

Chapter 2

ADMINISTRATION*

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ARTICLE I. IN GENERAL

Sec. 2-1. APPROVAL, PAYMENT OF BILLS

- a) No bill shall be allowed against the city unless it shall have been filed with the city manager not later than 12:00 noon on the Saturday preceding a regular meeting of the city council, and examined by the manager and by him certified to be correct and that charge therefor is reasonable.
- b) After approval of the bills by the City Commission, the bills shall be paid by a voucher specifying thereon in the nature of claim and shall be signed by either the Mayor or the Vice-Mayor and the City Manager.
- c) All bills which need immediate attention and are properly certified may be paid without the approval of the City Commission in session, however, shall be reported to that body at the next regular meeting. (Code 1971, § 2-1; Ord. No. 152, § 1, 4-7-75)

*Charter reference-Administrative, Art. IV.

*Cross references-Administrative ordinances saved from repeal, § 1-5(2); elections, Ch. 7; volunteer fire department, § 8-16 et seq.; planning, Ch. 15; local planning agency, § 15-16 et seq.; police, Ch. 16; taxation, Ch. 19, § 2-2.

Sec. 2-2. DISPOSITION OF COLLECTED FEES

All fees collected by any officer of the city by virtue of the provisions of this Code, state law or city ordinance shall be placed by such officer in the proper fund of the city, and reported by him as other collections made. (Code 1971, §2-2)

Sec. 2-3. CODES ENFORCEMENT BOARD

Pursuant to Florida Statute Chapter 162.03(1), there is hereby established the Archer Codes Enforcement Board. (Ord. No. 3-99, § 3)

Sec. 2-4. DESIGNATION OF CODES INSPECTORS

The City Manager shall designate such code inspectors as the City Manager shall deem appropriate to provide for code enforcement in the City of Archer. (Ord. No. 3-99, § 5)

Sec. 2-5. SIZE OF BOARD

The Archer Codes Enforcement Board shall consist of five (5) members. (Ord. No. 3-99, § 4)

Sec. 2-6. REPRESENTATION BY CITY ATTORNEY

The Archer city attorney shall represent the Code Enforcement Board and shall not act as counsel to the City when presenting cases before the Code Enforcement Board. (Ord. No. 3-99, § 6)

Secs. 2-7—2-18. RESERVED

ARTICLE II. MAYOR AND COMMISSION*

Sec. 2-19. COMPENSATION

*Charter reference-City Commission, Art. III.

Each duly elected City Commission member and the Mayor shall receive a monthly payment of Two Hundred Dollars (\$200.00) to compensate them for their services to the City. Reimbursement for mileage, meals, lodging, and any other reasonable travel expenses shall be as provided by resolution of the City Commission. (Ord. No. 265-90, § 1)

Sec. 2-20. REGULAR MEETINGS

The city commission shall meet on the second Monday of each month at a time designated by the commission from time to time; provided that if such day shall fall on a holiday observed by the city, such meeting shall take place on the next following day.

Charter reference-Article III, § Eleven, subsection A

Sec. 2-21. RULES OF PROCEDURE

The meetings of the city commission shall be conducted according to the rules of procedure establish rules to govern its meetings, provided such rules do not conflict with Florida law or this chapter.

Charter reference-Article III, § Eleven, subsection C

Sec. 2-22. PASSAGE OF ORDINANCES

- a) The procedure used by the city commission in adopting ordinances shall be as prescribed in F.S. § 166.041, as hereafter amended.
- b) The enacting clause of all ordinances passed by the city commission shall be “Be it enacted by the City Commission of the City of Archer, Florida.”
- c) Ordinances adopted by the city commission shall be assigned an ordinance number by the city manager which shall contain two (2) parts separated by a dash, the number preceding the dash shall be the last two (2) digits of the year and the

number following the dash shall be 1 for the first ordinance adopted each year and then 2, 3, etc. (Code 1971, §§ 2-17, 2-18)

Secs. 2-23—2-33. RESERVED

ARTICLE III. PURCHASING

Sec. 2-34. CITY MANAGER AS AUTHORITY

The City Manager shall be the purchasing authority for all purchases made by the City. (Code 1971, § 2-3; Ord. No. 151, § 1, 1-20-75)

Sec. 2-35. REPORT REQUIRED FOR PURCHASES UNDER ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)

Small expenditures, not exceeding one thousand five hundred dollars (\$1,500.00), may be made from the City treasury for labor, materials, supplies, etc., by the City Manager without prior approval thereof by the City Commission. When such purchases are made by the City Manager he shall report all such purchases to the City Commission at the next regularly scheduled meeting for their confirmation.

