

ORDINANCE NO. 17-204

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, ENACTING SECTION 2.55, TITLED TOWN MANAGER SELECTION AND APPOINTMENT; 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, 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, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Adoption. The Town Council hereby amends Chapter 2, Article III, of the Town Code to include a new Section 2.55 Town Manager Selection and Appointment Process which shall read as set forth in **Exhibit "A"** hereto, which is 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 All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.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 become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article", "Division" or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

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FIRST READING

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

Mayor Manny Cid	yes
Vice Mayor Tony Lama	Absent
Councilmember Luis Collazo	yes
Councilmember Tim Daubert	yes
Councilmember Ceasar Mestre	Absent
Councilmember Frank Mingo	yes
Councilmember Nelson Rodriguez	yes

Passed and adopted on first reading this 18 day of April, 2017.

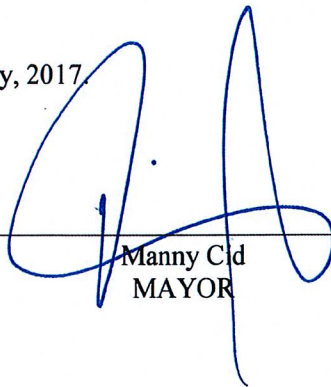
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SECOND READING

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

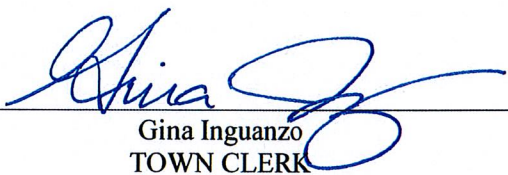
Mayor Manny Cid	yes
Vice Mayor Tony Lama	Absent
Councilmember Luis Collazo	yes
Councilmember Tim Daubert	yes
Councilmember Ceasar Mestre	yes
Councilmember Frank Mingo	yes
Councilmember Nelson Rodriguez	yes

Passed and adopted on second reading this 2nd day of May, 2017.



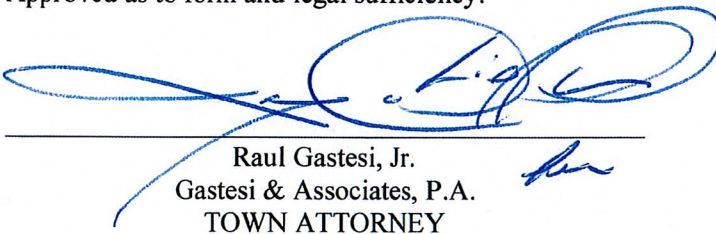
Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”

Article III. OFFICERS AND EMPLOYEES

[...]

Section 2.55 - Town Manager Selection and ~~Approval Process~~ Appointment

- (a) *Function.* The Town Manager shall serve as the chief administrative officer of the Town, and shall be expected to carry out all the functions and duties as detailed in Section 3.3 of the Town Charter.
- (b) *Vacancy.* A vacancy of Town Manager may occur through resignation of the Town Manager or removal of the Town Manager by resolution of the Town Council.
- (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:
 - (1) *Town Council Workshop:* Within ten days of initiating a Town Manager Selection Process, the Town Council shall set a date for a Town Council Workshop to discuss and ~~decide~~ discuss among other matters: the review qualifications for a new Town Manager; determine a search method for Town Manager, whether the search will be done locally or nationally, whether a search firm will be engaged to assist; and determine an interview methodology for Town Manager candidates.
 - (2) *Resolution adopting the Town Council Workshop Findings and Appointing a Selection Committee:* After the conclusion of the Town Council Workshop, a resolution shall be adopted by the Town Council, at the next scheduled Town Council Meeting, which shall include the findings of the Workshop. Additionally, each council member shall appoint a resident of Miami Lakes, who shall have resided in the Town for a period of no less than two (2) years, to serve as a member of a Selection Committee. The Town Attorney shall serve as a non-voting member of the Selection Committee to provide guidance and serve as a liaison between the committee and Town.
 - (3) *Position shall be advertised:* The position shall be advertised in a newspaper of general circulation and provide no less than 30 days to submit applications for consideration.
 - (4) *Selection:* The Town Attorney and the search firm, if any, otherwise, the Town HR liaison will narrow the applicant list to 10 to 15 applicants to be interviewed by the Selection Committee. The Selection Committee shall be responsible to interview each candidate and present a short list of five (5) to seven (7) candidates to the Town Council. 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.
- (d) *Appointment.* The Town Manager shall be appointed by resolution of the Town Council.