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Mayor Adornato - City Manager's annual review. Mr. City Manager, do you have a presentation? I throw myself at the mercy of the court. Commission would you like to make some comments or two questions?

Commissioner Carn - I want to evaluate him.

Mayor Adornato - Yes, Commissioner Carn, you may start.

Commissioner Carn - Thank you. Thank you.

Mayor Adornato - We will restrict these to, you know, three minutes each. If we need in return start..

Commissioner Carn - I have an evaluation, I did an evaluation. I'm serious. I did. I came up with seven items to rank and I'm going to give this as a part of the record to our city clerk. My ranking is 4 for outstanding 3 for excellent 2 meets expectations and one needs improvement, zero unsatisfactory. And these were developed according to the Article 4 Section 4.03 of the duties of the city manager in our charter and I base this on my experience of Mr. Hebert's execution of duties, his leadership that he's provided, how he represents the city, his relationships with staff and key service providers to the city, respect for the residents of Oakland Park and the partnership with the City Commission. So I'll launch into my first item, number one is in a personal relationship. His appearance attitude, business, et cetera. you'll read this. My comments, Mr. Hebert, is always professional in his appearance conduct and interactions. I've witnessed his kind and humane manner of addressing concerns of residents even when things got heated. He's respectful to staff during commission meetings and presentations. He attends community events and mingles frankly freely. He keeps the redevelopment and city improvement task moving forward in a measured manner. I give him a 4.0 in that category.

Leadership, formulates and articulates a shared vision for the city, inspires teamwork and effectiveness. Dot, dot, dot. You can read that later. He works with senior level executive team to steer the city forward. He engages consultants to provide data for weighty decisions. Employee Appreciation Luncheon was a great hit; shows that you care. He readily applauds staff for internal and external achievements and he's always prepared for meetings and discussions and relies on his staff willingly. I give him a 4.0 in that category.

Judgment, exercises discretion and diplomacy, handles difficult situations. Mr. Hebert has demonstrated his ability to defuse and redirect difficult situations. He's adept at relying on facts and data to explain rationale for his decisions. He responds quickly and effectively to emergencies and critical issues for cities and residents and uses logic well to determine the best course of action. I give him a 4.0.

Intergovernmental relationships, aggressive advocacy for the city maintains communications with elected and not elected. He maintains open and cordial relationships with county officials who willingly share their respect for the city manager and their pleasure to work with Oakland Park. He continues to expand his relationship with government officials at local, county and state levels. He accepts and follows through on introductions to Community Development Partners. I've introduced him to some he's followed up, brought them into the city. Great results. Rating a 4.0

City Commissioner Relationships, maintains an open door policy with us, reviews agenda items with commissioners, is accepting of feedback and recommendations. Commission agendas are very clear and detailed shares visions and thoughts with commissioners, seeks advice from commissioners for resolving difficult issues, relies on institutional memory of commissioners to guide planning, notifies commissioners of emergencies within the city. There are some others. I rated him 4.0.

Six, meets overall Park Oakland Park objectives, he's financially astute, manages fiscal risk properly, engages in the process of helping residents receive resolutions to their issues, receives complimentary letters from residents on a regular basis. We just got a beautiful one this week. Give him a 4.0.

Diversity. he hires and promotes employees in numbers, he proactively seeks out diverse candidates during the hiring process. We've talked about it; considerate of diversity during procurement, open to discussing a local business preference program, encourages city to support LGBTQ activities, and recognitions and gave him a 3.9. My overall rating of Mr. Hebert is a 3.98 and my last concluding comment is Mr. Hebert is passionate about Oakland Park and compassionate towards his staff and the residents of Oakland Park. Some residents have responded in awe of the quick and personal attention he and his team have given their issues. Mr. Hebert represents the city of Oakland Park with dignity and his peers respect him highly. Oakland Park is referred to as a great city to work with. In all my conversations with county commissioners, Mr. Hebert has leveraged his prior municipal relationships well to the benefit of Oakland Park. I'm happy to submit my evaluation for Mr. Hebert Michael Carn Commissioner June 7, 2017.

