

ORDINANCE NO. 18 - ____

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES,
FLORIDA, AMENDING SECTION 2.55(c)(4) OF THE
TOWN CODE; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN CODE; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Miami Lakes (“Town”) Charter (“Charter”) was amended on May 17, 2016; and

WHEREAS, Section 3.2 of the Town’s Charter now provides that “The Town Manager shall be appointed by a majority vote of the Council solely on the basis of executive and administrative qualifications, with special reference to actual experience or knowledge of the duties of the office of Town Manager. The Town Manager shall be removed by a majority vote of the Council. The Council shall receive feedback from the community as to nominees for Town Manager. The Town shall enact an ordinance to implement this Section.”; and

WHEREAS, on May 2, 2017, the Town Council adopted Ordinance 17-204 which created Section 2.55 of the Town Code and set forth procedures for selection and appointment of a Town Manager; and

WHEREAS, Section 2.55 provides for the creation of a Town Resident Selection Committee; and

WHEREAS, on Tuesday, February 13, 2018, pursuant to Section 2.55 of the Town Code, a duly noticed Town Council Workshop was held; and

WHEREAS, during the February 13, 2018 Town Council Workshop, the public and members of the Town Resident Selection Committee discussed the selection process and the role of the Selection Committee; and

WHEREAS, the Town Council deliberated and provided instruction to the Town Attorney to prepare an Ordinance amending Section 2.55 in order to allow the Town Resident Selection Committee a greater role in the selection process; and

WHEREAS, the Town Council hereby finds and declares that adoption of this Ordinance is necessary, appropriate and advances the public interest.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL
OF THE TOWN OF MIAMI LAKES AS FOLLOWS:**

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Approval. The Town Council hereby adopts the amendment to the Town Code as provided at Exhibit "A" and as incorporated herein.

Section 3. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall be included in the Town Code.

Section 6. Effective date. This Ordinance shall become effective immediately upon adoption on second reading.

Additions to the text are shown in underlined; deletions from the text are shown in ~~strikethrough~~.
Additions between first and second reading are shown in double underlined; deletions between first and second reading are shown in ~~double-strikethrough~~.
Omitted portions of this ordinance are shown as "* * *".

FIRST READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on first reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Frank Mingo	_____
Councilmember Luis Collazo	_____
Councilmember Tim Daubert	_____
Councilmember Ceasar Mestre	_____
Councilmember Nelson Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed on first reading this _____ day of _____, 2018.

Additions to the text are shown in underlined; deletions from the text are shown in ~~striketrough~~.
Additions between first and second reading are shown in double underlined; deletions between first and second reading are shown in ~~double striketrough~~.
Omitted portions of this ordinance are shown as “* * *”.

SECOND READING

The foregoing ordinance was offered by Councilmember _____ who moved its adoption on second reading. The motion was seconded by Councilmember _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	_____
Vice Mayor Frank Mingo	_____
Councilmember Luis Collazo	_____
Councilmember Tim Daubert	_____
Councilmember Ceasar Mestre	_____
Councilmember Nelson Rodriguez	_____
Councilmember Marilyn Ruano	_____

Passed and adopted on second reading this _____ day of _____, 2018.

Manny Cid
Mayor

Attest:

Gina M. Inguanzo
Town Clerk

Approved as to form and legal sufficiency:

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Omitted portions of this ordinance are shown as “* * *”.

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
Town Attorney

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Omitted portions of this ordinance are shown as “* * *”.

THIS SPACE INTENTIONALLY LEFT BLANK

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EXHIBIT “A”

Article III. OFFICERS AND EMPLOYEES

[...]

Section 2.55. - Town Manager.

[...]

(c) *Selection.* Should a vacancy occur, the Town Council shall, by resolution, initiate a Town Manager selection process which shall be carried out in the following manner:

[...]

(4) *Selection.* The Town Attorney and the search firm, if any, otherwise, the Town HR liaison will ~~narrow the applicant list to ten to 15 applicants to be interviewed by the selection committee.~~ review all applications to ensure the applicants conformity to the minimum qualifications for the position of Town Manager and forward all conforming applications to the Selection Committee. The Selection Committee ~~shall be responsible to~~ may interview some or all ~~each~~ candidates with conforming applications and present a short list of five to seven candidates to the Town Council. The Town Council shall take into consideration the Selection Committee’s suggestion; however, the Town Council may consider other candidates that may or may not have been interviewed or considered by the selection committee.

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Omitted portions of this ordinance are shown as “* * *”.