



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#25-0896

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: D'Wayne M Spence, Interim City Attorney

DATE: September 16, 2025

TITLE: Resolution Providing a Merit Salary Increase for the Interim City Attorney's
Annual Performance Review, Amending Resolution No. 24-233 Appointing
D'Wayne M. Spence as Interim City Attorney, and Authorizing the Execution
of an Employment Contract with the Interim City Attorney - **(Commission
Districts 1, 2, 3 and 4)**

Recommendation

It is recommended that the Mayor and City Commission reviewed the performance of Interim City Attorney D'Wayne M. Spence and adopt a resolution providing for a merit salary increase for the Interim City Attorney, effective October 1, 2025; amendments to Resolution No. 24-233; and approving an employment contract providing for the terms and conditions of employment as Interim City Attorney.

Background

The Mayor and City Commission formally appointed D'Wayne M. Spence as Interim City Attorney effective October 30, 2024, pursuant to Resolution No. 24-233. The resolution provides for the annual salary of the Interim City Attorney, as adjusted by any subsequent general intervening wage increases and for the return of the Interim City Attorney to his previous position as Deputy City Attorney and salary upon appointment of a new City Attorney. The Deputy City Attorney's salary is also subject to adjustment by any subsequent general intervening wage increases.

The Interim City Attorney was appointed without an employment contract outlining the terms and conditions of employment. Employment contracts for all charter officers typically contain a provision that provides for the Mayor and City Commission to grant merit salary increases to the charter officer on the basis of an annual performance review. An employment contract was not executed for this appointment because the duration of the appointment was not anticipated. To facilitate an annual performance review and the application of the customary merit salary increase, an employment contract with the Interim City Attorney containing standard provisions from standard charter officer employment contracts is recommended. The employment contract is for a term of 1 month, terminating on October 31, 2025.

In addition to the standard charter officer employment contract provisions the contract provides for a severance payment in the event of the termination of employment under certain circumstances for up to a year after the termination of the contract and an additional contribution of 6.13% of the Interim City Attorney's annual salary to the Section 401(a) plan. Mr. Spence is among a group of non-classified employees enrolled in the City's 401(a) defined contribution plan, who were hired before August 1, 2012, and who was in the City's employ on October 14, 2012. In accordance with Ordinance No. C-12-43, Mr. Spence received a 6.13% salary differential that was terminated when he accepted a promotion. The contract applies a 6.13% salary differential to the year, 10 months and 11 days that Mr. Spence served the City as its Interim City Attorney.

Attachment

Exhibit 1 – Resolution No. 24-233

Exhibit 2 – City Attorney Memorandum 25-104

Exhibit 3 – Resolution

Exhibit 4 – Proposed Employment Contract

Prepared by: D'Wayne M. Spence, Interim City Attorney, City Attorney's Office

Charter Officer: D'Wayne M. Spence, Interim City Attorney