

1 **SECTION 1.** A new Division 1 titled "County Manager" is created within Chapter 2, Article
2 III, to read as follows.

3
4 **Chapter 2 – ADMINISTRATION**
5 **ARTICLE III. OFFICERS AND EMPLOYEES**
6 **DIVISION 1. – COUNTY MANAGER**
7

8 **Sec. 2-61. – Adoption of County Administration Law of 1974.**
9

10 This division is created to expressly adopt and implement Part III of Chapter 125,
11 Florida Statutes, known as the County Administration Law of 1974, with the additions
12 and modifications as set forth herein.
13

14 **Sec. 2-62. - Purpose.**
15

16 The purpose of this division is to authorize a form of county administration that best
17 assures an adequate and efficient provision of services to county residents; provides for
18 coordinated administration of county departments to better protect the health, welfare,
19 safety, and quality of life of county residents; and places in the hands of a county
20 manager the multitude of details which necessarily arise from the operation of a county
21 as a unit of local government and, thus, enables the board of county commissioners to
22 perform freely, without unnecessary interruption, its fundamental intended purpose of
23 making policies within the framework of applicable law. Further, the purpose of this
24 division is to provide a structure for the economic and efficient conduct of county affairs
25 by making the county manager responsible for the handling of all matters necessary to
26 accomplish and bring to fruition the policies established by the board.
27

28 **Sec. 2-63. – Creation of office of county manager.**
29

30 The office of county manager is hereby created. The county manager shall be the
31 administrative head of county government and shall report directly to the board of county
32 commissioners. The county manager shall be responsible for the administration of all
33 departments of county government which the board has the authority to control, with the
34 exception of the office of the county attorney who shall likewise report directly to the
35 board.
36

37 **Sec. 2-64.- Qualifications; compensation; appointment; vacancy and removal;**
38 **limitation.**
39

40 (a) The county manager shall be qualified by education, experience and ability to
41 serve as the chief administrator of the county, all as set forth in the job
42 description that is approved, and may be updated from time to time, by the
43 board.
44

Note: deletions shown ~~stricken~~, additions shown underlined

1 (b) The county manager shall be appointed by an affirmative vote of not less than
2 three (3) members of the board, and the board shall establish the conditions of
3 the county manager's employment, including compensation and benefits.

4
5 (c) The county manager is not required to reside within the county at the time of
6 appointment, but within a reasonable time after appointment (as determined by
7 the board) and thereafter, throughout his or her tenure, shall reside within the
8 county.

9
10 (d) The office of county manager shall be deemed vacant if the county manager fails
11 to reside within the county, or is, by resignation, termination, death, illness, or
12 other casualty, unable to continue in office.

13
14 (e) The board may appoint an interim or acting county manager in the case of
15 vacancy, temporary absence, or disability, until a successor has been qualified
16 and appointed, or the county manager returns. The board shall determine the
17 appropriate compensation for an interim or acting county manager. The board
18 may waive the minimum qualifications for an interim or acting county manager;
19 however, the person appointed to that position must be capable and competent
20 of performing the duties and responsibilities of the position in an effective and
21 efficient manner, as determined by the board.

22
23 (f) The county manager may be removed from office at any time, upon notice, by an
24 affirmative vote of three (3) members of the board, after a hearing if requested by
25 the county manager.

26
27 **Sec. 2-65.- Powers and duties.**

28
29 (a) The county manager shall be responsible for the administration of all
30 departments responsible to the board, except for the office of the county
31 attorney, and for the proper administration of all affairs under the jurisdiction of
32 the board. To that end, the county manager shall, by way of enumeration and not
33 by way of limitation, have the following specific powers and duties to:

34
35 (1) Administer and carry out the directives and policies of the board and
36 enforce all orders, resolutions, ordinances, and regulations of the board to assure
37 that they are faithfully executed.

38
39 (2) Report to the board on action taken pursuant to any directive or policy
40 within the time set by the board and provide an annual report to the board on the
41 state of the county, the work of the previous year and any recommendations as
42 to actions or programs he or she deems necessary for the improvement of the
43 county and the welfare of its residents.

44
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1 (3) Provide the board or individual members thereof, upon request, with data
2 or information concerning county government and provide advice and
3 recommendations concerning county government operations to the board.

4
5 (4) Prepare and submit to the board for its consideration and adoption an
6 annual operating budget, a capital budget, and a capital program for county
7 operations.

8
9 (5) Establish the schedules and procedures to be followed by all county
10 departments, offices, and agencies in connection with the budget and supervise
11 and administer all phases of the budgetary process.

