

**CITY OF BRADENTON BEACH, FLORIDA
ORDINANCE NO. 06-398(a)**

AN ORDINANCE OF THE CITY OF BRADENTON BEACH, FLORIDA AMENDING PERSONNEL POLICIES AND PROCEDURES IN THE EMPLOYEE HANDBOOK ADOPTED BY ORDINANCE 06-398 AND IN RESOLUTION 11-776; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH, FLORIDA, as follows:

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate, and proprietary powers to enable municipalities to conduct municipal government; and

WHEREAS, Chapter 166, Florida Statutes, the “Municipal Home Rule Powers Act,” implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and

WHEREAS, Article II of the City Charter empowers the City Commission with the ability to establish and provide for and amend employee personnel benefits and procedures by ordinance; and

WHEREAS, the adoption of an employee handbook that sets forth employee benefits, employee work rules and regulations, a procedure for employee grievances, department head job descriptions, disciplinary action, overtime pay and compensation time, and other general provisions is a proper and valid municipal purpose; and

WHEREAS, on February 16, 2012, the City Commission had determined that it was in the best interest of the City, the employees, and citizens thereof, in order to protect the public health, safety and welfare, to adopt via Resolution 776, a second edition to the Employee Handbook called 2011 Edition Employee Handbook; and

WHEREAS, pursuant to Ordinance 06-398, Section 1. Employee Handbook, and Resolution 776, Section 1. Employee Handbook, the City Commission is authorized to amend the Employee Handbook, and no person or employee of the City shall have any vested contractual rights under such Handbook, and all privileges not spelled out in the Handbook shall be deemed to belong to the City of Bradenton Beach; and

WHEREAS, the City Commission has determined that based upon recent needs and direction from the City Auditor, it is in the best interest of the City, the employees and citizens thereof to create new department heads and adjust the salary schedule set forth in the Employee Handbook to provide for a City Treasurer/Financial Director and City Clerk with support staff; and

WHEREAS, this Ordinance is not to be construed as a contractual agreement between employer and employees, but is intended as a statement of policies to be followed by the City of Bradenton Beach in its relations with its employees and shall apply to all municipal employees; and

WHEREAS, the City Commission has determined that the enactment of this Ordinance is for a proper municipal purpose and protects the public health, safety and welfare.

NOW THEREFORE BE IT FURTHER ORDAINED BY THE CITY COMMISSION, as follows:

Section 1. Findings of Fact. The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

Section 2. Amendment of the Code of Ordinances. Sections 2.2 and 2.3 of the Employee Handbook adopted under Ordinance 06-398 and revised under Resolution 776, are hereby amended to read as follows:

Section 2.2 Utilization of Plan is amended by deleting various Classifications, and creating new Classifications as follows:
Words in strikethrough are deletions; words underlined are additions.

Section 2 – Classification Plan

2.2 Utilization of Plan

The classification plan shall be utilized to assist in:

- Determining qualifications for employment.
- Determining qualifications and requirements for promotion.
- Development of employee training programs as required or deemed appropriate.

SALARY SCHEDULE 2006/2007

CLASSIFICATION	PAY RANGE	MINIMUM	MAXIMUM
	10	18,204	27,535
	11	19,122	28,924
	12	20,065	30,351
	13	21,184	31,889
MAINT TECH I	14	22,127	33,469
	15	23,716	35,873
DEPUTY CLERK 3 PERMIT TECH. ADMINISTRATIVE ASSISTANT	16	24,411	36,925
CODE ENFOR. TECH MAINT. TECH 2	17	25,628	38,766
DEPUTY CLERK 2 SR MAINT. TECH	18	27,465	41,544
	19	28,258	42,744
	20	29,676	44,888
	21	31,140	47,103
CODE ENFORCEMENT OFFICER	22	32,704	49,468
DEPUTY CLERK 1 ASST PW DIRECTOR POLICE OFFICER ADMINISTRATIVE ASSISTANT	23	34,320	51,911
	24	36,033	54,504
DET SERGEANT PATROL SERGEANT	25	37,846	57,246
	26	39,733	57,246
PW DIRECTOR LIEUTENANT OTHER DEPARTMENT HEAD	27	41,713	63,102
CITY CLERK/ FINANCE DIRECTOR/CITY TREASURER	28	43,805	66,260
CHIEF OF POLICE	29	45,996	69,572
BUILDING OFFICIAL	30	60,674	73,052
	31		

Section 2.3 Department Head Descriptions is amended by deleting the Department Head Description for the City Clerk and replacing it with a new description and adding a new description for City Treasurer/Finance Director to read as follows (remaining descriptions for Chief of Police, Building Official and Public Works Director are not amended, and remain in full force and effect as adopted in Ordinance 06-398):

2.3 Department Head Descriptions

City Clerk:

A. *Responsibilities.* The responsibilities of the City Clerk are as provided by the Charter and further implemented by this section. The City Clerk shall be the clerk of the City Commission.

B. *Illustrative duties.* The duties of the City Clerk include the following:

(1) Preparation and maintenance of records.

- a. Custodian and recorder of all official City records, including but not limited to minutes, ordinances, resolutions, contracts, leases, franchises, bonds and correspondence; and
- b. Prepares agendas for City meetings; distributes all pertinent information and mail to the Mayor, City Commission, department, boards and commissions; prepares legal advertisements and all notifications in accordance with provisions of ordinances in all public hearings; notifies all concerned of actions by the City Commission.

(2) Financial responsibilities. Custodian of the financial records of the City and may assist the City Treasurer/Finance Director with the preparation, maintenance and distribution of financial records of the City as required.