(Ord. 3-2002 § 2; April 22, 2002)

Sec. 2-36. APPROVAL OF COMMISSION REQUIRED FOR PURCHASES OVER ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)

Every contract for, or purchase of supplies, materials, equipment or contractual services for more than one thousand five hundred dollars (\$1,500.00) shall require the prior approval of the City Commission before the same are purchased. (Ord. 3-2002 § 3; April 22, 2002)

Sec. 2-37. PROCEDURE FOR PURCHASES BETWEEN ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) AND FIVE THOUSAND DOLLARS (\$5,000.00)

Before any purchase of, or contract for, supplies, materials, equipment or contractual services is made for items which the City Manager believes will cost between one thousand five hundred dollars (\$1,500.00) and five thousand dollars (\$5,000.00), the City Manager shall submit to at least five (5) persons dealing in and able to supply the same, or to a smaller number, if there are not five dealing in and able to provide the same, a request for quotations (or invitation to bid) and specifications, to give them an opportunity to bid. These bids will be examined by the City Commission at its next regularly scheduled meeting and the City Commission may reject any and all bids, and again may submit, to same or to other persons the request for quotations (or invitation to bid). The purchase shall be made from the bidder whose bid is most advantageous to the City, considering price, quality, date of delivery and other pertinent factors; and, in the event of two (2) bids, purchase may be from one of these tying or the purchase may be divided among those tying, always accepting the bid or bids most advantageous to the City. All factors being equal, preference shall be given to products manufactured or produced within the city, then within the county, and then within the state. (Ord. 3-2002 § 4; April 22, 2002)

Sec. 2-38. PROCEDURE FOR PURCHASES OVER FIVE THOUSAND DOLLARS
(\$5,000.00)

Before any purchase of, or contract for, supplies, materials, equipment or contractual services is made, when the City Manager believes the items to be purchased will cost more than five thousand dollars (\$5,000.00) then and in that event the City Manager shall cause to be advertised in a newspaper of local circulation that the City will receive bids upon the specific purchase. Such advertisement shall be published two (2) weeks prior to the Commission meeting where the bids will be examined by the City Commission. Such advertisement shall state in general terms the items to be bid upon and provide that specifications and bid sheets may be obtained at the City Hall and such advertisement shall also state when the bids shall be received. The City Commission shall examine all bids at the Commission meeting designated in the advertisement and may reject any and all bids, and again require the City Manager to publish a request for bids and or the City Commission may seek out and obtain a more favorable bid than those received in

response to the advertisement without having to require advertisement again. Purchases shall be made from the bidder whose bid is most advantageous to the City considering price, quality, date of delivery and other pertinent factors; and, in the event of tie bids, purchase may be made from one of those tying, or the purchase may be divided among those tying, always accepting the bid or bids most advantageous to the City. All factors being equal, preference shall be given to products manufactured or produced within the city, then within the county, and then within the state. (Ord. 3-2002 § 5; April 22, 2002)

Sec. 2-39. WAIVER OF BIDDING REQUIREMENTS FOR STATE CONTRACT

The City Commission may waive all bidding requirements of Section 2-37, and Section 2-38, of the Code of Ordinances of the City of Archer for the purpose of purchasing pursuant to the "state contract" system of the State of Florida which has established purchase prices for the State of Florida and its agencies. (Ord. 3-2002 § 6; April 22, 2002)

Sec. 2-40. WAIVER OF BIDDING REQUIREMENTS EMERGENCY SITUATION

The City Commission may waive all bidding requirements of Section 2-37, and Section 2-38, of the Code of Ordinances of the City of Archer upon recommendation of the City Manager, upon determination of an emergency situation requiring waiver of the ordinance requirements, and upon four-fifths (4/5) vote of the City Commission. (Ord. 3-2002 § 7; April 22, 2002)

Sec. 2-41. PURCHASES UTILIZING ECONOMIES OF SCALE

Purchases through State agencies, counties, or other municipalities of the State of Florida (hereinafter referred to as agencies) may be undertaken by the City of Archer upon approval of the City Commission after finding:

- a) That the other agency has let bids through a process that assures a fair opportunity to responsible suppliers to provide labor, material, supplies, etc., and

b) That the other agency has selected the lowest responsible bidder, and

c) That the City Commission has reason to believe that the bid accepted by the other agency is lower than, or as low as, the City of Archer could expect to receive if it were to let bids through its own bidding process. (Ord. No. 272-91, § 1)

