

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO AGREE IN WRITING TO CHANGE POLICE DEPARTMENT POLICY 104.1, DETAILS AND OFF-DUTY EMPLOYMENT, AS THE CITY MANAGER DEEMS APPROPRIATE, EXTENDING WORKERS' COMPENSATION AND LIMITED LIABILITY COVERAGE TO CITY EMPLOYEES WHILE WORKING OFF-DUTY DETAILS FOR LARGE SPECIAL EVENTS, AUTHORIZING THE CITY MANAGER TO CHANNEL WAGES FOR LARGE SPECIAL EVENTS THROUGH THE CITY'S PAYROLL SYSTEM, AUTHORIZING THE CITY MANAGER TO INVOKE THIS RESOLUTION FOR LARGE SPECIAL EVENTS HAVING A MUNICIPAL AND PUBLIC PURPOSE AS THE CITY MANAGER DEEMS APPROPRIATE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale from time to time enters into Event Agreements for special events that require the deployment of Police Department personnel; and

WHEREAS, off-duty police resources deployed for certain special events provide security, traffic control, and crowd control for the event sponsors, and certain sworn police officers and other employees perform off-duty detail work for the event sponsors; and

WHEREAS, Article 52, Section 1, of the collective bargaining agreement between the City of Fort Lauderdale and Fort Lauderdale Fraternal Order of Police, Lodge No. 31, Inc., as to police officers and sergeants, and Article 52, Section 1, of the collective bargaining agreement between the City of Fort Lauderdale and Fort Lauderdale Fraternal Order of Police, Lodge No. 31, Inc., as to police lieutenants and captains, provide that "[t]he Union recognizes that the City has the exclusive right to establish policy regarding all off-duty police employment," and that the City agrees that it "will not alter or change any provisions of the policy unless mutually agreed in writing"; and

WHEREAS, large special events such as Annual Fort Lauderdale International Boat Show, Tortuga Music Festival, the Lauderdale Air Show on Fort Lauderdale Beach, Annual Fort Lauderdale St. Patrick's Parade & Festival, Riptide Music Festival, Winterfest Boat Parade, and others, tend to foster tourism, culture, entertainment, and economic activity in the City of Fort Lauderdale, Florida, all of which serve legitimate municipal and public purposes;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

Section 1. The City Commission authorizes the City Manager to agree in writing to change Police Department Policy 104.1, Details and Off-Duty Employment, as the City Manager deems appropriate.

Section 2. The City Commission considers City employees working off-duty details for large special events who are injured while working during the course of and at the location of such large special events as City employees for workers' compensation purposes.

Section 3. The City Commission considers City employees working off-duty details for large special events whose negligent or wrongful act or omission causes an injury or loss of property, personal injury, or death while working during the course of and at the location of such large special events as acting within the scope of their employment. The City Commission does not waive the City's sovereign immunity except as provided in Section 768.28, Florida Statutes (2017), as may be amended or revised.

Section 4. The City Commission authorizes the City Manager to channel wages for off-duty detail work for large special events, as paid to the City by the event sponsors, through the City's payroll system.

Section 5. The City Manager is authorized to invoke this Resolution for such large special events having a municipal and public purpose as the City Manager deems appropriate.

Section 6. This Resolution shall be effective immediately upon its passage.

ADOPTED this the _____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI