a) The Council shall appoint as an officer of the city, a person who shall have the title of "City Manager" and shall have the powers and perform the duties provided in this chapter [Charter]. No councilman shall receive such appointment during the term for which he shall have been elected, nor within one (1) year after the expiration of his term.
- (b) The Council shall appoint the City Manager for an indefinite term and may remove him by a majority vote of its members. At least thirty (30) days before such removal shall become effective, the council shall by majority vote of its members adopt a preliminary resolution stating the reasons for his removal. The manager may reply in writing and may request a public hearing before the council which shall be held not earlier than twenty (20) days nor later than thirty (30) days after the filing of such request. After such public hearing, if one be requested, and after full consideration, the council by majority vote of its members may adopt a final resolution of removal. By the preliminary resolution the council may suspend the manager from duty but shall in any case cause to be paid him forthwith any unpaid balance of his salary for the next one (1) calendar month following adoption of the final resolution.
- (c) Neither the Council nor any of its members shall direct or request the appointment of any person to or his removal from, office by the City Manager or by any of his subordinates, or in any manner take part in the appointment or removal of officers or employees in the administrative service of the City, except as otherwise provided. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Any councilman violating the provisions of this section, or voting for a resolution or ordinance in violation of this section shall constitute grounds for recall.
- (d) The City Manager shall be chosen by the Council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or knowledge of, accepted practice in respect to the duties of this office as hereinafter set forth.

(Ord. No. 140-C, § 1(ee), 10-28-1975/12-2-1975; Ord. No. 288-C, § 1, 6-23-1998)

Sec. 32. - Same—Powers and duties.

- (a) The City Manager shall be chief executive officer and the head of the administrative branch of the city government. He shall be responsible to the council for the proper administration of all affairs of the city and to that end, he shall have power and shall be required to:
 - (1) Appoint and, when necessary for the good of the City, remove all officers and employees of the City except as otherwise provided by this Charter and except as he may authorize the head of a department or office, to appoint and remove subordinates in such department or office;
 - (2) Prepare the budget annually and submit it to the council and be responsible for its administration after adoption;
 - (3) Prepare and submit to the council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year;
 - (4) Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem to him desirable;
 - (5) To attend all meetings of the City Council and of its committees and keep the council advised of the activities of his office, with the right to take part in the discussions but without having a vote;
 - (6) To perform such other duties as may be prescribed under this Charter or as may be required by him by ordinance or resolution of the City Council;

- (7) The City Manager may appoint a qualified person as purchasing agent, subject to approval of the Council, by whom all purchases of supplies shall be made subject to the rules and regulations to be prescribed by the Council and he shall approve all vouchers for the payment of same. In the capacity of purchasing agent he shall also conduct all sales of personal property which the Council may authorize to be sold as having become unnecessary or unfit for the city's use. All purchases, sales and contracts shall conform to such regulations as the City Council may from time to time prescribe;
- (8) Fix the salary of officers and employees according to the wage schedule approved by the City Council.
- (b) The City Manager shall manage and control all City owned public utilities operated and managed by the municipality and the office of the City Manager shall be charged with the management and operation of all public works, charitable and correctional institutions and agencies of the City; subject to regulations prescribed by ordinance, and regulations relative to the preservation and promotion of public health; and manage or inspect water, lighting, power and transportation enterprises of the City; shall manage and control the use, construction, improvement, repair and maintenance facilities of the City, including parks, playgrounds and public gymnasiums, and social centers. He shall manage and supervise all public improvements, works and undertakings of the City except as otherwise provided in this Charter.

(Laws of Fla., ch. 73-433, § 7; Ord. No. 140-C, § 1(ff)—(ii), 10-28-1975/12-2-1975)

Sec. 33. - Same—Absence or disability.

To perform his duties during his temporary absence or disability, the manager may designate by letter filed with the City Clerk and Mayor a qualified administrative officer of the City as acting City Manager; provided, however, the appointment shall not be for a period longer than thirty (30) days. In the event of failure of the manager to make such designation, or in the event the City Manager is absent or disabled for a period longer than thirty (30) days, the Council shall appoint a qualified person as acting City Manager.

(Ord. No. 140-C, § 1(jj), 10-28-1975/12-2-1975)

[Sec.] 34. - Same—Compensation.

[Editorially deleted.]

Editor's note— This section has been editorially transferred to the Code of Ordinances as certain provisions of a Charter adopted prior to July 1, 1973, and not subsequently amended by referendum have been converted to ordinances by operation of F.S. § 166.021(5). This section is section 2-127 in the Code of Ordinances.