

CHAPTER 3. CITY MANAGER

Section 1. Chief executive and administrative officer of city.

The city manager shall be chief executive and administrative officer of the city. The city commission shall act administratively by and through the city manager.

Section 2. Qualifications.

The city manager shall subsequent to his appointment become a resident of Osceola County, Florida. Preference in the matter of the appointment to said office shall be given to a person competent by experience or training.

(Ord. No. 2826, 5-15-2012/8-21-2012)

Section 3. Compensation.

The city manager shall receive such compensation as shall be fixed by the city commission.

Section 4. Bond.

The city manager shall give bond approved by the city commission for the faithful performance of his duties.

Section 5. Powers and duties generally.

The city manager shall, subject to the control of the city commission, have entire charge of the city's business, except as otherwise provided in this Charter. His authority shall include:

- (a) Employing and discharging all officials, employees and labor, except the city commission and city attorney.
- (b) Managing and controlling all departments of the city's business.
- (c) Managing and controlling all materials, equipment and supplies for the city. The city manager shall not dispose of property belonging to the city, except on authority of the city commission.
- (d) Caring for, repairing and improving the city's property.
- (e) Collecting and disbursing city money, subject to the restrictions of this Charter.
- (f) Seeing that the laws and ordinances are enforced.
- (g) Acting as clerk of the commission and keeping the records thereof, and being custodian of the seal of the city.
- (h) Performing such other duties as shall be consistent with his office and as shall be imposed upon him by the city commission.

He shall attend all meetings of the city commission and make proper records and entries of all orders, resolutions, ordinances, opinions and proceedings thereof; keep a separate book in which shall be recorded in full all

ordinances, bylaws, rules, resolutions or codes adopted by the city commission, with full and complete index and marginal references thereto; carefully file and preserve in his office all books and papers which may be delivered to him or come into his possession by virtue of his office, and carefully and legibly mark such papers; keep, at all times and reasonable hours, the office free and accessible to any person having a right or claim of business therein. He shall perform all duties imposed by the city commission or any code or ordinance enacted by the city commission. He shall be the custodian of the corporate seal of the city. He shall be the custodian of all records and files, books and papers of the city, and the same shall be deemed public records. Copies of the same, when certified to by the city manager, under the corporate seal of the city, shall be taken and accepted in the courts of this state as evidence.

(Laws of Fla. ch. 67-1597, § 1)

Section 6. Appointment of city clerk and collector.

The duties of the city clerk and collector of the city shall be performed by a person appointed by the city manager. The city commission shall provide polling places and prescribe the manner of holding all elections.

(Ord. No. 1621, § 3, 6-20-1989/3-30-1993)

Section 7. Attendance at commission meetings; recommendations to commission.

The city manager shall attend the meetings of the city commission, keep the commission fully advised of the affairs and needs of the city and recommend to the commission for adoption such measures as he may deem necessary or expedient in the interests of the city.

Section 8. Vacancies in office.

In the event that by reason of death, sickness, resignation, absence or discharge of the city manager the office of city manager shall be temporarily vacant, the city commission may appoint a vice-manager to act pending the filling of the vacancy. Such vice-manager shall have temporarily the powers hereby vested in a city manager. No such vacancy shall be allowed to continue for longer than three (3) months.

Section 9. Authority of commission over manager.

In matters within his authority, as fixed by this Charter, the city manager shall be subject to the control of the city commission acting as a board in meeting assembled, but no commissioner shall otherwise attempt to dictate to or to interfere with the city manager or give orders to any officials or employees or undertake in any manner to direct the city's affairs, and, if he shall do so, he shall be guilty of a misdemeanor and, in addition, shall be subject to removal by the city commission.