



City Council Agenda Form

Meeting Date: February 22, 2021

Department: HR

Public Hearing: Yes No

For Clerk's Use Only
AGENDA ITEM #

	X	
Consent Agenda	Regular Agenda	Closed Session

Presenter: Lacey Woodham, Human Resources Director

Request Type: Informational Discussion Action Item

Does this item require legal review? Yes No **City Attorney E-Mail attached?** Yes No

Time Required for Request: 10 Minutes

Agenda Item Title:

City Manager Position

Attachment(s):

Draft job notice, City Charter, City Manager Ordinance

Brief Summary:

Per Council direction - providing draft notice for advertisement based on current City Charter and City Manager Ordinance.

Action Requested:

Per City Charter, initiate a hiring process for the position of City Manager.

Issue Overview:

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:

Hold workshop to discuss Council's desires to revise qualifications and/or job duties of City Manager to proceed with hiring process.

City of DeFuniak Springs

71 US Highway 90 West
Post Office Box 685
DeFuniak Springs, FL 32435



Phone: 850-892-8500
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JOB NOTICE CITY MANAGER – ADMINISTRATION DEPARTMENT

Post Date: February 23, 2021

Close Date: March 23, 2021

FLSA Status: Exempt

Pay Range: Determined by Council

The City of DeFuniak Springs is now accepting applications for a City Manager. The City of DeFuniak Springs is the county seat of Walton County located in the Florida Panhandle. The City is a fast-growing community with deep roots in Florida history. DeFuniak Springs is a full-service city which includes a municipal airport. The City serves approximately 10,000 people in the surrounding area with its water, sewer, and natural gas utilities. The City employs over 100 people and operates with approximately a \$30-million annual budget. The City's form of government is Council-Manager, with the Mayor and City Manager constituting the executive body.

Job Summary:

The City Manager is appointed by the City Council in consultation with the Mayor. The City Manager shall serve as Chief Administrative Officer of the City, shall be responsible to the City Council and the Mayor for the proper administration and management of affairs placed under the City Manager's authority in accordance with the City Charter and ordinance. The City Manager shall be responsible for the overall day-to-day management of the City following policies set by a five-member City Council and elected Mayor. Provisions of the City Charter and City Ordinance applicable to the City Manager position are available for review at [insert where it can be found or attach Article XI of the Charter (City Manager) to the job notice, your preference].

Position Qualifications:

A Bachelor of Science degree from an accredited four-year college or university in public or business administration, or similar degree in management, engineering, or related profession is desirable. Engineering experience is desirable. The City Manager must have a minimum of three (3) years' experience as a local government administrator or managerial experience which entailed supervision of the various departments of a local government. Knowledge of personnel relations, utilities, planning, finance, public safety, parks, and recreation is essential. Some knowledge of federal programs, grants, would be helpful. Experience as an administrator, assistant administrator or related work may be substituted for a B.S. degree. Requires a valid driver license.

Residency requirement:

The City Manager is not required to be a resident of the City at the time of appointment; however, the City Manager shall be required to establish residency in the City within one (1) year from the appointment date and must maintain residency in the City while in the position, subject to the limited exception set forth in the City Charter.

The contract for employment, including the compensation for this position, will be determined by the City Council in consultation with the Mayor.

Applications may be obtained from the administration office, 71 US Hwy 90 West, DeFuniak Springs, Florida 32433, or on the City's website. Applications will be received during regular office hours, Monday through Friday from 8:00 a.m. until 5:00 p.m.

The City of DeFuniak Springs is an Equal Opportunity/Affirmative Action/ADA Employer/Drug Free Workplace. The City provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military.

ARTICLE XI – CITY MANAGER

The City Manager is in charge of the day to day administration of the City and shares placement in the Executive Branch of City Government with the Mayor, City Clerk and City Marshal.

SECTION 11.01 – APPOINTMENT AND QUALIFICATIONS

- a) The City Council shall appoint the City Manager by five affirmative votes. The City Manager shall be appointed on the basis of executive and administrative qualifications without regard for the political affiliations of the individual. The City Manager is not required to be a resident of the City at the time of appointment; however, the City Manager shall be required to establish residency in the City within one (1) year from the appointment date and must maintain residency in the City while in the position, except as provided in Subsection (b).
- b) If the City Manager relocates outside the City but within Walton County due to a City-declared emergency or loss of residence due to emergency circumstances, the City Manager will be given six (6) months to re-establish City residency. If the City Manager is unable to re-establish City residency within the initial six (6) month period due to good cause, the City Manager may be granted a one-time extension of an additional six (6) months by a majority vote of the City Council. If the City Manager is unable or unwilling to re-establish City residency by the deadline, the office of City Manager will be declared vacant. At no time may the City Manager relocate outside of Walton County without the office being declared vacant.