Mayor Adornato - Thank you. That was very comprehensive I daresay. Thank you.

Commissioner Carn - Oh yes he was.

Mayor Adornato - we may need to have you enlist Commissioner Carn to put together a template evaluation that in the future we all may fill out. I think as Commissioner Sparks said per Robert's rules ditto. But I will continue to let the floor.

Commissioner Sparks - I would just I would just like to say I'm glad I'm a union member, because we are not what we manage ourselves. We don't have to do any annual review.

Mayor Adornato - You mean in your other job?

Commissioner Sparks - yes in my other life? Yes. Yeah.

Mayor Adornato - So otherwise you are a commissioner here.

Commissioner Sparks - Otherwise I am a commissioner here. Yeah. Yes, sir. I am a commissioner here and all I have to say is you do a great job and I may be new but thanks for not getting angry when my dog peed on your carpet. I brought my puppy to work day.

Mayor Adornato - Oh and another commissioner would like to speak. Yes or no? Yes. Yes, I can.

Commissioner Guevrekian - I'm going to be brief because I don't want to embarrass Mr. Hebert. He knows how I feel, because we've discussed it regularly. Even when we don't agree, we agree that I think David Hebert the best thing that ever happened the great city Oakland park at just the right time and just the right place. And I'm so, so pleased with all you for your contribution so far and look forward to what you have to bring to the table in the future. Thank you, sir.

VM Lonergan - Thank you, Mayor. I do want to say, I do have some notes not as extensive as Commissioner Carn, but it has been an extremely busy and productive year for the city manager and not only for the city manager, but for his entire team. I'm very pleased with your performance regarding the direction of the city and the oversight of the issues within the city. There were many policies and procedures that were recently changed to help improve processes from zoning the master business list, tandem parking, a lot of different issues were identified and we were able to work on those. Staffing changes; there were departmental realignments to improve operational efficiencies to get the different departments to work together. So we're working smarter, easier, not harder. Third, I would imagine it was a challenging year. There are several legal issues which D.J. helped bring us through, but you ultimately you're still steering the ship so you had to keep track of all those things that were going on. The continuation of our pop and are proud to be Oakland Park initiatives is a wonderful thing. Many developments are in progress. The CRA is moving forward. One thing that that made me a little nervous. We've got a lot of studies in the cost of the studies makes me nervous. But the reality is that's the way to get it done right. So that we're making sure we're investing a little bit into these studies to make sure that as we move forward we're doing it properly. So hats off to you to make sure we're headed in the right direction with the best advice that we can get. We need to get it right the first time. And again, those studies are everything from mobility, parks and Rec, the facilities, fire, a lot of studies going on and although people might wonder, you know, it's a lot we want to make sure

we're doing this right and we're doing the right thing. The grants obtained, the construction projects that have been completed. And you know, I think you're doing a great job marketing our city. Yeah, we're headed we're definitely headed in the right direction. Personally, I want to thank you and your staff. In the past year, as you can probably all imagine, we get many telephone calls and e-mails from residents. I can only imagine how he rolls his eyes every day when I send him an email asking him something, because it pretty much does happen on pretty much a daily basis. So I want you know, your staff, you and your staff under your leadership your responsive to my outbound contacts to the residents and the business owners. You respond to them. I get return calls saying they were very courteous. They explained it to me. I appreciate even when they didn't like the end result it was done in such a way that the person appreciated the time explaining it why things work the way they did. And then, I found you and staff have been very responsive to my requests for follow up to improvement opportunities, everything from, you know, missing sign to spray paint on something, to a can of paint that was spilled on the end of Park Lane East. There it sat for a few weeks and out they were with the black paint covering it up so we didn't - a car went through the yellow paint and took that strip all the way down. So you know, they did what they could to improve the situation.