Secs. 2-42—2-49. RESERVED

ARTICLE IV. EMPLOYEE BENEFITS

DIVISION 1. GENERALLY

Secs. 2-50—2-60. RESERVED

DIVISION 2. OLD-AGE AND SURVIVORS INSURANCE*

Sec. 2-61. EXTENSION OF BENEFITS GENERALLY

It is hereby declared to be the policy and purpose of the city to extend effective as of January 1, 1955, to the employees and officials thereof, not excluded by law, nor excepted herein, the benefits of the system of old-age and survivors insurance as authorized by the federal social security act and amendments thereto, and by Chapter 650 of the Florida Statutes, as amended; and to cover by such plan all services which constitute employment as defined in Section 650.02 of the Florida Statutes, performed in the employ of the city by employees and officials thereof. (Code 1971, § 2-29)

Sec. 2-62. EXECUTION OF AGREEMENTS

The mayor is hereby authorized and directed to execute all necessary agreements and amendments thereto with the Florida Industrial Commission, as the state agency, for the purpose of extending the benefits provided by the system of old-age and survivors insurance to the employees and officials of the city, which agreement shall provide for such methods of administration of the plan by the city as are found by the state agency to be necessary and proper, and shall be effective with respect to services in employment covered by such agreement performed on and after the first day of January, A.D. 1955. (Code 1971, § 2-31)

Sec. 2-63. WITHHOLDINGS AUTHORIZED

*State law reference-Social Security for public employees, F.S. Ch. 650.

Withholdings from salaries, wages or other compensation of employees and officials for the purpose of this division are hereby authorized to be made, and shall be made, in the amounts and at such times as may be required by applicable state or federal laws or regulations, and shall be paid over to the state agency designated by such laws or regulations to receive such amounts. (Code 1971, § 2-32)

Sec. 2-64. APPROPRIATIONS

There shall be appropriated from available funds, derived from general funds of the city, such amounts, at such times, as may be required to pay promptly the contributions and assessments required of the city as employer by applicable state or federal laws or regulations, which shall be paid over to the lawfully designated state agency at the times and in the manner provided by law and regulation. (Code 1971, § 2-33)

Sec. 2-65. RECORDS, REPORTS

The city shall keep such records and make such reports as may be required by applicable state or federal laws or regulations, and shall adhere to the regulations of the state agency. (Code 1971, § 2-34)

Sec. 2-66. ADOPTION OF CONDITIONS

The city does hereby adopt the terms, conditions, requirements, reservations, benefits, privileges and other conditions thereunto appertaining, of Title II of the social security act as amended, for and on behalf of all officers and employees of its departments and agencies to be covered under the agreement. (Code 1971, § 2-35)

Sec. 2-67. DUTIES OF MANAGER

The city manager is hereby designated the custodian of all sums withheld from the compensation of officers and employees and of the appropriated funds for the contribution of the city, and the city manager is hereby made the withholding and reporting agent and

charged with the duty of maintaining personnel records for the purposes of this division.
(Code 1971, § 2-36)

ARTICLE V. EMPLOYEE BACKGROUND CHECKS

Sec. 2-68. CRIMINAL HISTORY RECORD CHECKS FOR CERTAIN EMPLOYEES AND APPOINTEES.

Pursuant to Section 166.0442 of the Florida Statutes, a criminal history record check shall be required for any position of municipal employment or appointment or for those persons who have access to any public facility or publicly operated facility which the City Manager deems is critical to security or public safety. Each person in any such position when applying for, or continuing employment in, shall be fingerprinted. The fingerprints shall be submitted to the Florida Department of Law Enforcement for a state criminal history record check and to the Federal Bureau of Investigation for a national criminal history record check. The information obtained from the criminal history record checks conducted pursuant to this section may be used by the City to determine an applicant's eligibility for employment or appointment and to determine an employee's eligibility for continued employment. This section is not intended to preempt or prevent any other background screenings, including but not limited to, criminal history background checks that the City may lawfully undertake. To the extent that the provisions of this section are inconsistent with any labor, employment, or any other contract in existence at the adoption date of this ordinance, the provisions of such contract shall control over the provisions of this section. All contracts adopted after the effective date of this ordinance shall be consistent with the provisions of this section. (Ord. 10-2003 § 1, 12-8-03)