

CIT-1

City of Fort Lauderdale Regular Commission Meeting on August 19, 2014

Citizen Presentation on Behalf of City Employees Disparate Treatment & City Manager's Knowledge of Discriminatory Behavior

Issues Summary

1. **The recent reorganization.** Potential 13 age discrimination lawsuits when employees informed in May 2014 they would not be included in next year's budget. The City reorganization was presented as a done deal, complete with a new organizational chart, and that the way the announcement was handled caused significant undue stress on employees and their families. Just last year, previous outsourcing of the architects by the City Manager, Lee Feldman, similar to proposed outsourcing is not a good idea for stakeholders of community.
2. **General poor treatment of employees** in meeting and daily interactions with Hardeep Anand, Aaron Stahly, Scott Teschky, Chris Bennett, Jeffrey Benjamin, Pedram Zohrevand, and Talal Abi-Karam.
3. **Possible race discrimination.** Black employees appear to have been singled out for particularly harsh treatment during meetings and for unwarranted scrutiny of their work.
4. **Bullying** – Reference July 2014 Sun Sentinel article "Zero-Tolerance" quote Mayor Seiler.
5. **Hiring and promotional practices.** Virtually all of Hardeep's hires and multiple promotions since coming on board have been younger white folks with little or no direct experience, and that established workers feel they are being denied any opportunities for advancement. Hardeep has unqualified supervisors or low level administration staffers conducting the interviews within days of themselves being hired.
6. **Disciplinary practices:** Hardeep's managers ignore the contract when imposing discipline, in that they bypass direct supervisors and hold "informational meetings" without advising the employees or allowing employees to participate. Diana Alarcon, Transportation & Mobility, as well as Hardeep discipline for things that were so clearly not the fault or responsibility that it defied reason to impose any discipline at all. Most of the formal disciplinary actions have been taken against black employees, and that the selective enforcement of rules appears to be race discrimination.
7. **General office atmosphere.** There is different and better treatment of the new hires and how the social events seem to deliberately exclude the older and more established workers. Employees have been asked to move desks multiple times which has added to the stress and lack of cohesion in the department, not to mention the unnecessary expense.
8. **New Health Issues.** Employees now on blood pressure medication, starting to suffer from stress-related health conditions and sleep problems.

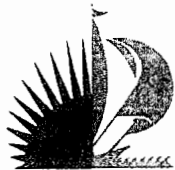
00:5 AM 18 AUG 18 2014

CITY CLERK

ALL
COMMISSIONERS
RECEIVED

2014 AUG 18 PM 12:02

CITY COMMISSION



CITY OF
FORT LAUDERDALE

Venice of America

TRANSMITTAL LETTER

RE: June 27, 2014 Letter

DOCUMENTATION: 26 Signatures of City of Fort Lauderdale Employees

TO: Ms. Lillian Rosa
Office of Professional Standards

Document included:

Letter from 26 City of Fort Lauderdale Employees who represent over 333 years of City of Fort Lauderdale experience.

There are others who were unavailable for signature but would have signed it as well.

Please sign below for verification that all documents described above have been received.

Lillian Rosa

Lillian Rosa
Office of Professional Standards

of

Title (please print)

7-2-14

Date

June 27, 2014

Ms. Rosa,

We are professionals working successfully for the City of Fort Lauderdale and are very proud to serve the residents of Fort Lauderdale for a long time. The City gets recognized for many accomplishments due to the right leadership and the service of dedicated employees. Our Public Works/ Engineering Department can list many accomplishments and is highly respected in the professional field. We continue to serve the Community with dedication and commitment.

It upsets us deeply that the upper management and support staff of Public Works including Mr. Anand, Mr. Abi-Karam, Mr. Benjamin, Mr. Teschky, Mr. Bennett, Mr. Zohrevand, and Mr. Stahly create a very hostile working environment for the long serving employees within the last few weeks up to a year ago. We experience the following:

- better treatment of people that have been hired recently that have equal or lesser qualifications
- statistics clearly indicate that exemplary employees that have been working for many years get multiple unsubstantiated disciplinary warnings and counsel notices
- multiple moves between 4th and 5th floor during the last year costing taxpayers many productive hours of professional staff. The average number of moves is between 5 to 10 times last year
- promotional practices that favor new staff with lesser qualifications
- unfair workload distribution
- contradictory and unclear directives on how tasks should be performed and approval process
- favoritism of younger and new employees
- rules are applied based on favoritism
- unprofessional and rude behavior towards older employees and women
- punitive approach to solving the issues
- assigning professional staff to perform the work not in the area of their expertise
- unfair hiring practices
- communication by Mr. Anand about the positions elimination exclusively of older employees right after the several openings were recently filled by new employees
- poor work organization when majority of the time is required to be spent on project progress reporting rather than working on the projects
- unwillingness to make timely decisions to keep the projects progressing
- destruction of many years of project records without proper filing including warranty documents, as-builts, engineering reports, etc.

This creates counterproductive working environment and it started to affect our ability to perform our duties. It saddens us to see that instead of concentrating on completing the projects we spend considerable amount of time on answering accusatory emails and trying to get clear directives on what needs to be done to move the projects forward. We are working in environment where the management clearly created a group of "new" versus "old" people. Largely due to hostile working environment we experienced many departures of professional staff in the last few years that served the City of Fort Lauderdale for many years. Our Department has never had such a high turnover of employees. A lot of institutional knowledge is lost that cannot be replaced. In addition, the remaining employees that served

Fort Lauderdale successfully for many years started to suffer from stress-related health conditions.

We hope that you can help to address the management issues in Public Works/ Engineering so we can create a professional and collaborative environment where people are treated fairly and equally. The undersigned would like to remain confidential in fear of retaliation. We would like to continue to serve this wonderful Community for many years to bring many more successful projects to make Fort Lauderdale the best City to Live and to Work in the United States of America.

Respectfully,



June 5, 2014

Mayor John P. "Jack" Seiler
Commissioner Bruce G. Roberts
Commissioner Dean J. Trantalis
Commissioner Bobby B. Dubose
Vice-Mayor/Commissioner Romney Rogers
Lee R. Feldman, City Manager

Re: LEGAL CONCERNS REGARDING PROPOSED REORGANIZATION
OF PUBLIC WORKS DEPARTMENT

Dear Commissioners and City Manager:

My name is Christopher Sharp and I am a Board Certified Labor and Employment Attorney. I also reside in the Edgewood neighborhood, in Commissioner Rogers' District.