It's interesting you mentioned not doing evaluations. At the company that I've been with for 31 years, we do have an annual review process and we also have - we have to set our goals for the next year because we all have opportunities to improve and that's what I'm told every year - you have opportunities, you have new skill sets. There's truth to it. So I know there probably, I think Mr. Hebert, I think - not

personal opportunities, but city opportunities. I know you are very aware and keen to identify our bid pack nine shortcomings, problems we had with that. Making adjustments to it. We're living up to our mistakes. When we do make a mistake we admit to that mistake. We apologize. That mistake makes sure we're not going to make that same mistake again in the future and move forward and that's what we need to do.

The LERIX construction delays again, had nothing to do with you. You know, made sure that if something like this happens in the future we'll make sure we have it right through quality audits or quality control. The Shops at Prospect Andrews again, that delay had really nothing to do with staff, the county had additional requirements. People look at things like that and they say ah, that's your city staff, they've screwed something up or messed something up, and that's not always the case. When we do make a mistake, I expect us to live up to that mistake, make an apologize for it, adjust it and move forward and I do think, Mr. Hebert, that you do a good job at it if you do identify something.

I would have just a couple of questions and I hope you don't mind if I ask. What do you have a biggest accomplishment that you feel you've had in the past year? And I know that's a big question right out of the blue but something might really like.

CM Hebert - Someone brought to my attention the other day, one of my professional organizations, that I have served the public for twenty-five years. It seems like it hasn't been that long, but in fact it has been. I've seen governments who are competent and governments that are incompetent. I've seen partnerships at a community level that are broken and partnerships that are successful. I've seen staff that are motivated and excited and I've seen staff that are demoralized and conflicted. And the thing that I have the most pride in is the small role that I've played in trying to encourage collegiality at this table to support the men and women of our outstanding staff who work diligently every day on behalf of our citizens and our residents. Leadership is really a simple thing when you surround yourself with people who care. There are people who have made it a point to complain about some of the turnover and it is true that we've lost some people that I miss even today, but they've gone on to bigger and better things by and large and I will never ever hold anybody back from opportunities. And I think so long as people believe in that they are free to explore and develop and challenge themselves so long as they know that the door is open to their future whether it's here or elsewhere. They feel a comfort level that allows them to really expand. I have told each one of you individually on a regular basis how pleased I am with the partnership that we have. How important it is that we prioritize our commitment and collegiality. How we work constantly to improve the ability of each and every one of us, to find the means to the right decisions in a way that is not going to be perceived as divisive or argumentative and certainly always civil. I don't think anybody in this city has the ability today to look at the rest of our government institutions and say gee, aren't they a model of civility? Uh, wow. Don't I want my child to grow up and look just like him and act just like her? And you know what? If I had children, I'd be proud to say, I hope you grow up and act like the people that are at this table. My partnership with the city attorney and the city clerk are extraordinary and that's the only thing I have pride in is that whatever role I had in providing a little bit of glue to a great team and another great team and a wonderful city that's a testament to everybody.

VM Lonergan - Thank you, Mr. City Manager for sharing yourself with us. One last question that I have and I want to share this. This is I think it'll help give us insight a little bit. What keeps me up at night as a commissioner? Maintaining a responsible respectable budget while continuing the development and the quality of life of initiatives, that can keep me up at night. Making sure you know, where's that that fine line? Can you share is there something that keeps you up at night? Related to the city?

