



**CITY OF OKEECHOBEE
CITIZEN CHARTER REVIEW
ADVISORY COMMITTEE
APRIL 8, 2021
LIST OF EXHIBITS**

Draft Minutes	To be provided
Exhibit 1	Article 3 of Model City Charter
Exhibit 2	Article 4 of Model City Charter

JJF 4/7/2021**DRAFT- FOR DISCUSSION PURPOSES ONLY****ARTICLE 3. - ADMINISTRATIVE**

§ C-3.1. - City Administrator.

There shall be a City Administrator (the "Administrator") who shall be nominated by any City Council Member and confirmed at the next Council meeting by a majority of the City Council, for an indefinite term. The Administrator shall be the chief administrative officer of the City and shall be appointed on the basis of his/her education, experience, executive and administrative qualifications. The Administrator shall be responsible to the Mayor and the City Council for the administration of all City affairs. The Administrator shall be responsible for the administration of all departments and divisions of the City government (except the City Attorney and City Clerk) and for carrying out policies adopted by the City Council. The compensation and benefits of the City Administrator shall be set by the City Council.

- (a) No City Council Member shall be eligible for appointment as City Administrator during the term for which s/he has been elected and until two (2) years after its expiration. The City Administrator need not be a resident of the City.
- (b) Removal. The Administrator may be suspended or removed from office upon the vote of the majority of the total membership of the City Council, which shall set forth the reasons for suspension or removal. After full consideration, the City Council by a majority vote of its total membership may adopt a final resolution of suspension or removal. The Administrator shall continue to receive full compensation until the effective date of a final resolution of removal.

§ C-3.2. - Powers and Duties of the City Administrator.

The Administrator shall:

- (1) Be responsible for the appointment, supervision and removal of all City employees except police department employees, the Chief of Police, and the City Attorney;
- (2) Direct and supervise the administration of all departments and offices, but not City boards or agencies, unless so directed by the City Council from time to time;
- (3) Attend all City Council meetings and have the right to take part in discussion but not the right to vote;
- (4) Ensure that all laws, provisions of this Charter and acts of the City Council, subject to enforcement and/or administration by him/her or by officers subject to his/her direction and supervision, are faithfully executed;
- (5) Prepare and submit to the City Council a proposed annual budget and capital projects program;
- (6) Submit to the City Council and make available to the public an annual report on the finances, budget and administrative activities of the City as of the end of each fiscal year;
- (7) Prepare such other reports as the City Council may require concerning the operations of City departments, offices, boards, and agencies;

- (8) Keep the City Council fully advised as to the financial conditions and future needs of the City and make such recommendations to the City Council concerning the affairs of the City as s/he deems to be in the best interest of the City;
- (9) Perform such other duties as are specified in this Charter or as may be required by the City Council;
- (10) Be responsible for the supervision of the Chief of Police; however, the hiring or termination of the Chief of Police is subject to the approval of the majority of the City Council.

§ C-3.3. - Acting City Administrator.

To perform his/her duties during his/her temporary absence, disability, or termination, the Administrator may designate by letter filed with the City Council, a qualified City officer to exercise the powers and perform the duties of Administrator during his/her absence or disability. During such absence or disability, the Mayor, with the approval of the City Council, may revoke such designation at any time and appoint another officer of the City to serve until the Administrator shall return or his/her disability shall cease. The Acting City Administrator may be paid, at such discretion of the City Council.

§ C-3.4. – Bond of City Administrator.

The City Administrator shall furnish a fidelity bond or such other insurance instrument of comparable protection to be approved by the City Council, and in such amount as the City Council may fix, with either instrument to be conditioned on the faithful performance of his/her duties. The premium of the bond shall be paid by the City.

§ C-3.5. - City Clerk.

The City Council shall appoint a City Clerk (the "Clerk"). The Clerk shall give notice of Council meetings to its members and the public, shall keep the minutes of the City's proceedings which shall be a public record, and is authorized to administer oaths, attest to the Mayor's or Administrator's signatures, and shall perform such other duties as the City Council may prescribe from time to time. The City Clerk shall be the official records custodian of the City for all purposes. The City Clerk shall report to the City Administrator but may only be removed by the City Council.

§ C-3.6. - City Attorney.

The City Council shall confirm an individual attorney or a law firm to act as the City Attorney under such terms and conditions as may be established by the Council, from time to time, consistent with this Charter. The City Attorney shall report to the Council and, after full consideration, may only be removed by a majority vote of the total membership of the Council. The City Attorney shall attend all City Council meetings and have the right to take part in discussion but not the right to vote, and shall perform such other duties as are specified in this Charter or as may be required by the City Council. The City Attorney shall keep the City Council fully advised as to the legal affairs and related future needs of the City, and make such recommendations to the City Council concerning the affairs of the City as s/he deems to be in the best interest of the City.

§ C-3.7. - City Code of Administrative Regulations.