The purpose of this email is to notify you that I have been contacted by several employees within the Public Works Department who either desire to take legal action against the City, or who are contemplating such action. I recently met with a group of employees and some of them have already retained me. I also anticipate that others may do so in the very near future. The reason I have been retained is because there are a number of Public Works employees who believe that they have been subjected to unlawful discrimination within the Department, and who will now be adversely impacted by the recent reorganization proposed by Mr. Hardeep Anand, which I understand eliminates the jobs of 13 employees who are 40 or older, and none who are less than 40 years old. I am in possession of a chart that shows the positions and employees who will be affected by the proposal if it is approved. A copy is attached.

Mr. Anand was hired as the Public Works Director in 2012. My clients tell me that since that time, there appears to have been deliberate attempt to eliminate older employees who do not fit into Mr. Anand's new management structure and organization. At his request, an entire job class of architects was apparently eliminated in the Fiscal year 2013/2014 budget. Most of the affected architects were over 40 years old. In addition to getting rid of the older architects, Mr. Anand has engaged in what sounds like discriminatory hiring practices and favoritism. My clients also tell me that Mr. Anand has hired mostly younger employees to fill new positions or replace outgoing older employees, promoted younger employees without merit, and he has denied older employees the chance to compete for promotions even when they are ranked at the top of the list of candidates. He has also allegedly demoted older staff without reasonable cause and singled them out for heightened job criticism and scrutiny, as well as unwarranted discipline.

Christopher Sharp, Esq.
5000 CALVERT ROAD, SUITE 200, CHICAGO, IL 60630

Email to Fort Lauderdale City Commission
June 5, 2014

Although I do not yet have the information I need to determine whether the employee complaints I have heard amount to actionable discrimination, I will be gathering what I can through interviews and public records requests over the several weeks. I have also prepared draft EEOC charges, but nothing has been filed yet with the EEOC or the Florida Commission on Human Relations. Even if your initial reaction is to dismiss these claims as unfounded, in my 20 years of experience representing employees and management, if you have this many employees who *perceive* that they are being subjected to discrimination, you have a problem that needs to be addressed.

I understand that you are holding a Budget Workshop today to discuss Mr. Anand's proposed reorganization plan, and that if it receives preliminary approval, it will be voted on at the July 1, 2014 Commission meeting. If that ends up being the case I will definitely be present at the meeting to voice my clients' concerns, and, as is noted above, there will likely be legal action taken to challenge the reorganization. However, because I am also a resident of Fort Lauderdale, I would hate to see this matter devolve into litigation without first giving all sides an opportunity to meet and discuss these issues in more depth. More often than not, the perception of discrimination results from poor communication in the workplace and I have resolved many workplace disputes over the years by simply communicating with the other side in a forum where everyone's position can be heard and considered before it becomes a zero sum game of litigation, where the only guarantee is that both sides will spend a lot of time and money just to let someone else decide who should prevail.

I hope that the Commission will not view this communication as some sort of a threat to take legal action, since that is not the spirit in which it is intended. Rather, at this time I am writing as a concerned citizen of Fort Lauderdale who sees a large potential headache for the City down the road if Mr. Anand's proposed reorganization is approved by the City, and some or all of the 13 affected employees take legal action.

Thank you for your time and consideration of my email.

Deborah L. Blum, Esq.
2000 N.W. 11th Street, Suite 200
Fort Lauderdale, FL 33311
Phone: (954) 333-1111
Fax: (954) 333-1112
www.blumlaw.com

Sharp Law Firm, P.A.
4660 North University Drive
Lauderhill, Florida 33351
(954) 332-9077
Fax: (954) 919-1502
Email: esharplaw@aol.com

Christopher C. Sharp, Esq.
Board Certified by the Florida Bar
Labor and Employment Law

July 15, 2014

Via Email

Jonda K. Joseph, City Clerk
City of Fort Lauderdale
100 North Andrews Avenue, 7th Floor
Fort Lauderdale, FL 33301

Re: Public Records Request

Dear Ms. Joseph:

Pursuant to Chapter 119.07, Florida Statutes, I hereby request copies of the following public records of the City of Fort Lauderdale. Unless otherwise indicated, all of the requests are limited to the Public Works Department ("PW"), and the timeframe is from July 1, 2012 to the present.

1. Documents showing all disciplinary actions issued to any PW employees. The term discipline is defined in Article 13, Section 1 of the Agreement between the City of Fort Lauderdale and Federation of Public Employees, effective October 4, 2011 ("CBA").
2. All written counseling notices issued to any PW employee pursuant to the CBA.
3. All requests for hearings pursuant to Article 13, Section 3.3 of the CBA.
4. All final decisions issued after hearings pursuant to Article 13, Section 3.5 of the CBA.
5. All grievances filed by any employee pursuant to Article 32 of the CBA.
6. All requests for arbitration pursuant to Article 33 of the CBA.
7. All disciplinary files regarding any employee maintained by the following PW employees:

Jonda K. Joseph
July 15, 2014

- a. Hardeep Anand;
 - b. Scott Teschky;
 - c. Jeffrey Benjamin;
 - d. Chris Bennett;
 - e. Alex Scheffer;
 - f. Talal Abi-Karam.
8. All email communications between or among the PW employees identified in Request No. 7, concerning any disciplinary action taken against any PW employee since January 1, 2014.
 9. All "Informational Meeting" notices issued to any PW employees since January 1, 2014.
 10. Any and all complaints filed by any PW employee with the Office of Professional Standards ("OPS"), regardless of the subject matter of the complaint.
 11. Documents regarding or stating the outcome of any investigation conducted by OPS into any complaints filed by any PW employee.
 12. All City policies and procedures regarding the investigation of employee complaints by OPS.
 13. All complaints filed by any PW employee with the United States Equal Employment Opportunity Commission, the Florida Commission on Human relations or the Broward County Human Rights Division.
 14. Documents regarding or stating the outcome of any employee complaints identified in response to request No. 13.
 15. A copy of the City Personnel Rules applicable to PW employees.

I am willing to pay all lawful and reasonable costs associated with this request. The Supreme Court of the State of Florida has determined that public records requests must be fulfilled in with "limited reasonable delay" which allows the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt.

If you intend to deny this public request in whole or part. I request that you advise me in writing of the particular statutory exemption upon which you are relying, and an explanation for doing so, as required by Chapter 119 of the Florida Statutes. Additionally, if the exemption you

Jonda K. Joseph
July 15, 2014

are claiming applies to only a portion of a record, please delete the exempted section and release the remainder of the record as required by law.

Please acknowledge this request via email response within 48 hours (two business days) and provide the date when I may expect fulfillment of my request. If there are any statutorily prescribed fees required, please provide them in an email response as well.