- a. Coordinate with the City Treasurer/Finance Director for preparation of annual budget & insuring all related documents are filed accordingly & published to state statute.
- b. Assist the City Treasurer/Finance Director with bank reconciliations, payroll, accounts payable, and revenue & expense.
- c. Assist the City Treasurer/Finance Director with audit compliance guidelines including, but not limited to producing records, collecting, financial data, and compilation of reports pertinent to audit.
- d. Assist the City Treasurer/Finance Director in preparing Budget Amendments as necessary in accordance with State Requirements.

(3) *Elections.* If authorized by the County Supervisor of Elections, registers residents to vote; supervises all City elections.

(4) *Miscellaneous.*

- a. Acts as custodian of the City seal;
- b. Authenticates documents of the City;
- c. Attests all bonds and contracts on behalf of the City;
- d. Administers oaths as required or authorized;
- e. Maintains records as required by the City Treasurer or Auditor;
- f. Handles or directs all telephone calls;
- g. Assists residents with inquiries;
- h. Prepares and submits requests for annual budget appropriations for the City Clerk Office; and
- i. Performs other duties as assigned by the Mayor and City Commission.

(5) *Employees.* Within departmental budgetary constraints, the City Clerk shall be authorized to employ an administrative assistant who may serve as a deputy clerk, and such additional employees as may be necessary to fulfill the City Clerk's responsibilities; supervises all subordinate departmental personnel; takes appropriate disciplinary action as authorized and required by this Chapter.

(6) *Training and experience.* The City Clerk must:

- a. Hold the Certified Municipal Clerk Designation, or be in the process of obtaining this certification.
- b. Be a Florida Notary or must be attainable.
- c. Be a graduate of a two (2) or four (4) year vocational school, college or university.
- d. Have four (4) years of advanced experience in secretarial or administrative work, with a focus on local government. Experience in public finance and accounting. Supervisory experience or office managerial experience. Any combination of comparable education, training and experience may be acceptable in lieu of these requirements.
- e. Possess excellent communication, leadership and management skills, and have the ability to supervise and delegate authority;
- f. Possess a valid driver's license; and
- g. Pass a background test.

City Treasurer/Finance Director:

- A. *Responsibilities.* The responsibilities of the City Treasurer/Finance Director are as provided by the Charter and further implemented by this Section. The City Treasurer/Finance Director oversees the administration and management of the Finance, Building, and Planning Departments of the City.
- B. *Illustrative duties.* The duties of the City Treasurer/Finance Director include the following:
- (1) Planning, scheduling, preparing, supervising and participating in all phases of the City's financial activities.
 - (2) Responsible for meeting all financial budgetary and reporting requirements outlined by Florida law, dictated by state statutes and local ordinances.
 - (3) Oversees and prepares reports and special projects as requested by the Mayor and City Commission.
- C. *Financial responsibilities.*
- (1) Reviews and reports on the financial records of the City and may assist the City Clerk with the preparation, maintenance and distribution of financial records of the City as required.
 - (2) Coordinate with the City Clerk for preparation of annual budget & insuring all related documents are filed accordingly & published to State statutes.
 - (3) Responsible for bank reconciliations, payroll, accounts payable, and revenue & expense reports.
 - (4) Responsible to ensure municipal audit compliance guidelines including, but not limited to producing records, collecting, financial data, and compilation of reports pertinent to audit.
 - (5) Responsible to prepare Budget Amendments as necessary in accordance with State Requirements.
 - (6) Serves as a procurement official including preliminary review of all contracts, leases, franchise agreements and purchase orders. Responsible for ensuring compliance with same.
 - (7) Prepares all year-end financial reports and tax returns.
 - (8) Assures compliance with bond and loan covenants.
 - (9) Supports City Clerk.
 - (10) Performs other duties as assigned by the Mayor and City Commission.
- D. *Employees.* Within departmental budgetary constraints, the City Treasurer/Finance Director shall be authorized to employ an administrative assistant who may serve as a deputy clerk, and such additional employees as may be necessary to fulfill the City Treasurer's responsibilities; supervises all subordinate departmental personnel, including the Building/Planning

Department; takes appropriate disciplinary action as authorized and required by this Chapter.

- E. *Training and experience.* The City Treasurer/Finance Director must:
- (1) Hold a Bachelors Degree and/or related experience in business administration, public accounting, or finance.
 - (2) Be a Florida Notary or must be attainable.
 - (3) Have two (2) years of advanced business experience, financial practices and accounting procedures with a focus on local government. Any combination of comparable education, training and experience may be acceptable in lieu of these requirements.
 - (4) Possess excellent communication, leadership and management skills, and have the ability to supervise and delegate authority;
 - (5) Possess a valid driver's license; and
 - (6) Pass a background test and credit check.

Section 3. Repeal of Ordinances and Resolutions. Any ordinance or resolution in conflict herewith, to the extent of such conflict, is hereby repealed.

Section 4. Severability. In the event, any Section, Paragraph, Sub-Paragraph, Sentence, Clause, Phrase or Word of this Ordinance shall be called invalid, illegal or unenforceable by a Court of competent jurisdiction, such declaration shall not effect the validity of the remaining portions hereof.

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Section 5. Effective Date. This Ordinance shall become effective thirty days after adoption, or as provided by law.

PASSED AND DULY ADOPTED with a quorum present in voting this 6 day of February, 2014.

First reading 1/17, 2014.

With notice 1/27, 2014.

Second reading 2/6, 2014.

CITY OF BRADENTON BEACH, FLORIDA, BY AND THROUGH THE CITY COMMISSION OF THE CITY OF BRADENTON BEACH

BY: William L. Shearon
William Shearon, Mayor

ATTEST: Tammy Johnson, ~~Pro Tempore City~~ Clerk

BY: Tammy Johnson
Clerk/Deputy Clerk