

ORDINANCE NO. 00-05-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, PROVIDING AUTHORITY TO THE CITY MANAGER REGARDING BANKING AND CONTRACTUAL SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager is the Chief Administrative Officer of the City as specified in the City Charter; and

WHEREAS, the City Manager's duties as specified in Section 7(3)(B) of the City Charter include operating bank accounts and executing contracts on behalf of the City providing such authority is provided by Ordinance; and

WHEREAS, on March 2, 2000 the City Council adopted Resolution No. 00-02-01, establishing Marine Bank of the Florida Keys as the City's depository and providing the Mayor and Council as signatories on the accounts until a City Manager was retained; and

WHEREAS, the City Council now has in place a professional City Manager and in order to effectively and efficiently perform the daily operations of the City, the City Council desires to delegate to the City Manager the authority to operate the City bank accounts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true and correct and incorporated by this reference.

Section 2. In accordance with the City Charter, the City Manager is authorized to draw and sign vouchers for all banking activities and accounts rendered for the City.

Section 3. The City's banking services may be changed from time to time by resolution of the City Council.

Section 4. In accordance with the City Charter, the City Manager is authorized to sign contracts on behalf of the City. The contractual limitation as to types of contractual services and monetary limitations may be established by resolution of the City Council.

Section 5. Severability. The provisions of this Ordinance are declared to be severable if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Inclusion in the Code. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the code of The City of Marathon, Florida, that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 7. Effective Date. This Ordinance shall be effective upon adoption on the second reading. The provisions of Resolution No. 00-02-01 that conflict with the banking and signatory authority provided to the City Manager by this Ordinance shall be considered superseded upon the effective date of this Ordinance.

The foregoing Ordinance as offered by Councilmember Johnson, who moved for its adoption. This motion was seconded by Councilmember Mearns, and upon being put to a vote, the vote was as follows:

Mayor Robert Miller	<u>YES</u>
Vice Mayor John Bartus	<u>YES</u>
Councilman Frank Greenman	<u>YES</u>
Councilman Jon Johnson	<u>YES</u>
Councilman Randy Mearns	<u>YES</u>

PASSED on first reading this 25 day of April, 2000.

The foregoing Ordinance as offered by Councilmember Johnson, who moved for its adoption. This motion was seconded by Councilmember Mearns, and upon being put to a vote, the vote was as follows:

Mayor Robert Miller	<u>YES</u>
Vice Mayor John Bartus	<u>YES</u>
Councilman Frank Greenman	<u>YES</u>
Councilman Jon Johnson	<u>YES</u>

Councilman Randy Mearns

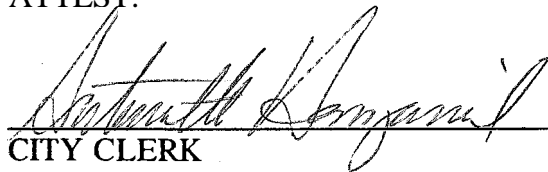
yes

PASSED AND ADOPTED on second reading this 9th day of May, 2000.



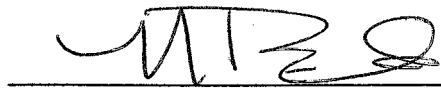
ROBERT MILLER, MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



CITY ATTORNEY