

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF ORDINANCES 506, 743, 810, AND 816, CHAPTER 2 “ADMINISTRATION”, ARTICLE II, “OFFICERS AND EMPLOYEES”, DIVISION III “CITY MANAGER”, SECTIONS 2-45 (L) AND (M); PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, MOTIONS, RESOLUTIONS, AND ORDINANCES; SEVERABILITY; AND FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of DeFuniak Springs, Florida has determined it to be in the best interests of the City to amend the City Code to provide for specific authority to be exercised by the City Manager related to personnel hirings; discipline, including suspensions and terminations,

NOW THEREFORE, be it ordained by the City Council of the City of DeFuniak Springs, Florida, that Ordinances 506, 743, 810, and 812 shall be amended to create amends to Chapter 2 “Administration”, Article II, “Officers and Employees’ Division III “City Manager” Section 2-45 (M), are hereby amended as follows:

Section 2-45. Entitled “Duties” is hereby amended to read as follows:

(l) The City Manager shall be responsible for hiring employees of the City that are budgeted by the City Council, with the exception of any positions that report directly to the City Council, or are otherwise hired or appointed by a manner set forth elsewhere within the City Charter or City Code. The hiring of any city employee by the City Manager shall be done only after the City Manager has followed all rules and regulations set forth in the personnel policies of the City with regard to hiring, along with any explicit instructions provided by the City Council related to any such hirings.

(m) The City Manager shall have the power to:

(1) terminate any city employee that the City Manager had the ability to hire, or any employee otherwise appointed or hired by the City when termination of that employee is not exclusively reserved to the City Council. Any termination by the City Manager shall be done in accordance with the City’s personnel policy(s) and upon the determination that said termination is necessary and appropriate; and

(2) the power to suspend any city employee, with or without pay. Any suspension by the City Manager shall done in accordance with the City’s personnel policy(s) and upon determination that said suspension is necessary and appropriate.

Any termination or suspension made by the City Manager may be overturned by the City Council, upon a majority vote of the City Council. This provision, shall not, however, provide any right to appeal such a decision to the City Council, and shall not require the City Council to take any such action, or to deliberate to take such action, related to the overturning of any termination or suspension.

Repeal of Conflicting Provisions, Motions, and Ordinances. The adoption of this Ordinance shall repeal and supersede any and all prior conflicting provisions of City law or policy, including those made by prior motion of the City Council, Resolution of the City Council, or Ordinance, whether specifically named herein or not.

Severability. Any provisions of this Ordinance that is deemed to be unlawful shall be deemed severed upon such a determination with all remaining provisions continuing in full force and effect.


THIS ORDINANCE SHALL TAKE EFFECT UPON ADOPTION.

Adopted this 24th day of June, 2019.



Mayor

ATTEST:

By: 

City Clerk