

See Ord. # 225 attached.

ORDINANCE NO. 194

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING THE OFFICE OF CITY MANAGER, PROVIDING FOR THE TERM OF OFFICE OF SUCH OFFICER AND PRESCRIBING HIS DUTIES AND POWERS.

BE IT ORDAINED by the City Council of the City of Miami Beach, Florida;

Section 1: That, for the welfare of the City of Miami Beach, Florida, the office of City Manager is hereby created; and the term of said office shall begin upon the adoption of this Ordinance and continue during the pleasure of the City Council, and shall be terminable at any time by the City Council by resolution by a majority vote of the Council actually present and voting.

Section 2: That the powers and duties of said City Manager shall be the following, and for the purposes of this Ordinance such powers and duties shall extend to such things as may be consistent herewith and reasonably necessary to the performance of such powers and duties:

- A. - Said City Manager shall maintain an office in the City Hall at said City.
- B. - He shall have general and special supervision and control, subject to the control by the City Council, of all construction work, repair and maintenance of anything which said City has the power to construct, repair and maintain.
- C. - He may employ all persons necessary for the carrying on of the City's business, except members of the police force, persons elective by the public or appointive by the Mayor or City Council; and he shall prescribe their duties, the hours of their employment, and their compensation.
- D. - He shall not be subject to the direction or control of the Mayor or of any committeemen of the Council, but shall be subject to the direction and control, and all of his actions shall be subject to the approval, of the City Council expressed in a majority vote of those actually present and voting at any meeting, regular or special, of said City Council.
- E. - The construction, repair and maintenance delegated to said City Manager shall, among other things, include general and special supervision of the operation, construction, maintenance and repair of all things pertaining to streets, alleys, avenues, parks, docks, buildings, sewers, sewage disposal plants, city lighting system, water works or plants, water mains or pipes, the supervision of the preparation of plans and specifications for anything to be done by or in behalf of said City, and he shall see to the performance of all contracts made and executed by the City, and shall have supervision of the operation and maintenance of the fire department.
- F. - He shall be the purchasing agent of said City, and no purchases shall be made by anyone unless such purchase is expressly authorized and approved by said City Manager, and for the more expeditiously acting as purchasing agent, he shall acquaint himself with the market value and sales prices of all things necessary to be purchased by said City. He shall prove the correctness of all bills incurred in behalf of said City. He shall be the purchasing agent for all things necessary to be purchased or used by or in connection with the police department or police force of said City.
- G. - He shall have supervision, direction and control of all equipment of whatever kind owned or operated by said City in any department.
- H. - It shall be his duty to so manage, direct and control the affairs, the employees, and the equipment of said City, as to minimize the cost and maintenance of all things or used or operated by said City and to accomplish the maximum of use therefrom.

- I. - He shall be present at all regular meetings of the City Council and at such special meetings at which his presence may be required, and shall report fully to said City Council his acts and doings during the period from the time of one report to another, and shall make such recommendations to the City Council as to him shall seem advisable, and shall receive and perform such recommendations as shall be made by the City Council.
- J. - No office of said City heretofore existing is hereby abolished.
- K. - He may delegate to other city officers or managers, subject to his control, such of his powers and duties as he may deem expeditious and may revoke such direction at any time.
- L. - His compensation shall be \$6500.00 per annum, which shall be divided into twelve monthly installments, which shall be payable monthly; but the fixing of such compensation at a rate per annum shall not be construed to be an employment of said City Manager for any particular period, and if said City Council shall, by its resolution, discharge said City Manager, he shall be paid for his services to the date of his discharge or to such period as shall be fixed by such resolution of discharge, only.
- M. - All things done or authorized by said City Manager may be revoked, partially revoked or altered, at any time by the City Council of said City.

Section 3: This Ordinance shall be effective immediately.

First Reading August 15th, 1923;
Second Reading August 15th, 1923;
Third Reading, September 5th, 1923.
Posted September 5th, 1923

PASSED AND ADOPTED, September 5th, A. D., 1923.

(Signed) F. H. Henning

President of City Council (Pro-tem)

ATTEST:

(Signed) G. W. Tomlinson

City Clerk

APPROVED, September 5th, A. D., 1923.

(Signed) Louis F. Snedigar

MAYOR

ORDINANCE NO. 225

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MIAMI BEACH, FLORIDA,
AMENDING SECTION TWO OF ORDINANCE NO.
194 OF SAID CITY.