SECTION 11.02 – EMPLOYMENT CONTRACT

The City shall enter into a contract for employment with the City Manager. The contract shall include the City Manager's compensation as determined by the City Council.

SECTION 11.03 – REMOVAL

The City Manager shall be removed from office by at least four affirmative votes of the City Council or by mutual consent of both parties.

SECTION 11.04 – VACANCY

- a) A vacancy shall be created upon the effective date of resignation when the City Manager fails to meet the residency requirement, dies, or is removed from office in any manner authorized by law.
- b) Upon a vacancy in the position of the City Manager, the City Council shall at its next meeting, deliberate on the appropriate course of action for the management of the City until a new City Manager is hired, and shall, at the meeting, initiate a hiring process for the position of City Manager.
- c) Should the City Council choose to appoint an Interim City Manager, it shall be by four (4) affirmative votes by the City Council. Any such interim appointee shall not remain in said position greater than nine (9) months, with an extension for an additional three (3) months provided that the hiring process for the position of City Manager is ongoing at that time.

SECTION 11.05 – POWERS AND DUTIES

The City Manager is the head of the administrative component of the Executive Branch. The City Manager shall serve as Chief Administrative Officer of the City, shall be responsible to the City Council for the proper administration and management of affairs placed under the City Manager's authority under this Charter and ordinance. The City Manager shall:

- a) Oversee and manage all governmental and proprietary functions of the City and all departments, except Office of the City Marshal.
- b) Employ or remove employees of the City, subject to the provisions of this Charter, all ordinances and resolutions of the City, all personnel policies and applicable collective bargaining agreements of the City, and all personnel rules of the State and Federal government.
- c) Disseminate such rules and regulations, policies, and amendments thereto for appointment, promotion, discipline and removal of employees of the City subject to State, Federal, and local laws governing employment, except as otherwise provided for in this Section.
- d) Enforce all franchises and contracts of the City.

- e) Attend all City Council meetings, either in person or by a duly qualified and designated representative, with a voice but not a vote in the proceedings.
- f) Submit a summary financial report to the City Council at least once a month
- g) Prepare and submit the annual budget and five-year capital improvement program to the City Council, implement the final budget approved by the City Council to achieve the goals of the City, submit to the City Council and make available to the public a complete report of the finances and administrative activities of the City as of the end of each fiscal year, make such other reports as the City Council may require concerning budget and operations; and keep the City Council fully advised as to financial conditions and future needs of the City.
- h) Sign warrants for payment of moneys for the City.
- i) Serve as the custodian of all real property and tangible personal property of the City.
- j) Determine whether any officer, clerk, or employee shall require bonding and the amount thereof. When bonding is required, the costs of the bonding shall be paid by the City.
- k) Sign contracts, agreements, and applications for the City after such have been approved by the City Council.
- l) Not interfere with the Mayor exercising duties and responsibilities as defined in Section 9.01.
- m) Perform such duties as may be prescribed by general law, by this Charter, by ordinance or resolution of the City, or by direction of the City Council as a whole.
- n) Maintain a high level of communication and coordination with the City Council, the Mayor and the City Marshal.
- o) Organize the various departments and their relationship to other departments of the City in the manner that the City Manager best deems necessary to serve the interests of the City.

DIVISION 3. - CITY MANAGER

Footnotes:

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Editor's note— *Ord. No. 506, enacted Feb. 13, 1984, did not expressly amend this Code; therefore, inclusion of the provisions of said ordinance as Div. 3, §§ 2-41—2-45, was at the discretion of the editor. Provisions formerly codified as Div. 3, §§ 2-41—2-45, which had pertained to the position of city administrator and were derived from Ord. No. 462, enacted Jan. 16, 1980, were repealed by Ord. No. 495, adopted Oct. 12, 1981.*

Sec. 2-41. - Office created.

There shall be a city manager who shall be the chief administrative officer of the city. The city manager shall be responsible to the mayor and city council for the administration of all city affairs. He/she shall be chosen on the basis of his/her executive and administrative qualifications and he/she shall serve at the pleasure of the mayor and city council.

(Ord. No. 506, 2-13-84; Ord. No. 743, 4-23-2007)

Sec. 2-42. - Appointment; removal; compensation.