Should you have any other questions, please do not hesitate to contact me. Thanking you in advance for your prompt attention to this matter, I am,

Sincerely,

Christopher C. Sharp
Christopher C. Sharp, Esq.
For the Firm

CCS/ccs

No tolerance for bullying, experts say

By Marcia Heroux Pounds, Sun Sentinel

Bullying in the workplace happens at all levels and in many different workplaces, even to 6-foot, 200-lb. Miami Dolphins football players, experts said at a conference Thursday in Deerfield Beach.

The Broward County Crime Commission gathered local and national experts to talk about adult and workplace bullying.

"When you have zero tolerance, employees understand, 'we don't want to get near that locker room mentality that the Dolphins had,'" said Jack Seiler, mayor of Fort Lauderdale, referring to Dolphins linemen's vulgar text messages, voice mails and behavior that prompted teammate Jonathan Martin to quit the team last year.

The city has a zero-tolerance policy against bullying, Seiler said.

But 27 percent of U.S. workers have been bullied and 21 percent have witnessed bullying in the workplace, according to a 2014 survey by the Workplace Bullying Institute. Workplace bullying is defined as repeated mistreatment; abusive conduct that is threatening, humiliating or intimidating; work sabotage; or verbal abuse.

Nearly 70 percent of bullies are male and 31 percent female, according to the Institute.

Improved economic conditions in the country have not lessened the bullying, said Gary Namie, research director of the Workplace Bullying Institute. Victims may be ostracized in the workplace and set up for errors, he said.

"I'm going to add to your job and not give you training and then call you 'stupid,'" he said as an example of a bully boss.

While many bills have been floated, including in Florida's state legislature, none have passed to take action against workplace bullying.

"Once management understands what the costs of bullying are, they'll get it," said Kelly Kolb, a labor lawyer for Buchanan, Ingersoll & Rooney in Fort Lauderdale.

Research has shown that bullying can result in "clinical depression, anxiety, high blood pressure, ulcers, loss of sleep, a variety of problems. That's going to translate into absenteeism, loss of productivity, more sick days, workers comp claims, health insurance claims, short- and long-term disability claims," Kolb said.

"Productivity is going down, expenses are going up, all because of this, usually one male, individual," he said.

Maureen Duffy, a workplace consultant and family therapist in South Florida, said once a person is targeted for bullying, it doesn't always end after the person is fired or quits.

"They get tracked down at their new employment, anonymous phone calls saying, why did you hire this person?," Duffy said. The former employer may withhold references when the person is trying to get a new job, she said.

Sometimes, the situation is even worse. Conference attendees heard from the mother and sister of Jodie Jones Zebell, a 31-year-old mammographer who took her own life after feeling bullied at work.

Manager is responsible for directing the City's day-to-day operations and carrying out the policies set forth by the Commission. Lee R. Feldman, Fort Lauderdale's current City Manager, began serving in June 2011.

The City of Fort Lauderdale's reorganized structure is comprised of the offices of the City Commission, City Manager, City Attorney, City Auditor, City Clerk and the following nine departments responsible for service delivery: Finance, Fire-Rescue, Human Resources, Information Technology Services, Parks and Recreation, Police, Sustainable Development, Public Works and Transportation and Mobility.

The City employs a workforce of approximately 2,457 employees.

Fort Lauderdale, Florida, Code of Ordinances
Charter of the City of Fort Lauderdale
Article 6

Sec. 6.01. Civil service established.

There is hereby established a civil service system of personnel administration based on merit principles and scientific methods governing the appointment, promotion, transfer, layoff, demotion, dismissal, suspension, removal and discipline of certain of its officers and employees.

The civil service system established herein shall be based upon principles that provide for: Recruitment from all segments of society and selection and advancement on the basis of relative ability, knowledge, and skill under fair and open competition; fair and equitable treatment in all personnel management matters without regard to politics, race, color, religion, national origin, sex, marital status, age, or handicapping condition and with proper regard for constitutional and statutory rights of individual privacy; fair and equitable compensation, considering the local (and national where applicable) rates paid by public and private employers, with incentives and recognition for excellent performance; high standards of integrity and conduct and concern for the public interest; efficient and effective use of the city work force; retention of employees who perform well, correction of performance of those whose work is inadequate, and separation of those who cannot or will not meet required standards; improved performance through effective education and training; protection of employees from arbitrary action, personal favoritism or political coercion; and protection of employees against reprisal for lawful disclosures of information.

The civil service system shall not be abolished or substantially modified except upon approval by referendum vote. All of the benefits accruing to employees under former civil service provisions inure to their benefit, except as herein provided and changed.

The civil service system and the personnel rules and regulations adopted pursuant thereto shall not apply to nor be maintained for regular employees in the classified service who are covered by a collective bargaining agreement.

**City Commission Conference Meeting Agenda
May 1, 2012 1:30pm**

Page 2

**PROPOSED AMENDMENTS TO CITY CHARTER RECOMMENDED BY CHARTER
REVISION BOARD (I-E)**

ARTICLES III, VI, AND VII

AMENDMENTS TO CITY CHARTER, ARTICLES III, VI AND VII - GOVERNMENT OF
CITY AND FORM

OF GOVERNMENT, CIVIL SERVICE SYSTEM AND ELECTIONS -

RECOMMENDATION OF

CHARTER REVISION BOARD

Recommend: It is recommended that the City Commission consider the Charter
Revision

Board's recommendations for amending the City Charter, and by consensus
provide direction to the City Attorney regarding proceeding with the
recommendations.

Exhibit: Commission Agenda Report 12-0870

CITY COMMISSION CONFERENCE MEETING 1:35 P.M. May 1, 2012

Present: Mayor John P. "Jack" Seiler

Commissioners Bruce G. Roberts, Charlotte E. Rodstrom, Bobby B. DuBose and
Romney Rogers

Also Present: City Manager Lee R. Feldman

City Auditor John Herbst

City Clerk Jonda K. Joseph

City Attorney Harry A. Stewart

Sergeant At Arms Sergeant Mike Dodson

Sergeant Jose Gonzalez

CITY COMMISSION CONFERENCE MEETING 5/1/12 – page 6

**I-E – Proposed Amendments to City Charter Recommended by Charter Revision
Board; Articles III, VI and VII – Government of City and Form of Government, Civil
Service System and Elections**

The City Attorney highlighted the Charter Revision Board's recommendations contained
in Commission Agenda Report 12-0870.

