

## ARTICLE IV. - CITY MANAGER

### Sec. 39. - Appointment of city manager.

The commission shall appoint a city manager for an indefinite term and fix his compensation. He shall be chosen solely on the basis of his executive and administrative qualifications and need not be a resident of the city or state at the time of his appointment. No commissioner shall receive such appointment during the term for which he shall have been elected, nor within one year after the expiration of his term.

**Editor's note**— First city manager of city authorized by Laws of Fla., 1921, Ch. 8951.

### Sec. 40. - Removal of city manager.

The city manager may be removed by the city commission at any time with or without cause.

### Sec. 41. - Absence, disability, or suspension of city manager.

To perform his duties during his temporary absence or disability, the city manager may, with the approval of the commission, designate by letter filed with the city clerk a qualified administrative officer of the city. If the city manager fails to make such designation or if there is a vacancy in the office of city manager, the commission may designate by resolution a qualified person, or an employee of the city to perform the duties of city manager during his absence or disability or during said vacancy.

### Sec. 42. - Powers and duties of city manager.

The city manager shall be the chief executive and administrative head of the municipal government and shall be responsible to the commission for the proper administration of all affairs of the city. He shall exercise general supervision and control over all city departments, except the office of city clerk, city attorney and city auditor. His powers and duties shall be:

- (a) To see that the laws and ordinances are enforced;
- (b) To supervise the operation of the merit system and to uphold and enforce the principles of merit and fitness in all personal actions affecting city officials and employees coming within his jurisdiction;
- (c) To appoint and, when necessary for the good of the service, to transfer, demote, remove or suspend all officers and employees of the city except as otherwise provided by this charter and except as he may authorize the head of a department or office to appoint, or suspend subordinates in such department or office;
- (d) To fix the number of employees in the city departments, determine their duties and conduct a comprehensive program of in-service training for city officials and employees

- to help them develop their talents and skills and increase their proficiency;
- (e) To prepare the annual budget and submit it to the commission not later than August 15 of each fiscal year and to be responsible for its execution after adoption by the commission;
  - (f) To keep the commission fully informed of the financial condition and future needs of the city and to make such recommendations as he may find desirable;
  - (g) To prepare and submit to the commission as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year;
  - (h) To attend all meetings of the commission with the right to take part in the discussion but without a vote;
  - (i) To appoint[,] with the approval of the city commission, a finance director for the city, who shall be under the supervision and direction of the city manager;
  - (j) To perform such other duties as may be prescribed by this charter or required of him by the commission, not inconsistent with this charter.

(Laws of Fla., Ch. 65-1552, § 6; Laws of Fla., Ch. 71-643, § 7)

**Amendment note**— Ch. 65-1552, § 6, amended § 42 by deleting the authority to delegate the authority to remove subordinates by the head of a department. Ch. 71-643, § 7, amended § 42(e) by changing the date when the annual budget is to be prepared and submitted.