

ORDINANCE NO. 26-362

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE III, OFFICERS AND EMPLOYEES, OF THE TOWN OF MIAMI LAKES CODE OF ORDINANCES; CREATING SECTION 2-57, TITLED "EMPLOYEE PERFORMANCE REVIEWS"; PROVIDING FOR A BASELINE PERFORMANCE REVIEW REQUIREMENT; PROVIDING FOR AN ONGOING REVIEW SCHEDULE; PROVIDING FOR TOWN MANAGER DISCRETION AND DELEGATION; PROVIDING FOR OUTCOMES OF REVIEW TO REMAIN WITHIN THE DISCRETION OF THE TOWN MANAGER; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the "Town") does not currently have a performance review process for Town employees that is mandated by ordinance; and

WHEREAS, in the absence of a standardized and permanent requirement, the conduct and frequency of employee performance reviews has been left to administrative discretion, which can result in inconsistent practice rather than a clear, institutional expectation; and

WHEREAS, the Town Council finds that performance evaluation of Town employees should not depend on individual practice or circumstance, but should instead be a consistent and institutional requirement established by ordinance; and

WHEREAS, the Town Council finds that this Ordinance is in the best interest of the Town; and

WHEREAS, on August 18, 2026, the Town Council passed the proposed Ordinance in First Reading;

WHEREAS, on September 15th, 2026, the Town Council passed the proposed Ordinance in Second Reading;

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

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

Section 2. **Creation of Section 2-57, "Employee Performance Reviews."** The Town Council hereby amends Chapter 2, Administration, Article III, Officers and Employees, of the Town Code of Ordinances in order to create Section 2-57, titled "Employee Performance Reviews," as described in Exhibit "A."

Section 3. **Repeal of Conflicting Provisions.** All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

Section 4. **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 5. **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.

FIRST READING

The foregoing Ordinance was offered by Councilmember Herzberg who moved its adoption on first reading. The motion was seconded by Councilmember Fernandez and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Absent
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alejandro Sanchez	Yes

Passed on first reading this 18th day of August 2026

SECOND READING

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

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alejandro Sanchez	Yes

Passed and adopted on second reading this 15th day of September 2026


Joshua Dieguez
Mayor

Attest:


Gina M. Inguanzo
Town Clerk

Approved as to form and legal sufficiency:


Lorenzo Cobiella
Gastesi, Lopez, Mestre and Cobiella, PLLC
Deputy Town Clerk

EXHIBIT “A”

CHAPTER 2 – ADMINISTRATION ARTICLE III – OFFICERS AND EMPLOYEES

Sec. 2-57. Employee performance reviews.

(a) Purpose. It is the policy of the Town of Miami Lakes that all Town employees receive regular, standardized performance reviews. This section is intended to establish a consistent, institutional requirement for employee performance evaluation that does not vary based on individual practice or discretion.

(b) Baseline Review. To establish a baseline, all Town employees shall receive a performance review for the 2025–26 fiscal year within 120-days upon the effective date of this ordinance.

(c) Ongoing Review Schedule. Following the baseline review required by subsection (b):

1. Non-Director employees shall be evaluated during their first year of employment and, thereafter, once every year.

2. Department Directors shall be evaluated annually by the Town Manager.

(d) Town Manager Discretion and Delegation. The Town Manager shall have discretion to conduct performance reviews more frequently than required by subsection (c), but not less frequently than the minimum standards established therein. The Town Manager shall have discretion to delegate the conduct of performance reviews to Department Directors and to determine all other aspects of implementation, including the form and criteria used for such reviews. Nothing in this section shall be construed to limit or interfere with the Town Manager’s authority under the Town Charter to otherwise supervise, further evaluate, discipline, or remove Town employees.

(e) Outcome of Review. The outcome, findings, and any resulting personnel action arising from a performance review conducted pursuant to this section shall remain within the full discretion of the Town Manager.

(f) Written Component. A portion of each performance review conducted pursuant to this section shall be documented in writing.

(g) Documentation. The Town Manager shall maintain records sufficient to demonstrate compliance with this section for each Town employee.