- (a) *Appointment.* The city council in consultation with the mayor shall be responsible for hiring a city manager. The vote to hire the city manager shall be by at least an affirmative vote of four (4) members of the city council. The term of employment shall be established by the mayor and city council at the time of hiring the city manager.
- (b) *Removal.* The city council, in consultation with the mayor, may remove the city manager by affirmative vote of four (4) members of the council.
- (c) *Compensation.* The compensation of the city manager shall be established by the city council, in consultation with the mayor, at the time of hiring and shall be adjusted from time to time at the discretion of the city council.

(Ord. No. 506, 2-13-84; Ord. No. 743, 4-23-2007; Ord. No. 878, 5-22-2017)

Sec. 2-43. - Residence.

The city manager shall reside in Walton County, Florida.

(Ord. No. 506, 2-13-84; Ord. No. 810, 1-14-2011)

Sec. 2-44. - Qualifications.

- (a) A B.S. degree is desirable in public or business administration, from a four-year college or university, or similar degree in management, engineering or related profession; engineering experience is desirable.
- (b) The city manager must have a minimum of three (3) years' experience as a local government administrator, or managerial experience which entailed supervision of the various departments of a local government.
- (c) Knowledge of personnel relations, utilities, planning, finance, public safety, parks and recreation is essential. Some knowledge of federal programs—grants—would be helpful.
- (d) Experience as an administrator, assistant administrator or related work may be substituted for a B.S. degree.

(Ord. No. 506, 2-13-84; Ord. No. 892, 7-23-2018)

Sec. 2-45. - Duties.

- (a) The city manager shall attend all meetings of the city council, with the right to participate and discuss but not to vote.
- (b) The city manager shall advise the mayor and city council on a monthly basis, of the current conditions and status of all departments and function of the city, including the financial condition and the future needs of the city and make such recommendations he/she deems necessary.
- (c) The city manager shall prepare and submit the annual budget for the ensuing fiscal year to the mayor and city council on or before July 31 of each year, and be responsible for its proper administration and revisions after adopted.
- (d) The city manager shall present adequate financial and activity reports, as deemed necessary and advisable or as may be required by the mayor and city council.
- (e) The city manager shall arrange for an annual audit by a certified public accountant, the selection of whom shall be approved by the city council.
- (f) The city manager shall prepare job descriptions for all employees, and recommend salaries and salary increases in accordance with personnel policies.
- (g)

The city manager shall, through the supervisors and/or leaders, determine the day-to-day work schedules of the city personnel, to include all departments of the city. Employees of the city clerk's office and police department shall be included to the extent that the city manager is aware of the work schedules of such employees as presented to him/her by the city clerk and city marshal and approves of same. Any differences of opinion between the city manager and the clerk or city marshal shall be presented to the council.

- (h) The city manager shall supervise the receiving, logging and responding to complaints related to city services and other matters. The city manager will respond to the requests and where possible develop a solution. If the problem or complaint is not resolved, the matter will be referred to the mayor and city council for their consideration and action.
- (i) The city manager shall acquire, prepare and preserve in a permanent file all maps, surveys and plats of city streets and utilities, a complete description of all city properties and improvements located thereon, and a complete annual inventory of all city personal properties, including all furniture, fixtures, equipment, motor vehicles, etc.
- (j) The city manager shall coordinate maintenance and care of all city property, monitor with each agency that uses city property and maintenance and care of said property and report to the mayor and city council any discrepancies.
- (k) The city manager shall confer with the city attorney concerning all leases, contracts and other agreements subject to approval by the council and make recommendations pertaining thereto.
- (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 be 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.

- (n) The city manager shall see that all laws, ordinances, policies and acts of the mayor and city council, subject to his/her discretion and supervision, are faithfully executed.
- (o) The city manager shall sign and execute contracts on behalf of the city, after approval by the mayor and city council.
- (p) The city manager shall hold meetings with the supervisors and/or department heads on a monthly basis.
- (q) The city manager shall perform such other duties as may from time to time be prescribed by the mayor and city council.

(Ord. No. 506, 2-13-84; Ord. No. 743, 4-23-2007; Ord. No. 816, 6-11-2012; Ord. No. 810, 11-14-2011; Ord. No. 899, 6-24-2019)

Sec. 2-46. - Repeal of division.

This division may only be repealed by a five (5) to zero (0) vote of the city council.

(Ord. No. 525, 9-22-86)

Secs. 2-47—2-55. - Reserved.