

RESOLUTION NO 2025 - 025

CITY OF LAKE CITY, FLORIDA

A RESOLUTION OF THE CITY OF LAKE CITY, FLORIDA AMENDING THE CITY OF LAKE CITY PERSONNEL MANUAL; EXEMPTING CERTAIN EMPLOYEES OF THE CITY FROM THE CLASSIFICATION SYSTEM ESTABLISHED BY SAME; CLARIFYING THE EXEMPTION OF THE CHARTER OFFICERS OF THE CITY FROM CERTAIN PROVISIONS OF THE PERSONNEL MANUAL; MAKING CERTAIN FINDINGS OF FACT IN SUPPORT THEREOF; DIRECTING THE CITY MANAGER TO IMPLEMENT THE AMENDMENTS ADOPTED HEREBY; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake City ("City") employee management program (the "Program") operates under the supervision of the City Manager, subject to the terms of the Personnel Manual (the "Manual") adopted by the City Council; and

WHEREAS, a component of the Program and the Manual is an employee classification system (the "System"); and

WHEREAS, Section 70-32(b) of the Code of Ordinances exempts certain employees and officers of the City from the system; and

WHEREAS, the City Manager recommends the City Council amend the Manual to clarify the System is inapplicable to the employees of the City enumerated in Section 70-32(b) of the Code of Ordinances; and

WHEREAS, the Manual does not address the applicability of the Manual's provisions to the city clerk, the city manager, and the city attorney, which positions are the charter officers of the City (the "Charter Officers"); and

WHEREAS, the Manual does not provide a definition of a charter officer; and

WHEREAS, Section 306, Section 401, and Section 603 provide for the appointment of the city clerk, the city manager, and the city attorney by the City Council without qualification or condition on the process and procedure for such appointments; and

WHEREAS, the City Manager recommends the City Council amend the Manual to clarify the Manual's applicability to the Charter Officers, specify exemptions thereto, and provide a definition for same; and

WHEREAS, the City Council desires to accept the City Manager's recommendations and amend the Manual in the form of the amendments attached as an exhibit hereto (the "Amendments"); and

WHEREAS, the City Manager is the official of the City charged with implementing the City's personnel policies and procedures; and

WHEREAS, adopting the Amendments is in the public interest and in the interests of the City; now therefore

BE IT RESOLVED by the City Council of the City of Lake City, Florida:

1. Adopting the Amendments is in the public or community interest and for public welfare; and
2. In furtherance thereof, the Amendments in the form of the Exhibit attached hereto should be and are approved by the City Council of the City of Lake City; and
3. The City Manager is directed to and shall implement the Amendments in accordance with its terms and this resolution; and
4. All prior resolutions of the City Council of the City of Lake City in conflict with this resolution are hereby repealed to the extent of such conflict; and
5. All prior policies and procedures of the City of Lake City in conflict with this resolution are hereby repealed to the extent of such conflict; and
6. This resolution shall become effective and enforceable upon adoption by a majority of a quorum of the City Council..

APPROVED AND ADOPTED, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lake City, Florida, at a meeting of the City Council, this ____ day of February, 2025.

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Noah E. Walker, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL
OF THE CITY OF LAKE CITY, FLORIDA:

Audrey E. Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney

Chapter 2, “Definitions” of the Personnel Manual of the City of Lake City shall be amended to include the following term and definition, which term and definition shall be placed alphabetically in such definitions:

Charter Officer – Either the City Manager, the City Clerk, and/or the City Attorney, as the case may be and as the context shall so require.

Section 1.02 of the Personnel Manual of the City of Lake City shall be amended to read as follows.

1.02. POSITIONS COVERED, EXEMPTIONS. All Except as otherwise set forth herein, all employees of the City are covered under the provisions of these rules and regulations. Elected officials consisting of the City Council, members of Council-appointed boards and committees, and contract labor personnel are not City employees. All benefit provisions do not apply to part-time, temporary, intermittent, contract or employees in their initial probationary period unless authorized by the provisions of this policy manual.

A. Chapter 4 of this Personnel Manual shall not apply to the following pursuant to Section 70-32(b) of the Code of Ordinances:

1. All elected officials and persons appointed to fill elective offices.

2. The city manager and any assistants that may be authorized by the city council.

3. Members of appointed boards, commissions or committees.

4. Persons engaged under contracts to supply expert, professional, technical or other services to the city.

5. Volunteer personnel, such as volunteer firefighters, and all other personnel appointed to serve without compensation.

6. The city attorney and any assistants thereto.

7. The city clerk.

8. Heads of the various departments of the city.

9. Seasonal employees and temporary employees as defined in the personnel policies and procedures.

10. Emergency employees who are hired to meet the immediate requirements of an emergency situation

B. The provisions of Chapters 5, 6, and 7 of this Personnel Manual shall not apply to, nor be a condition of an offer of employment by the City Council to fill the position of a of Charter Officer, whether filling such position on an interim or on a permanent/continuous basis. Notwithstanding, this provision does not preclude the City Council from designing an open or closed process to recruit or otherwise solicit applications from persons interested in filling such positions as the

City Council shall determine in its sole discretion. An offer of employment to fill a Charter Officer position shall be subject to a resulting written employment agreement between the City (by and through the City Council) and such offeree. To the extent of conflict between such agreement and this Personnel Manual, the terms of such agreement shall control.

**EXHIBIT TO
RESOLUTION**

**NOT FOR
EXECUTION**