As to changing municipal elections to the general elections in November, Mayor Seiler
asked if it was about the cost. The City Attorney indicated that cost was discussed, but it
was somewhat peripheral that the cost would be less if the City joined the presidential
election process. In response to Vice Mayor Rodstrom, the City Clerk advised that when
the City joined the County, the cost was in the neighborhood of \$29,000. Davie also
participated at that time. It depends how many other cities participate which would
always be an unknown. For a stand- alone election, the cost would be \$183,000
approximately or a difference of about \$154,000. Commissioner DuBose pointed out that
the timing is infrequent that the City has the opportunity to join with the County. In the
last election cycle, the State changed their date as well (presidential preference). In
response to Commissioner Roberts, the City Clerk confirmed that based on the current
election cycle of February/March, the City's cost is in the range of \$360,000. She also
confirmed for Vice Mayor Rodstrom that the cost depends on the number of districts.

Mayor Seiler wanted to know the actual cost for the March election when it was not citywide. The City Clerk advised that the City has not yet received the Broward County Supervisor of Elections' bill. Mayor Seiler asked the City Clerk to secure the amount from the Supervisor. Commissioner DuBose inquired about the 2009 costs. The City Clerk indicated that the formula used by the Supervisor has changed since 2009. In further response, the City Clerk explained that even with a city joining the County, the Supervisor factors into the cost if other cities participate. The City Auditor added that there is a variable cost and a fixed cost. Commissioner DuBose did not understand the cost in November when it is simply extending the length of the ballot. The City Clerk explained that cities joining in November share in the labor costs for example. There is a complex formula. The City's cost to join in November would be about \$30,000 and there is a \$5,000 range with respect to the impact of other cities also sharing the cost. In response to the Mayor's previous question, the City Clerk advised that the total 2009 cost for both municipal elections was \$444,651.

With respect to extending terms, Mayor Seiler indicated that he could not vote to extend his own term. A general discussion ensued on various scenarios.

Mayor Seiler opened the floor for public comment.

Dennis Ulmer, 1007 NW 11 Place, suggested shortening the term to 2014 to align the City's elections with the gubernatorial that would also be a savings. The City Attorney did not think that the Commission could shorten their terms because of a property right in the position but offered to look into it.

CITY COMMISSION CONFERENCE MEETING 5/1/12 - 7

Commissioner Rogers pointed to the number of absentee voters. Together with early voting, people have more time. More discussion ensued with respect to extending terms. Commissioner DuBose pointed out that the concept was brought forward in a recommendation from the Charter Revision Board; it did not originate with the Commission. Both Mayor Seiler and Vice Mayor Rodstrom favored staggered terms. He drew attention to how Margate was able to change over to staggered terms. The City could hold its election with the gubernatorial cycle in 2014 and those to be staggered would be in office through March. The City Attorney noted that it is also proposed that the primary election would be eliminated. Half of the savings could be achieved by eliminating the primary. Commissioner Rogers suggested reducing the term limits to two, four-year terms. The City Attorney indicated that the number of terms was not addressed.

Mayor Seiler requested the City Clerk obtain specific dollar amounts as to election costs. He also suggested the Commission meet with their appointees on the Charter Revision Board.

With respect to the Board's recommendation to convert Article VI of the Charter pertaining to civil service to an ordinance, the City Manager explained that staff initiated this change. Civil service applies to all employees except those covered under collective bargaining and professional supervisory staff or about 250 employees. By moving the article to the code, amendments could be made by the Commission versus a Charter change. A good example of this point was changes made for the reorganization. The Civil Service Board has not met since 2003. Commissioner Rogers questioned the need for the grievance provisions if the Board has not met since that time. He wanted to give the City Manager the tools he would like to have to get the job done. Mayor Seiler agreed that based on the Board not having met for nine years, he believed the system is obsolete. Commissioner DuBose thought there had to be a reason that it was placed in the charter. In response to Commissioner DuBose, the City Attorney indicated it was placed in the charter for job protection, property rights to a particular job. Commissioner

Roberts added that it also has to do with having a professional staff and to prevent corruption. Vice Mayor Rodstrom noted also they are not protected by a union. By converting the article to an ordinance, the City Attorney explained for Commissioner DuBose that it makes it easier to amend; that being three votes. Now it takes three votes and an election. Commissioner Rogers reiterated it is a question of giving the City Manager the tools he thinks he needs to do his job. In response to Vice Mayor Rodstrom, the City Attorney advised it would affect less than 250 because management are not covered by civil service now. Commissioner DuBose was not inclined to favor the change. There could be another city manager in the future that the Commission would not want to have this power.

Returning to the idea of staggering terms, Commissioner DuBose wanted to know the cost for having an election every two years for two commission districts and citywide every four years for the mayor and the other two commission districts.

Mayor Seiler opened the floor for public comment.

Charles King, 105 N. Victoria Park Road, favored moving to November and holding elections every two years to keep people engaged. He felt there would be a better turnout.

Vice Mayor Rodstrom supported staggering terms so as to maintain some knowledge going forward. The City Manager felt it is an issue of government stability.

Art Seitz, 1905 N. Atlantic Boulevard, supported the change for a better turnout. He discussed campaign contributions and the desire for fresh blood in general.

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
June 5, 2012**

Meeting was called to order at 6:02 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1st floor Chambers.

Roll call showed:

Present: Commissioner Bruce G. Roberts

Vice Mayor Charlotte E. Rodstrom

Commissioner Romney Rogers

Commissioner Bobby B. DuBose

Mayor John P. "Jack" Seiler

Also Present: Acting City Manager Susanne Torriente

City Auditor John Herbst

City Clerk Jonda K. Joseph

City Attorney Harry A. Stewart

Sergeant At Arms Sergeant Andy Mueller

CITY COMMISSION REGULAR MEETING 6/5/12 -26

**CITY CHARTER AMENDMENT - BALLOT LANGUAGE - NOVEMBER 6, 2012 (R-05)
GENERAL ELECTION- CIVIL SERVICE**

No budgetary impact.

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 12-1018

Commissioner Rogers introduced the following resolution:

Commissioner DuBose indicated that his position on this matter has been consistent.

He does not support it. He felt it should remain in the charter. Since the last discussion on this matter, he has received several communications from, both, former and current staff members. He felt this class is protected under the charter and was included in the charter for that reason. Commissioner Roberts was pleased with the City's current administration, but recalled having issues with the prior administration; therefore, he was not comfortable moving forward with this item. Vice Mayor Rodstrom agreed with Commissioner Roberts, and indicated that she also will not support the item.

