

RESOLUTION NO. 2022-11

A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ACCEPTING THE 2022 OFFICIAL RESULTS FOR THE OFFICE OF THE CITY CLERK; PROVIDING FOR TERMS OF OFFICE TO BE HELD BY LANE GAMIOTEA AS THE ELECTED CITY CLERK; PROVIDING FOR A SUMMARY OF DUTIES, COMPENSATION, BENEFITS, AND PUBLIC RECORDS; PROVIDING FOR THE CITY CLERK TO ISSUE A CERTIFICATE OF ELECTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 19, 2022, by virtue of the provisions of the Charter of the City of Okeechobee and Florida State Law, Mayor Watford proclaimed and declared that a General City Election will be held on November 8, 2022, by the qualified voters to elect a City Clerk; and

WHEREAS, as provided in the Election Chapter, Section 26-4 of Part II of the Code of Ordinances, the City's qualifying period was held from Noon, August 15 through Noon, August 19, 2022, in the Office of the City Clerk for all persons who desired to become a qualified City Candidate; and

WHEREAS, only one individual, Lane Gamiotea, qualified as a Candidate for the Office of City Clerk, whose name did not appear on the General Ballot, as she is unopposed for said Office; and

NOW, THEREFORE, be it resolved before the City Council for the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City, that:

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

Section 2. Candidate Elected and Term. Lane Gamiotea, being unopposed, is hereby declared elected as City Clerk, and shall hold office for four (4) years beginning the first Monday in January following the City General Election and until a successor is appointed as provided in Section C-3.5, of the 2022 City Charter, with a term of office being January 2, 2023, through January 3, 2027. Due to the first Monday in January of 2023 falling on an official holiday observed by the City of Okeechobee, the Oath of Office will be conducted on December 27, 2022.

Section 3. Duties and Responsibilities; Compensation; Benefits; Public Records.

The City Clerk is expected to uphold all laws government municipalities whether Federal, State, or local. Duties and responsibilities of elected officials are set out in various chapters of the Florida Laws, Florida Administrative Code, and Florida Statutes including the Sunshine Laws, and the Open Public Records Laws; additional specific duties and responsibilities are provided in, but not limited to the City Charter, City Code of Ordinances, City Employee Policies and Procedures Handbook, City Safety Policy Manuel, City Drug-Free Workplace Policy, and City Workers Compensation Policy. These publications along with a digital copy of the Florida Municipal Officials Manual are provided.

The list compiled below is representative, and not intended to be a comprehensive list of duties and responsibilities. The omission of a specific function does not absolve an official from being required to perform tasks incidental to or inherent to the position.

- Comply with all State Statutes, Florida Administrative Code, and State Constitution regarding public records. This includes maintaining and checking on a regular basis, the assigned City email and maintain proper keeping of all records made or received in connection with the transaction of official City business.
- Complete and file every year, a State of Florida Financial Disclosure Form 1.
- Complete annually, the State required four-hour training on Ethics, Open Public Meetings (Sunshine Law), and Public Records, and file a copy of the certificate of completion with the City Clerk.

- Executive position as a Charter Officer and serves as the corporation's (the City) secretary, attesting the Mayors signature and administrating the City Seal for official documents.
- Responsible for all operations of the Office of the City Clerk, serving as the head of the department and administrative duties including personnel management and employees.
- Prepares and submits an operating and capital improvement budgets for their Department annually.
- Attends regular Council meetings as well as workshops special and emergency meetings. Maintains all official records and recording actions of the City Council and other boards/committees as assigned.
- Monitors intergovernmental actions affecting their Department and acts necessary to sustain and enhance the ability of their Department to meet the needs of the community.
- Responsible for overseeing all City original documents are filed, maintain, and indexed appropriately. Maintain and issues the official numbering of proposed ordinances and resolutions.
- Creates and processes all City advertising, this includes but is not limited to advertisements for meetings, public hearings, public service announcements, employment opportunities, community news, and emergency notices.
- Maintains all public notices/announcements on public bulletin boards.
- In coordination with additional employees from other Departments, ensures the City social media pages are kept current and interactive with the community, including applicable public notices.
- Serves as the Personnel Administrator in order to implement and maintain the policy decision of the City Council related to Personnel Administration; oversees and monitors the employment practices to assure legal compliances and avoid situations and controversies that could be harmful to the City or employees; coordinates with Department Heads to maintain fair and consistent practices and employee treatment; assists with the creation, modification and maintaining the job descriptions for each department; oversee and coordinate the Grievance Committee.
- For all City departments: this position processes applications for employment; oversees a portion of new hires onboarding; maintains personnel and medical files on employees; compiles, tracks, and maintains employees accrued leave benefits; oversees and maintains employee bulletin boards are maintained properly for required notices of Federal and State laws.
- Custodian of official City Maps (such as the zoning, future land use, and subdivisions).
- Responsible for coordinating all City Elections, serves as the Elections Filing Officer, and as the City's Liaison to the Okeechobee County Canvassing Board.
- Is the State designated as the Records Management Liaison Officer on behalf of all departments for the City as well as the Pension Funds and Retirement System.
- Is a signee on all City fund accounts.
- Administers Oath of Offices; and a Notary Public.
- Represent the City for numerous ribbon cuttings, opening day festivities and organizational welcomes.
- Personnel files are maintained, processed, and conducted on the City Clerk position in the same manner as on regular, full-time employees of the City.
- The appropriate office space and equipment are provided for the City Clerk and their staff within City Hall to carry out the duties and responsibilities appropriately.

Compensation. The annual salary for the City Clerk is set as follows:

- a. For Fiscal Year 2022-23, from October 1, 2022 through May 31, 2023 is \$75,586.49; and effective June 1, 2023, will increase by 1.5 percent to \$76,720.28, through September 30, 2023.
- b. For Fiscal Years 2023-24, 2024-25, 2025-26, and 2026-27 it will be reviewed annually to consider future increases and set each Fiscal Year by the City Council during the annual budget adoption.

Benefits. The City Clerk is entitled to receive and/or participate in the same fringe benefits offered to all other regular, full-time general City employees; and a monthly cell phone reimbursement.

Public Records. A public record is defined in Chapter 119, Florida Statutes to include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission (i.e.: text messages, voice mail, emails, social media comments/posts, made or received on any device regardless of device ownership).

- a. The City Clerk is required to retain all text messages, voice messages, videos/photographs made or received in connection with the transaction of official City business on their personal cell phone(s), computer(s), or other electronic devices.
- b. The City Clerk is required to ensure their personal cell phone carrier can provide call logs for all incoming and outgoing texts or phone calls. Additionally, be able to provide the content of the text message. This is required for the duration of the term of office. It is strongly encouraged that the City Clerk to retain a monthly copy (digitally preferred) if the carrier only provides this content for a certain amount of time.

Section 4. Certificate of Election. The City Clerk is hereby instructed to coordinate an Investiture Ceremony for the official issuance and delivery of the Certificates of Election to each candidate elected as provided in Section 26-10, Code of Ordinances.

Section 5. Conflicts. All Resolution or parts of Resolutions in conflict herewith are hereby repealed.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or provision and such holding shall not affect the validity of the remaining portions or applications here.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.

INTRODUCED AND ADOPTED in Regular Session this 20th day of December 2022.

ATTEST:

Dowling R. Watford, Jr., Mayor

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

John J. Fumero, City Attorney