12
13 (6) Prepare and submit to the board after the end of each fiscal year a
14 complete report on the finances and administrative activities of the county for the
15 preceding year and submit recommendations concerning the same.

16
17 (7) Supervise the care and custody of all property owned by the county.

18
19 (8) Recommend to the board a current position classification and pay plan for
20 all positions in county service.

21
22 (9) Develop, install, and maintain centralized budgeting, personnel and
23 purchasing procedures.

24
25 (10) Organize the work of county departments and review the departments,
26 administration, and operation of county government, and make recommendations
27 pertaining thereto for reorganization by the board.

28
29 (11) Select, employ, and supervise all personnel and fill all vacancies,
30 positions, or employment under the jurisdiction of the board, except for the
31 county attorney.

32
33 (12) Suspend, discharge, or remove any employee under the jurisdiction of the
34 board, except for the county attorney, pursuant to procedures adopted by the
35 board.

36
37 (13) Negotiate leases, contracts, and other agreements for the county, subject
38 to review by the county attorney and approval by the board (if required by policy
39 or law); enforce the terms and conditions in all leases, contracts and agreements
40 and notify the board of any violation thereof.

41
42 (14) Make recommendations concerning the nature and location of county
43 improvements.

44
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1 (15) Order any county department or agency to undertake any task for any
2 other county department or agency on a temporary basis when the county
3 manager deems it necessary for the proper and efficient administration of county
4 government.

5
6 (16) Attend in person, or by designee, all meetings of the Board with authority
7 to participate in the discussion of any matter.

8
9 (17) Perform such other duties as may be required by the board.

10
11 (b) It is the intent of the board to grant to the county manager only those powers and
12 duties which are administrative or ministerial in nature and not to delegate any
13 governmental power imbued in the board as the governing body of Levy County
14 pursuant to Section 1(e), Article VIII of the Constitution of the State of Florida. To
15 that end, the above specifically enumerated powers are to be construed as
16 administrative in nature; and, in any exercise of governmental power, the county
17 manager shall only be performing the duty of advising the Board in its role as the
18 policy-setting governing body of the county.

19
20 **Sec. 2-66.- Working relationship between the board, individual county**
21 **commissioners, the county manager and employees under the supervision of**
22 **county manager.**

23
24 Board instruction or direction shall be issued to the county manager, who is then
25 responsible for communicating such board instruction or direction to the applicable
26 county employees. Individual county commissioners shall not instruct or direct, publicly
27 or privately, any county employee.

28
29 **Sec. 2-67.- Political activity.**

30
31 The county manager shall not engage in political activity for county elective offices other
32 than casting his or her ballot at the polls.

33
34 **Sec. 2-68.- References to county coordinator.**

35
36 Upon appointment of a county manager by the board, any reference to the county
37 coordinator in any ordinance, resolution or other action of the board of county
38 commissioners shall mean the county manager.

39
40
41 **SECTION 2. Severability.** If any section, subsection, sentence, clause, phrase, portion
42 or provision of this ordinance is for any reason declared or held invalid or
43 unconstitutional by any court of competent jurisdiction, such section, subsection,
44 sentence, clause, phrase, portion or provision shall be deemed a separate, distinct and

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1 independent provision, and the remainder of this ordinance shall be not affected by
2 such declaration or holding.

3
4 **SECTION 3. Repeal.** All ordinances or parts of ordinances and all resolutions or parts
5 of resolutions of Levy County that are in conflict with this ordinance are, to the extent of
6 the conflict, hereby repealed.

7
8 **SECTION 4. Inclusion in the Code.** The provisions of Section 1 of this Ordinance
9 shall become and be made a part of the Levy County Code, and the sections of this
10 ordinance may be renumbered or relettered and the word "ordinance" may be changed
11 to "section," "article," "regulation," or such other appropriate word or phrase in order to
12 accomplish the codification.

13
14 **SECTION 5. Effective Date.** In accordance with Section 125.66, Florida Statutes, the
15 Clerk to the Board of County Commissioners is directed to file this ordinance with the
16 Florida Department of State within 10 days after adoption and upon such filing, this
17 ordinance shall become effective.

18
19 **PASSED AND DULY ADOPTED** on August 6, 2024.

20
21
22 **BOARD OF COUNTY COMMISSIONERS**
23 **OF LEVY COUNTY, FLORIDA**

24
25
26 _____
27 Desiree Mills, Chair

28 ATTEST: Danny J. Shipp, Clerk of
29 the Circuit Court and Ex-officio Clerk to
30 the Board of County Commissioners

31 _____
32 Danny J. Shipp, Clerk

33
34 Approved as to form and legal sufficiency

35
36 _____
37 Nicolle M. Shalley, County Attorney

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