Commissioner Rogers indicated that the proposed is simply taking what is already in the charter and putting it into ordinance form. He thought the process is unwieldy. The previous item is an example. He supported the item. He also approves of the current administration. He believed this is necessary to bring about change. He thought civil service employees would still be protected under an ordinance.

RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF FORT LAUDERDALE ON NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY OF FORT LAUDERDALE FOR THEIR APPROVAL OR DISAPPROVAL THE PROPOSAL TO AMEND THE CHARTER OF THE CITY OF FORT LAUDERDALE TO PROVIDE FOR POSITIONS IN THE NON-CLASSIFIED SERVICE TO BE DESIGNATED BY RESOLUTION OF THE CITY COMMISSION AND TO

PROVIDE FOR THE CITY'S PAY PLAN TO BE
ESTABLISHED BY RESOLUTION OF THE CITY
COMMISSION.

Which resolution was read by title only. Roll called showed: YEAS: Commissioner
Rogers and Mayor Seiler. NAYS: Commissioner Roberts, Vice Mayor Rodstrom, and
Commissioner DuBose.

OFFICE OF PROFESSIONAL STANDARDS

MISSION

To promote equal employment opportunity, cultural diversity and sensitivity, and foster an environment in which all employees will feel valued and appreciated. Establish and implement standards of professionalism and fairness in the workplace. Assist the City Manager's Office and individual departments in their efforts to respond to the Employee Climate Survey and improve employee morale.

FY 2003/2004 GOALS, OBJECTIVES AND SELECTED PERFORMANCE MEASURES

Office of Professional Standards (OPS)

FY 2003/2004

Adopted

Total Budget \$488,669

Total FTE's 4

1. Goal: Promote equal employment opportunity, cultural diversity and sensitivity, and foster an environment in which all employees will feel valued and appreciated.
Objectives: a. Develop and implement policies and procedures to supplement or replace those currently in effect, that will promote a workplace free from discrimination, harassment or other illegal or inappropriate conduct.
b. Monitor compliance with the City's equal opportunity employment guidelines and policies.
c. Consult and investigate on specific incidents or issues, as brought to the attention of OPS by employees.
d. Assist departments in developing and implementing programs and strategies to respond to issues raised in the 2002 Organizational Climate Survey.
2. Goal: Establish and implement standards of professionalism and fairness in the workplace.
Objectives: a. Implement an internal Code of Professional Conduct by February 2004.
b. Educate and train employees regarding state ethics laws and the City's Code of Professional Conduct once implemented.
3. Goal: Assist the City Manager's Office and individual departments in their efforts to respond to the Employee Climate Survey and improve employee morale.
Objectives: a. Serve as facilitator to resolve workplace conflicts as brought to the attention of OPS by supervisors and employees throughout the City.
b. Formalize a conflict resolution policy and program.
c. Inform employees and officials of the ongoing status of climate survey responses by the City and individual departments.

OFFICE OF PROFESSIONAL STANDARDS

Selected Performance Measures*

FY 2003/2004

Target

Workloads/Outputs:

Code of Professional Conduct Development
Conduct Employee Workshops/Conflict Resolution Sessions
Inquiries/Consultations/Interventions
Develop Conflict Resolution Policy and Program
Conduct Ethics Training

Facilitate EEO Training and Education

*The City Commission authorized the Office of Professional Standards during FY 2001-2002.

FY 2002/2003 MAJOR ACCOMPLISHMENTS

The Office of Professional Standards officially began functioning in its new and expanded capacity during the 2002/2003 fiscal year. An effective and clear system of record-keeping and file maintenance was implemented to enable staff to track the progress of individual cases, as well as complaint trends in the workplace. Staffing was successfully completed in April after thorough recruitments. OPS moved its offices to its current location in April, increasing privacy and enabling OPS to better serve its expanded functions.

OPS worked on over 120 case files, which ranged in nature from simple inquiries, to complex investigations of complaints or requests for intervention. OPS developed a Code of Professional Conduct, which should be finalized for implementation during the first half of the 2003/2004 fiscal year.

An Equal Employment Opportunity Plan was developed, and received approval from the Department of Justice for the purpose of receiving federal grants. OPS publicized its new, expanded mission through its appearance in City publications, the development of a brochure distributed to all City employees, speaking to new employees, and holding an Open House. The result of these efforts was employee utilization of OPS' services that steadily increased as the fiscal year progressed.

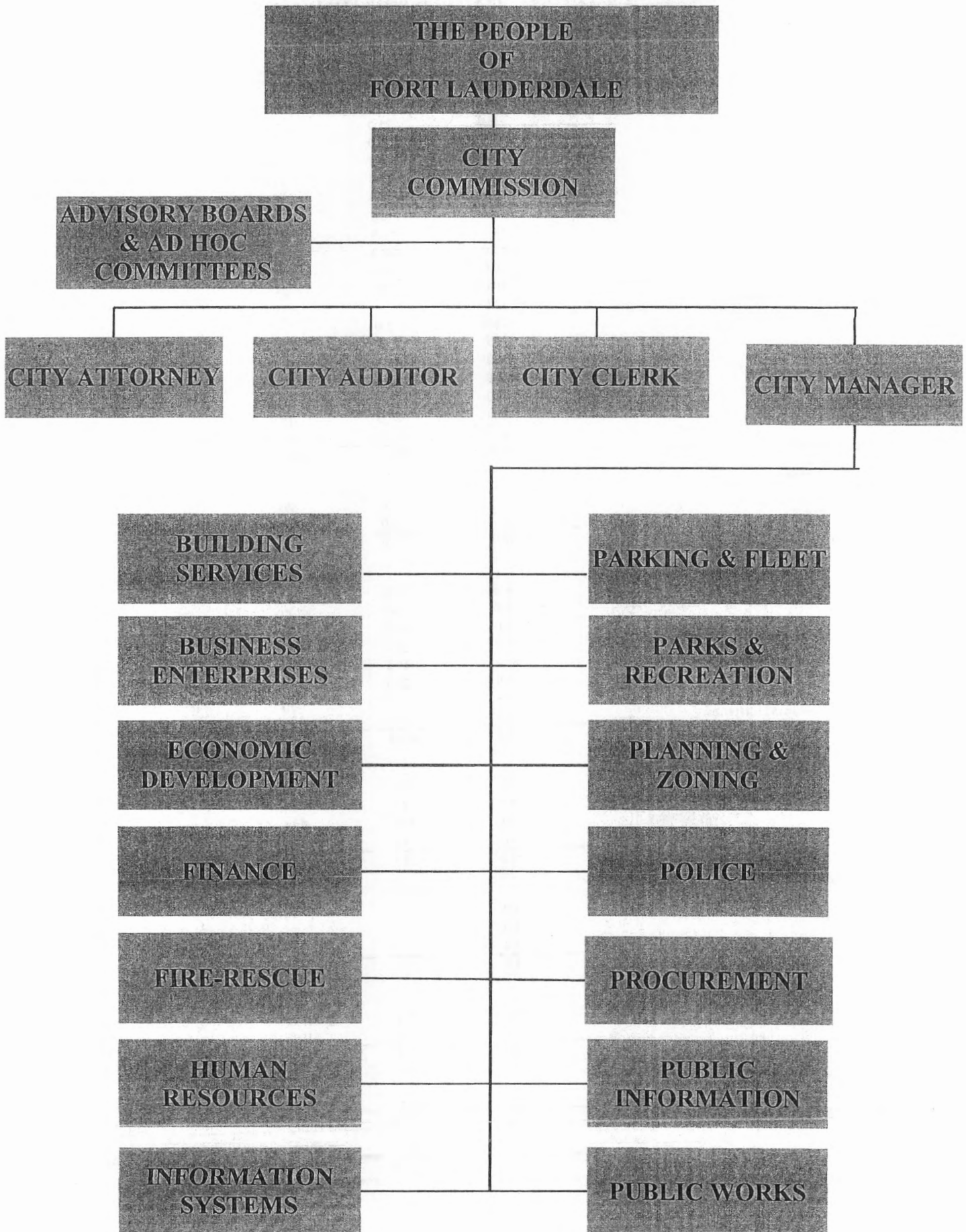
AUTHORIZED CITY POSITIONS (FULL-TIME EQUIVALENTS)