BE IT ORDAINED BY THE CITY COUNCIL OF MIAMI BEACH, FLORIDA, That:

Section 1: That Section 2 of Ordinance No.194, adopted by the City Council of the City of Miami Beach, Florida, September 5th, 1923, be and is hereby amended to read as follows:

"SECTION 2: That the powers and duties of the City Manager shall be:

- A. - To see that the laws and Ordinances are enforced.
- B. - To appoint and remove all directors of the departments hereinafter mentioned except those made appointive by the Mayor, which appointments or removals, however, shall be submitted to and confirmed by the City Council.
- C. - To exercise control over all departments hereinafter mentioned.
- D. - To attend all meetings of the Council with the right to take part in the discussion, but having no vote.
- E. - To recommend to the Council for adoption, such measures as he may deem necessary or expedient.
- F. - To keep the Commission fully advised as to the financial condition and needs of the City.
- G. - To have general and special supervision and control, subject to the control by the City Council, over the functions of the several departments hereinafter mentioned, and he shall be purchasing agent of said City with authority to delegate such duty.
- H. - To perform such other duties as may be prescribed by the City Council by ordinance or resolution, the departments mentioned being the following:
 - 1.- Police Department, which shall embrace all of the police and be under the head of the City Marshall
 - 2.- The Sanitary and Health Department.
 - 3.- The Street and Sewer Department, which shall have the management and charge of the construction, improvement, repair and maintenance of streets, sidewalks, alleys, lanes, bridges, sewers, drains, canals, public parks, buildings, and play grounds.
 - 4.- The Finance Department, which shall embrace the matter of the assessment and collection of taxes, the collection of all other monies due the City, and the issuance and sale of bonds, the receipts and disbursement of the proceeds thereof, the receipt and disbursement of all taxes and all other monies received and paid by said City and the keeping of the records of said City.
 - 5. - The Fire Department.
 - 6. - The Water Department.

That for the purpose of designating the heads of said departments now acting, M. Damon Lewis is head of the Police

Department, George L. Beck is head of the Sanitary Department, E. R. Neff is head of the Street and Sewer Department, C. W. Tomlinson is head of the Finance Department, J. S. Stephenson is head of the Fire Department, and H. H. Horn is head of the Water Department; that said City Manager shall account to said City Council for the conduct and acts of the said several departments and he shall have supervision and control of the heads of the said several departments, who shall be accountable to said City Manager for the conduct and acts of their several departments; that the heads of the several departments shall have supervision of the employment and management of employees in their several departments, subject to such limitation as may be placed thereon by the City Council: that said City Manager may at any time require the head of any department to submit such report as may be required by said City Manager of the affairs of said department and said City Manager may, of his own accord or with the assistance of any member of any department, investigate the records and works of any of said departments; that said City Manager and said heads of said several departments shall at all times be amendable to the direction and supervision of the City Council; that the compensation of said City Manager shall be Seven Thousand, Five Hundred Dollars (\$7,500.00) per annum, it shall be divided into twelve monthly installments and it shall be payable monthly, but such fixing of said compensations at such rate per annum shall not be construed to be an employment of said City Manager for any particular period and said City Council may by its resolution at any time remove said City Manager."

Section 2: That this ordinance shall be effective immediately.

PASSED AND ADOPTED this 21st day of October, A. D., 1925.

(Signed) JOHN H. LEVI
President of City Council

ATTEST:

(Signed) C. W. TOMLINSON
City Clerk

APPROVED this _____ day of October, A. D., 1925

(SEAL)

MAYOR

Department, George L. Beck is head of the Sanitary Depart-
ment, E. H. Kell is head of the Street and Sewer Depart-
ment, J. W. Tomlinson is head of the Finance Department, J. B.
Geoperson is head of the Fire Department, and H. H. Horn
is head of the Water Department; that said City Manager
shall account to said City Council for the conduct and
acts of the said several departments and he shall have
supervision and control of the heads of the said several
departments, who shall be accountable to said City
Manager for the conduct and acts of their several depart-
ments; that the heads of the several departments shall
have supervision of the employment and management of
employees in their several departments, subject to such
limitations as may be placed thereon by the City Council;
that said City Manager may at any time require the head
of any department to submit such report as may be required
by said City Manager of the affairs of said department and
said City Manager may, of his own accord or with the
consent of any member of any department, investigate
the records and works of any of said departments; that said
City Manager and said heads of said several departments
shall at all times be amenable to the direction and
supervision of the City Council; that the compensation of
said City Manager shall be Seven Thousand Five Hundred
Dollars (\$7,500.00) per annum, it shall be divided into
twelve monthly installments and it shall be payable
monthly, but such fixing of said compensation at such
rate per annum shall not be construed to be an employment
of said City Manager for any particular period and said
City Council may by its resolution at any time remove said
City Manager."

Section 2: That this ordinance shall be effective immediately.

PASSED AND ADOPTED this 21st day of October, A. D., 1925.

(Signed) JOHN H. LEVI
President of City Council

ATTEST:

(Signed) G. W. TOMLINSON
City Clerk

APPROVED this ___ day of October, A. D., 1925

(SEAL)

MAYOR

ORDINANCE NO. 194

