

RESOLUTION No. 21-126

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPOINTING HERNAN ORGANVIDEZ AS INTERIM CITY MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council has an immediate need for Interim City Manager services to assist in implementing municipal government in the City of Doral (the “City”); and

WHEREAS, Article III, Section 3.02 of the City Charter authorizes the Mayor to nominate a City Manager subject to confirmation by a majority of the City Council; and

WHEREAS, the City Council desires to appoint Hernan Organvidez as Interim City Manager.

WHEREAS, it is in the best interest of the City that the Council appoint Mr. Organvidez as Interim City Manager on the terms stated in the Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. Appointment of Interim City Manager. Hernan Organvidez is hereby appointed as Interim City Manager for the City of Doral and shall serve until such time as a full time City Manager is appointed.

Section 3. Return to Position as Police Chief. At such time as a full time City Manager is appointed, Mr. Organvidez will assume his position as Chief of Police.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Councilmember Mariaca who moved its adoption. The motion was seconded by Councilmember Cabral and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 12 day of May, 2021.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:




LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

EXHIBIT “A”



Memorandum

Date: May 12th, 2021
To: Hernan Organvidez, Chief of Police
From: Luis Figueredo, City Attorney 
Subject: Appointment as Interim City Manager

This memorandum of Understanding ("MOU") is to confirm your appointment as Interim City Manager and various terms and conditions regarding the appointment.

Section 5(a), Article II of the Florida Constitution provides that a person cannot hold two offices. The Charter of the City of Doral provides that the City Manager is an office. Under Florida law, law enforcement officers, including the Chief of Police, are considered to hold an office. Therefore, you may not serve as both Chief of Police and City Manager, even if service as City Manager is temporary or interim.

By operation of law, acceptance of the Interim City Manager position will create a vacancy in the position of Chief of Police. Additionally, upon acceptance you will be divested of law enforcement powers, such as arrest, the open carry of firearms, and operating emergency vehicles.

At the start of your tenure as Interim City Manager you shall receive a 10.5% increase to your current salary and the same benefits you receive as Chief of Police. You will keep the increase in salary when you are reappointed Police Chief. At all times that you are Interim City Manager, you shall have all authority and privileges commensurate with the City Manager position.

Upon the start date of the permanent City Manager, your appointment as Interim City Manager shall terminate. You may also voluntarily terminate your appointment as Interim City Manager upon 10 business days written notice. At termination you shall automatically be reappointed as Chief of Police and be fully vested with law enforcement powers. Your reappointment as Chief of Police shall not require any additional City reinstatement requirements other than what may be required by the Florida Department of Law Enforcement ("FDLE").

At all times you shall remain a City employee with continuous employment and subject to all City policies.

Your signature below indicates acceptance of the terms and conditions contained in this MOU as well as the appointment as Interim City Manager as of May 21, 2021.


Hernan Organvidez