	FY 2010 Adopted	FY 2011 Adopted	FY 2012 Adopted	Position Increase (Decrease)	Percent Change
GENERAL FUND:					
Building Services	108.0	38.0	38.0	-	0.0%
Business Enterprises	47.4	47.2	47.0	(0.1)	(0.3%)
City Attorney	26.0	25.0	25.0	-	0.0%
City Auditor	5.0	5.0	5.0	-	0.0%
City Clerk	6.5	6.5	6.6	0.1	2.0%
City Commission	12.0	12.0	12.0	-	0.0%
City Manager	18.0	21.0	18.0	(3.0)	(14.3%)
Economic Development	8.0	6.0	7.0	1.0	16.7%
Finance	54.0	55.0	55.0	-	0.0%
Fire-Rescue	460.0	458.9	461.0	2.1	0.5%
Human Resources	20.0	19.0	19.0	-	0.0%
Information Systems	30.0	30.0	29.5	(0.5)	(1.6%)
Office of Management and Budget*	12.0	-	-	-	0.0%
Office of Professional Standards**	3.0	3.0	-	(3.0)	(100.0%)
Parks and Recreation	313.9	281.4	274.8	(6.6)	(2.3%)
Planning and Zoning	31.3	31.0	31.0	-	0.0%
Police	684.9	678.0	673.0	(5.0)	(0.7%)
Procurement	11.0	11.0	11.0	-	0.0%
Public Information	11.0	10.0	10.0	-	0.0%
Public Works	125.0	116.0	115.0	(1.0)	(0.9%)
General Fund Total	1,987.0	1,853.9	1,837.9	(16.0)	(0.9%)
Special Revenue Funds					
Building Services	-	60.0	59.0	(1.0)	(1.7%)
Economic Development	12.0	12.0	12.0	-	0.0%
Special Revenue Funds Total	12.0	72.0	71.0	(1.0)	(1.4%)
ENTERPRISE FUNDS:					
Sanitation - Public Works	64.5	62.4	57.4	(7.1)	(11.0%)
Water and Sewer - Public Works	315.0	307.98	306.00	(9.0)	(2.9%)
Central Region - Public Works	34.0	35.0	35.0	1.0	2.9%
Stormwater - Public Works	22.0	21.0	21.0	(1.0)	(4.5%)
Parking System - Parking and Fleet	47.9	45.8	70.8	22.9	47.7%
Parking System - Police	23.0	22.0	-	(23.0)	(100.0%)
Parking Systems - Public Works	3.5	3.2	3.2	(0.3)	(7.7%)
Executive Airport - Business Enterprises	16.0	16.0	16.0	-	0.0%
Enterprise Funds Total	525.9	513.4	509.4	(16.5)	(3.2%)
INTERNAL SERVICE FUNDS:					
Insurance - Finance	10.0	10.0	10.0	-	0.0%
Central Services - Business Enterprises	4.0	4.0	4.0	0.0	0.8%
Central Services - Information Technology Systems	8.3	8.12	9.12	1.0	12.3%
Vehicle Rental - Parking and Fleet	4.0	4.0	4.0	-	0.0%
Internal Service Funds Total	26.3	26.1	27.15	1.0	3.9%
LIGHT DUTY POSITIONS (Insurance Fund):***					
Fire-Rescue	1.0	-	-	-	N/A
Parks and Recreation	1.0	-	-	-	N/A
Public Works	1.0	-	-	-	N/A
Light Duty Positions Total	3.0	-	-	-	N/A
GRANTS AND CONFISCATION FUNDS:					
Planning and Zoning	17.0	17.0	15.0	(2.0)	(11.8%)
Police	18.0	18.0	18.0	-	0.0%
Grants and Confiscation Funds Total	35.0	35.0	33.0	(2.0)	(5.7%)
<u>TRUST AND AGENCY FUND:</u>					
Arts & Science Garage District	5.6	8.8	6.8	(2.1)	(23.6%)
Trust & Agency Fund Total	5.6	8.8	6.8	(2.1)	(23.6%)
ALL FUNDS TOTAL	2,594.8	2,509.3	2,485.2	(36.6)	(1.5%)

*The Office of Management and Budget Department has been eliminated and reorganized into the City Manager and Finance Departments.

