

ORDINANCE NO. 17-211

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES,
FLORIDA, AMENDING TOWN'S EMPLOYEE BONUS
ORDINANCE 03-29; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN CODE; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on January 14, 2003, the Town adopted Ordinance 03-29, which established an extra compensation program, also known as a bonus program ("Bonus Program") for executive employees whose performance exceeds employment standards; and

WHEREAS, the Town Council believes it is in the best interest of the Town to award all employees who exceed employment standards with bonuses; and

WHEREAS, Florida Statute § 215.425, as amended in 2011 provides that a Bonus policy or Ordinance must be based on work performance, describe the performance standards and evaluation process in order to obtain a bonus, provide notification to all employees of the bonus policy or Ordinance, and consider all employees; and

WHEREAS, the Town Council believes it is in the best interest of the Town to amend Ordinance 03-29 in order to provide a Bonus Program for all Town Employees and comply with Florida Law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Adoption. The Town Council hereby amends Ordinance 03-29, "Employee Bonus Program", which shall read as set forth in **Exhibit "A"** hereto, which is incorporated herein.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and 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 4. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article", "Division" or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

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FIRST READING

The foregoing ordinance was offered by Councilmember Rodriguez who moved its adoption on first reading. The motion was seconded by Councilmember Vice Mayor Lama and upon being put to a vote, the vote was as follows:

| | |
|--------------------------------|---------|
| Mayor Manny Cid | yes |
| Vice Mayor Tony Lama | Recused |
| Councilmember Luis Collazo | yes |
| Councilmember Tim Daubert | yes |
| Councilmember Ceasar Mestre | yes |
| Councilmember Frank Mingo | yes |
| Councilmember Nelson Rodriguez | |

Passed and adopted on first reading this 25th day of July, 2017.

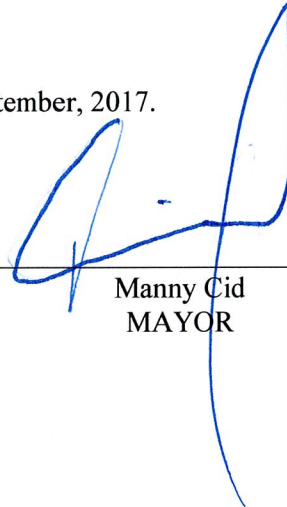
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SECOND READING

The foregoing ordinance was offered by Councilmember Daubert who moved its adoption on second reading. The motion was seconded by Councilmember Mingo and upon being put to a vote, the vote was as follows:

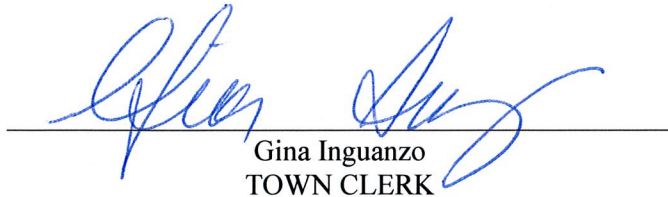
| | |
|-----------------------------|-----|
| Mayor Manny Cid | yes |
| Vice Mayor Nelson Rodriguez | yes |
| Councilmember Luis Collazo | yes |
| Councilmember Tim Daubert | yes |
| Councilmember Ceasar Mestre | yes |
| Councilmember Frank Mingo | yes |
| Councilmember Marilyn Ruano | yes |

Passed and adopted on second reading this 5th day of September, 2017.



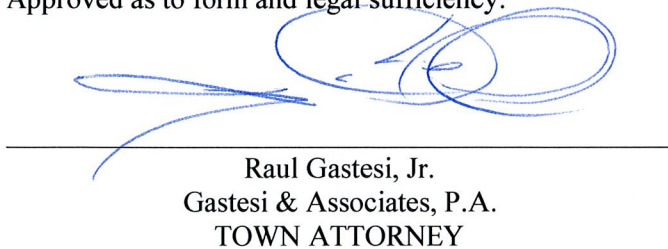
Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT "A"
TOWN OF MIAMI LAKES
EMPLOYEE BONUS PROGRAM

Bonus awards provide a vehicle for recognition of significant, outstanding employee performance. Bonuses are performance-based salary increases for professional/ managerial Town employees and may be granted at the time of an employee's annual merit review or on an ad-hoc basis, as deemed appropriate. Bonus payments remain subject to the Town's Manager's review.

A bonus is a one-time, non-recurring amount that does not increase base pay or anniversary date. The cost of the bonus is not compounded by future wage adjustments. The Town is not required to make a contribution to the Town's 401(a) or 457 since bonuses are not considered to be wages for retirement purposes. A bonus, if awarded, shall be in addition to and not in lieu of any Cost of Living increases.

CRITERIA

1. To compensate executive all employees for performing duties:
 - a. of a higher classification for a period longer than two weeks.
or
 - b. which far exceed the performance measures for the position for which the employee was hired.
2. Evaluations of outstanding performance shall be determined as follows:
 - a. The employee must have an outstanding rating in all of the performance evaluation categories which include:
 1. Quality of Work
 2. Productivity
 3. Knowledge of the Job
 4. Reliability and Dependability
 5. Attendance
 6. Initiative
 7. Creativity
 8. Working Relationships
 9. Adherence to Policies and Procedures
 - b. The employee must have accomplished a significant majority of the goals established between the employee and the Manager, at the beginning of the assignment.

3. A completed Employee Evaluation Form must be attached to any request for bonus distribution.