The City Clerk shall maintain a City Code of Ordinances and administrative policies and regulations. The City Council shall, by ordinance, establish appropriate procedures of reasonable notice and public comment on proposed administrative regulations prior to taking final action on the same.

§ C-3.8. - Expenditure of City Funds.

No funds of the City shall be expended except pursuant to duly approved appropriations.

§ C-3.9. - City Boards and Agencies.

The City Council shall establish or terminate such advisory committees, boards and agencies, as it may deem advisable from time to time. The advisory committees, boards and agencies shall report directly to the City Council.

§ C-3.10. - Competitive Bid Requirements/Purchasing.

- (a) Except as otherwise provided by law, contracts for public improvements and purchases of supplies, materials or services shall be awarded or made on the basis of clearly drawn specifications and competitive bids, except in cases where the City Council, based on the written recommendation of the City Administrator or City Attorney, specifically determines by a majority vote of the City Council that it is on an emergency basis of the public health safety or welfare, impracticable or not advantageous to the City to do so. The City Council shall have the power, in its sole and absolute discretion, to reject all bids and advertise again.
- (b) The City Administrator, by ordinance, may be granted purchasing power without competitive bidding under specified dollar thresholds.
- (c) No contract or order shall be issued to any vendor unless or until the Finance Director or the City Administrator certifies that there is to the credit of such office, department or agency a sufficient unencumbered budget appropriation to pay for the supplies, materials, equipment or contractual services for which the contractor order is to be issued.

JJF DRAFT 4/7/2021

CITIZENS' BILL OF RIGHTS

CITIZENS' BILL OF RIGHTS

The City of Okeechobee (the City) recognizes that Democracy is a form of government in which people's participation is of primary importance. Decision-makers in government, are accountable to the public. Citizens must have a voice in decision-making. The orderly, efficient and equitable governance and operation of the City is enhanced when there is informed participation of residents exercising their rights and responsibilities, and for residents to respect the dignity of public office. In order to provide the public with full and accurate information, to promote efficient governance, to ensure accountability, and to provide all persons fair and equitable treatment, the following *Citizens' Bill of Rights* are established:

1. Truth in Government. No City official or employee shall knowingly furnish false information on any public matter, nor knowingly omit significant facts when giving requested information to members of the public.
2. Public Records. All audits, reports, minutes, documents and other public records of the City and its boards, agencies, departments and authorities shall be open for inspection at reasonable times and places convenient to the public.
3. Accessibility. Every person should have the ability to transact City business with accessibility and convenience. The City Council, the City Administrator and all City employees shall provide reasonably convenient times and places for required inspections, for transacting business with the City, and for registration and voting.
4. Minutes and Ordinance Register. The City Clerk shall maintain and make available for public inspection an ordinance register separate from the minutes showing the votes of each member on all ordinances and resolutions listed by descriptive title. As a general rule, written minutes of all meetings, including any advisory bodies, and the like, and the ordinance register shall be available for public inspection not later than 30 days after the conclusion of the meeting.
5. Right to be Heard. While maintaining orderly conduct of public business, any interested person has the opportunity to appear before the City Council or City board or department for the presentation, adjustment or determination of an issue, request, or controversy within the jurisdiction of the City. The City Council shall adopt agenda procedure and schedule hearings in a manner that will enhance the opportunity for public participation. Nothing herein shall prohibit the City from imposing reasonable time limits and procedures for the presentation of a matter and to ensure orderly meetings and proper decorum.
6. Right to Notice. Persons entitled by law, ordinance or resolution to notice of a City hearing shall be timely informed as to the time, place and nature of the hearing and the legal authority pursuant to which the hearing is to be held. Copies of proposed ordinances or resolutions shall be made available at

a reasonable time prior to the hearing, unless the matter involves an emergency ordinance or resolution.

7. Administrators' and Attorneys' Reports. The City Administrator and City Attorney shall periodically make a public status report on all major matters pending or concluded within their respective areas of concern.

8. Budgeting. In addition to any budget required by state statute, the City Administrator at the direction of the Mayor shall prepare a budget showing the cost of each department for each budget year. Prior to the City Council's first public hearing on the proposed budget required by state law, the City Administrator shall make public a budget summary setting forth the proposed cost of each individual department and reflecting the personnel for each department, the purposes therefore, and the amount of any contingency and carryover funds for each department.

9. Representation of City and Public. The Mayor shall endeavor to designate one or more individuals, if and when resources are available, to represent the City at all proceedings before County, regional, State and Federal regulatory bodies when actions may, significantly affect the City and its residents.

B. Construction. All provisions of this Bill of Rights shall be construed to be supplementary to and not in conflict with the general laws of Florida. If any part of this Bill of Rights shall be declared invalid, it shall not affect the validity of the remaining provisions. Nothing herein is intended to create any legally enforceable rights or causes of action in a court of law. The City Council, the City Administrator and the City staff shall, to the extent reasonable, carry out these responsibilities and strive to achieve them whenever possible and when provided by law.