**The Office of Professional Standards has been eliminated and reorganized into the Human Resources Department.

***These positions are not reflected in the department's organization chart.



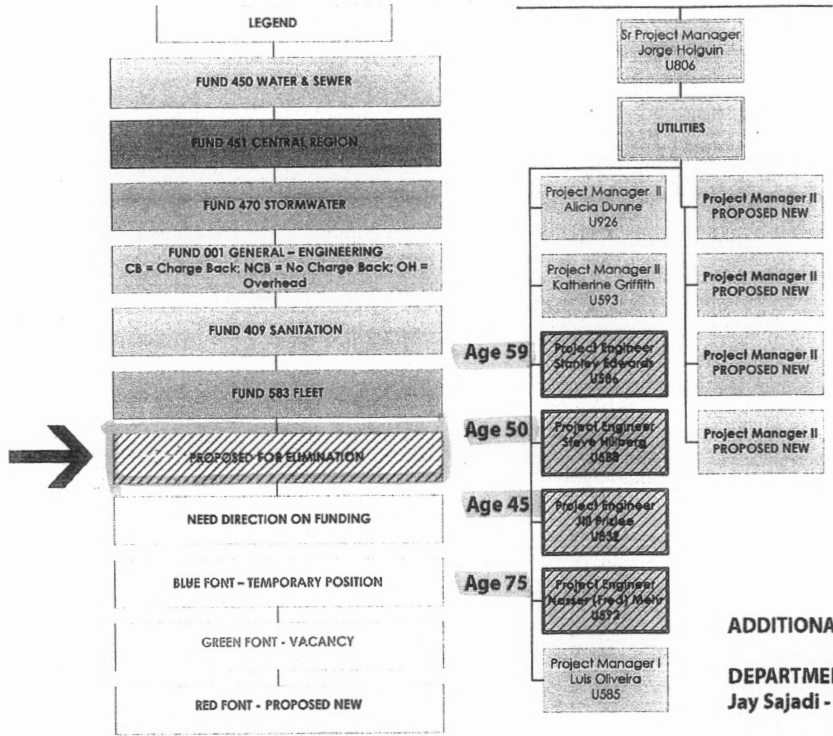
City of Fort Lauderdale Staffing Levels

	Fiscal Year 2013 Adopted					Fiscal Year 2014 Adopted				
	Regular Full-Time	Regular Part-Time	Seasonal Part-Time	Temporary Positions	Total FTE	Regular Full-Time	Regular Part-Time	Seasonal Part-Time	Temporary Full-Time	Total FTE
GENERAL FUND:										
City Attorney	25.0	-	-	-	25.0	25.0	-	-	-	25.0
City Auditor	5.0	-	-	-	5.0	5.0	-	-	-	5.0
City Clerk	5.0	2.4	-	-	7.4	5.0	2.4	-	-	7.4
City Commission	12.0	-	-	-	12.0	12.0	-	-	-	12.0
City Manager	30.0	-	-	3.0	33.0	31.0	-	-	3.0	34.0
Finance	58.0	-	0.4	-	58.4	58.0	-	0.2	-	58.2
Fire-Rescue	450.0	10.0	1.1	-	461.1	437.0	10.3	2.1	-	449.4
Human Resources	19.0	-	-	1.0	20.0	19.0	-	-	2.0	21.0
Parks & Recreation	235.0	67.8	49.0	1.0	352.8	217.0	70.0	58.1	1.0	346.1
Police	642.0	12.0	-	-	654.0	651.0	16.3	-	-	667.3
Public Works	53.0	-	-	-	53.0	39.0	-	-	-	39.0
Sustainable Development	54.0	1.5	-	-	55.5	59.0	2.4	-	1.0	62.4
Transportation & Mobility	6.0	-	-	-	6.0	7.0	1.5	-	-	8.5
General Fund Total	1,594.0	93.7	50.5	5.0	1,743.2	1,565.0	102.9	60.4	7.0	1,735.3
Community Redevelopment Fund:										
Sustainable Development	9.0	-	-	-	9.0	8.0	-	-	-	8.0
Community Redevelopment Fund Total	9.0	-	-	-	9.0	8.0	-	-	-	8.0
Grants Funds:										
Sustainable Development	11.0	-	-	1.0	12.0	11.0	-	-	1.0	12.0
Police	19.0	-	-	-	19.0	15.0	-	-	-	15.0
Grants Funds Totals	30.0	-	-	1.0	31.0	26.0	-	-	1.0	27.0
Building Permit Fund:										
Sustainable Development	54.0	-	-	-	54.0	57.0	0.7	-	-	57.7
Building Permit Fund Total	54.0	-	-	-	54.0	57.0	0.7	-	-	57.7
Sanitation Fund:										
Parks & Recreation	63.0	-	-	-	63.0	78.0	-	-	-	78.0
Public Works	8.0	-	-	-	8.0	9.0	-	-	-	9.0
Sanitation Fund Total	71.0	-	-	-	71.0	87.0	-	-	-	87.0
Water & Sewer Fund:										
Public Works	287.0	-	-	-	287.0	298.0	-	-	1.0	299.0
Water & Sewer Fund Total	287.0	-	-	-	287.0	298.0	-	-	1.0	299.0
Central Region Fund:										
Public Works	35.0	-	-	-	35.0	35.0	-	-	-	35.0
Central Region Fund Total	35.0	-	-	-	35.0	35.0	-	-	-	35.0
Parking Fund:										
Transportation & Mobility	66.0	9.4	-	-	75.4	67.0	11.1	-	-	78.1
Parking Fund Total	66.0	9.4	-	-	75.4	67.0	11.1	-	-	78.1
Airport Fund:										
Transportation & Mobility	17.0	1.0	-	-	18.0	19.0	0.8	-	-	19.8
Airport Fund Total	17.0	1.0	-	-	18.0	19.0	0.8	-	-	19.8
Stormwater Fund:										
Public Works	24.0	-	-	-	24.0	28.0	-	-	-	28.0
Stormwater Fund Total	24.0	-	-	-	24.0	28.0	-	-	-	28.0
City Insurance Funds:										
Human Resources	12.0	-	-	-	12.0	12.0	-	-	-	12.0
City Insurance Funds Totals	12.0	-	-	-	12.0	12.0	-	-	-	12.0
Central Service Fund:										
Information Technology Services	59.0	4.1	-	-	63.1	61.0	4.7	-	-	65.7
Central Service Fund Total	59.0	4.1	-	-	63.1	61.0	4.7	-	-	65.7
Vehicle Rental Fund (Fleet):										
Public Works	4.0	-	-	-	4.0	3.0	-	-	-	3.0
Vehicle Rental Fund Total	4.0	-	-	-	4.0	3.0	-	-	-	3.0
Arts & Science Garage District Fund:										
Transportation & Mobility	-	1.5	-	-	1.5	-	1.6	-	-	1.6
Arts & Science Garage District Fund Total	-	1.5	-	-	1.5	-	1.6	-	-	1.6
ALL FUNDS TOTALS	2,262.0	109.7	50.5	6.0	2,428.2	2,266.0	121.8	60.4	9.0	2,457.2

