

**Charter Review Committee  
Thursday August 13, 2020  
6:00 p.m.**

**Municipal Administration Building  
Commission Chambers  
201 W. Central Avenue  
Lake Wales, FL 33853**

*This meeting will be conducted partially via teleconference*

*Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020, and extended by Executive Order No. 20-112, and further extended by Executive Orders No. 20-114, 20-150, and 20-179 municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.*

*The City of Lake Wales will hold all virtual public meetings using the GoToMeeting Web/Teleconference service.*

*Members of the public who wish to participate should register for the meeting at this link.*

*<https://www.lakewalesfl.gov/Register>*

1. CALL TO ORDER & ROLL CALL
2. Minutes - July 30, 2020  
The minutes of [JULY 30, 2020](#)
3. Review Of Charter Sections  
Article IV - City Manager  
  
Article V - Administrative Departments  
  
Documents:  
  
[IV CITY MANAGER.PDF](#)  
[V ADMIN DEPARTMENTS.PDF](#)
4. Duties Of Commissioners
5. AROUND THE ROOM
6. COMMUNICATIONS AND PETITIONS
7. ADJOURN

Minutes of the Charter Review Committee meeting can be obtained from the City Clerk's Office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recording, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be the expense of

the requesting party.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

Appeals concerning decisions on issues requiring a public hearing:

Persons who wish to appeal any decision made by the Charter Review Committee with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.



## Article IV. City Manager

### § 4.01. Appointment of city manager; qualifications.

The commission members shall appoint a city manager who shall be the administrative head of the municipal government under the direction and supervision of the city commission, and shall hold office at the pleasure of the city commission. The city manager shall be chosen solely on the basis of executive and administrative qualifications and need not be a resident of the city or state at the time of appointment. The city manager shall receive a salary to be fixed by the city commission. No person who has served on the city commission shall be eligible for appointment to the office of city manager until two years after membership on the commission has ended.

*(Ord. No. 2011-01, § 1, 2-1-11)*

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### § 4.02. Removal.

The commission may remove the manager from office in accordance with the following procedures:

- (1) The commission shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reason for removal and may suspend the manager from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered promptly to the manager.
  - (2) Within five (5) days after a copy of the resolution is delivered to the manager, he may file with the commission a written request for a public hearing. This hearing shall be held at a commission meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The manager may file with the commission a written reply not later than five (5) days before the hearing.
  - (3) The commission may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the manager, if the manager has not requested a public hearing, or at any time after the public hearing if one has been requested. The manager shall continue to receive his salary until the effective date of the final resolution of removal. The action of the commission in suspending or removing the manager shall not be subject to review by any court or agency.
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### § 4.03. Acting city manager.

By resolution adopted by the city commission, a qualified city administrative officer will be designated to exercise the powers and perform the duties of manager during his temporary absence or disability.

*(Ord. No. 2011-01, § 1, 2-1-11)*

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### § 4.04. Powers and duties of the city manager.

The city manager shall be responsible to the city commission for the proper administration of all affairs of the city and to that end, the powers of the city manager are and they shall be:

- (1) To appoint and fix salaries, and when it is deemed necessary for the good of the city, suspend or remove all city employees and appointive administrative officers provided for by or under this charter, except as otherwise provided by law, this charter or personnel rules adopted pursuant to this charter. The city manager may authorize any subordinate administrative officer to exercise these powers with respect to subordinates in that officer's department, office or agency.
- (2) To exercise control and direct supervision over all departments and divisions of the municipal government under this charter, or which may hereinafter be created by the city commission, including public utilities owned by said city.
- (3) To see that all benefits inuring to the inhabitants of the city and any public utility franchise are received.
- (4) To attend all meetings of the city commission.
- (5) To recommend to the commission for adoption such measures as deemed necessary or expedient in the interest of the city.
- (6) To see that all laws, provisions of this charter, and acts of the commission, subject to enforcement by the city manager or by officers subject to the city manager's discretion and supervision, are faithfully executed.
- (7) To keep the city commission fully advised as to the financial condition and needs of the city and to submit for its consideration an annual budget and be responsible for its administration after adoption.
- (8) To execute contracts on behalf of the city pursuant to the provisions of appropriations ordinances.
- (9) To act as purchasing agent for the city, by whom all purchases of supplies and equipment shall be made. The city manager shall approve all vouchers for the payment of same. In the capacity of purchasing agent the city manager shall also conduct all sales of personal property which the commission may authorize to be sold as having become unnecessary or unfit for the city's use. All purchases and sales shall conform to such regulations as the city commission may from time to time prescribe.

*(Ord. No. 2011-01, § 1, 2-1-11)*

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## Article V. Administrative Departments

### § 5.01. General provisions.

(a) *Creation of departments.* The commission may establish municipal departments, offices or agencies in addition to those created by this charter and may prescribe the functions of all departments, offices, and agencies, except that no function assigned by this charter to a particular department, office or agency may be discontinued or, unless this charter specifically so provides, assigned to any other department, office, or agency.

(b) *Direction by manager.* All departments, offices, and agencies under the direction and supervision of the manager shall be administered by an officer appointed by and subject to the direction and supervision of the manager. With the consent of the commission, the manager may serve as head of one or more such departments, offices or agencies or appoint one person as head of two or more of them.

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### § 5.02. Personnel system.

All appointments and promotions of municipal officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.

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### § 5.03. City clerk.

The commission shall appoint an officer of the city who shall have the title of city clerk, and who shall serve during the pleasure of the commission. The city clerk shall serve under the supervision of the city manager and shall give notice of commission meetings to its members and to the public, keep the minutes of its proceedings, and perform such other duties as are assigned by this charter or by the commission, or by the city manager.

*(Ord. No. 2011-01, § 1, 2-1-11)*

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### § 5.04. City attorney.

The city commission may employ an attorney or attorneys from time to time, or by the year, to perform such legal services as the commission may authorize and designate, and pay such attorney for services rendered.

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