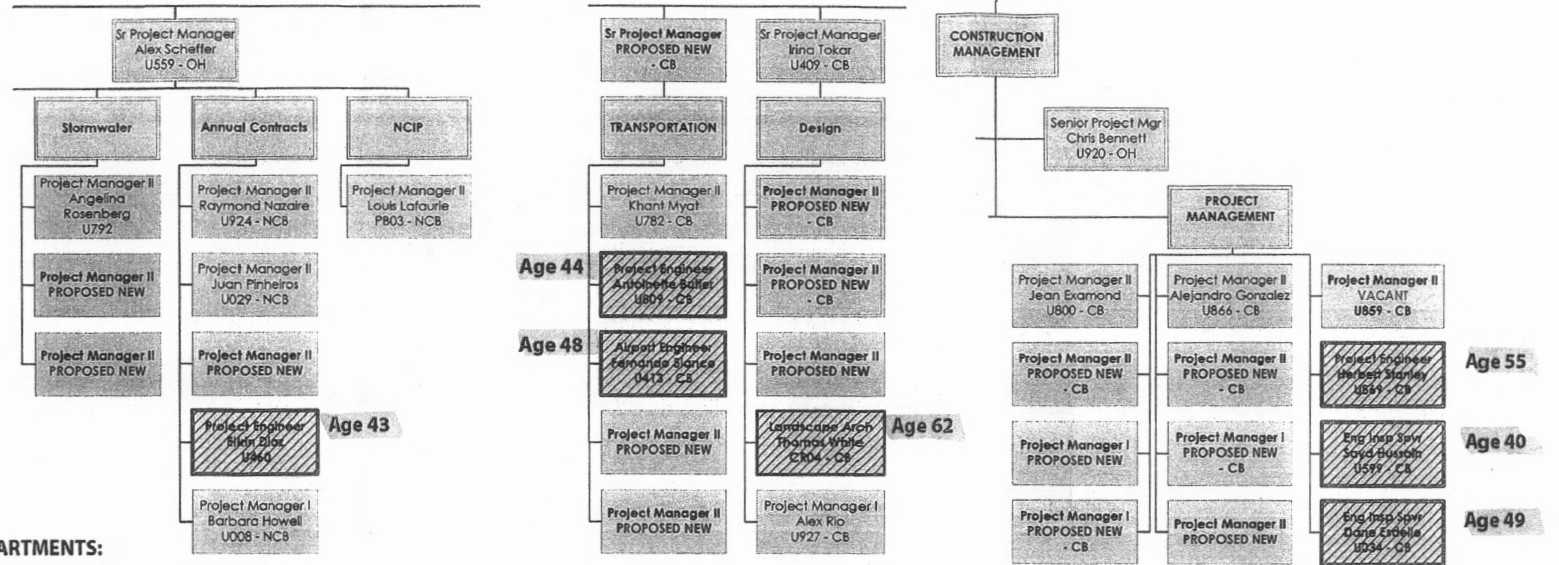
Changes to the Personnel Complement Since FY 2013

City Manager +1 Full Time Positions			
Chief Services Officer	1		
Fire-Rescue -13 Full Time Positions			
Communications Specialist	-8	Fire-Rescue Communications Coordinator	-1
Communications Specialist Trainee	-2	Paramedic Firefighter	4
Firefighter	-4	Public Safety Telecommunication I	-2
Human Resources +1 Full Time Positions			
Chief Services Officer	-1	<i>Senior Management Fellow*</i>	1
<i>Organization Development & Training Coordinator*</i>	1		
Information Technology Services +2 Full Time Positions			
Assistant Database Administrator	1	Planner II	-2
Chief Information Security Officer	1	<i>Process Control Engineer</i>	-1
Geographic Information Systems Analyst	2	<i>Senior Technology Support Analyst</i>	1
<i>Information Security Analyst*</i>	1	<i>Senior Technology Strategist</i>	-1
<i>Mobile Data Technology Administrator*</i>	1	<i>Technical Support Analyst</i>	-1
Parks & Recreation -3 Full Time Positions			
Apprentice Municipal Maintenance Worker	-4	Master Swim Coach	-1
Assistant Parks & Recreation Director	-1	Municipal Maintenance Worker II	-16
Deputy Director	1	Municipal Maintenance Worker III	-10
Fabricator-Welder	-1	Municipal Operations Supervisor	-1
Field Operations Technician (Level I)	14	Park Ranger Supervisor	-1
Field Operations Technician (Level II)	4	Parks Supervisor	1
Field Operations Technician (Level III)	8	Pest Control Technician	-1
Field Operations Technician (Level IV)	9	Pool Equipment Mechanic	-1
Head Grounds Keeper	-1	Recreation Programmer II	2
Irrigation Repairperson	-3	Swimming Team Director Head Coach	-1
Police +5 Full Time Positions			
Clerk Typist II	-3	Police Lieutenant	1
Crime Scene Investigator	1	Police Officer	6
Police Sergeant	1	Police Officer (K-9)	1
Police Captain	-1	Victim Advocate	-1
Public Works +2 Full Time Positions			
Accounting Clerk	-1	Fabricator-Welder	-1
Administrative Tech Service Manager	-1	Field Operations Technician (Level III)	1
Administrative Aide	1	Fleet Manager	-1
<i>Administrative Assistant II*</i>	1	Land Development Manager	-1
Administrative Assistant II	1	Municipal Maintenance Worker I	-1
Airport Engineer	1	Municipal Maintenance Worker II	1
Architect	-3	<i>Project Manager*</i>	1
Architectural Assistant	-3	<i>Project Manager II*</i>	4
Assistant Public Works Director	3	<i>Senior Management Fellow*</i>	1
Chief Architect	-1	<i>Senior Project Manager*</i>	2
Construction Worker III	2	Senior Project Manager	1
Deputy Director	-2	Survey/CADD Coordinator	1
Electro Technician	-1	Utilities Serviceworker	-1
Engineer	-1	Utility Field Representative	-1
Engineering Assistant	-1	Wastewater Treatment Plant Operator I	1
Engineering Inspection Supervisor	1	Water Treatment Plant Operator I	2
Engineering Records Technician	1	Water Treatment Plan Operator Trainee	-2
Engineering Technician II	-1	Word Processing Secretary	-1

**PUBLIC WORKS DEPARTMENT
MAY 2014**



**AGES OF EMPLOYEES PROPOSED
FOR TERMINATION**



ADDITIONAL DEPARTMENTS:

DEPARTMENT OF SUSTAINABLE DEVELOPMENT (DSD)
Jay Sajadi - Project Engineer - Age 63

TRANSPORTATION & MOBILITY
Heslop Daley - Project Engineer - Age 58

TOTAL: 13 Positions