CM Hebert - That's another funny question, because I just was asked this the other day and I said, you know, I sleep like a baby and I do. I'm a really, really fortunate man. I have a wonderful family. I have dear friends. I have faith and I have a job that I have. I have such excitement for every day. I'm a human being like everybody's a human being and as I've expressed individually to each of you, and as we've seen in this very city in the not so distant past, that evaluations of people in the

public arena can very quickly be utilized for petty and punitive means and be thrown completely off course and destroy that very civil discourse that I am trying always to achieve. So I am grateful to my engineer friend who feels the need to be technical and put numbers on paper that he was so generous in his evaluation this evening. But it creates discomfort for me that that might cause me not to sleep though I slept pretty well last night. I worry about the safety and security of the city. I worry about its well-being, but I know every day that I'm here and every day that I go home, that I've done everything I can to do what's right. And I'm not boasting about that. There are plenty of days that I've gone home and wished I'd done something a little bit differently or a little bit better. But ultimately, I know that we're moving in the right direction and it's really exciting. I got to tell you, I'm Thrilled, thrilled, to be here. You guys have been wonderful. Staff if I don't say it enough shame on me, because I'm nothing without you. And especially, I have to say Ana Alvarez who continues to try to encourage me to realize how incompetent she is and she has no idea how brilliant she is. So that's the answer. Nothing keeps me up at night.

VM Lonergan - Thank you, Mr. Hebert. I just want you to know that I have no doubt you have convinced me that you do love the city of Oakland Park and you do your best, I'm sure. 24/7, 365 you probably think about this place. So it's quite a job. So thank you, Mr. Mayor.

Mayor Adornato - Thank you. Again, I have to say ditto to many of the comments that have come up for me and I appreciate the responses. Mr. City Manager, obviously you were getting a resounding level of support from the entire commission. You continue to impress me with your passion and the excitement. As people come up to me and they say, you really are a city on the move and you really have been showing us that you can direct your staff, and a great staff, that toward the goals and the vision that you have embraced and I think taken to the next level of actual implementation of what the city put forward as a city on the move to our downtown redevelopment. But more than just the downtown, that you do understand the needs and the interests of the entire city. And that you are trying to take the right steps and take them as quickly as you possibly can. And it is great, because we're making it happen and the businesses are responding, the residents are responding, and the development is coming. It's really exciting. I'd say, you know, there that your handling of the transition of staff bringing on some really great new staff has been incredible and their work is reflected not only in the hard work that you all are doing, but also I think in the respect that they have of you and your leadership in trying to do the right thing and make sure that they go home at the end of the day the same way that they've done what they can and that it's been pretty darn good. So I thank you for that. I know I've talked with residents who've met with you and spoken with you and the responsiveness of you and your team to the many, many, many, many requests that come from the residents has been has been top notch. So I think I appreciate your work and I appreciate your passion and I look forward to another exciting year. We won't embarrass you anymore unless anyone else has something more to say. Did you want to do that? Is that your motion? Oh, yes.

CA DJ Doody - Can I weigh in and to embarrass him?

Mayor Adornato - Yes. You may City Attorney.

CA DJ Doody - To the extent respectfully, what we have before you is the necessity of considering and directing me to prepare a third Amendment to his employment contract. And I think specifically, Mr. Hebert has requested some clarification as to the language in the original contract, the employment agreement, which addressed PTO as paid time off. And for the first year he was receiving one hundred sixty hours for his employment. The second the Third Amendment hasn't addressed that and I would seek some clarity and ask that you consider that in the Third Amendment please. Is that accurate? Ms. Day?

Lori Day - Yes, it is.

Commissioner Sparks - So please, I'm sorry I shouldn't push that button just for clarification. PTO previously what was the city manager's PTO?

Lori Day - The prior city manager, excuse me, Lori Day. The prior city manager was accruing at 296 hours.

VM Lonergan - Yes. So. And I did do a breakdown. I did receive the information that you sent and these are great questions. So my understanding is right now the city manager based on his initial contract is getting four weeks of vacation which is one hundred and sixty PTO hours, paid time off hours. So that's a combination of vacation and sick time. Correct?

Lori Day - That is correct.

VM Lonergan - Okay. So there were different surveys that were done. I do understand based on my understanding that I'm not quite sure it was 240 hours, but let me take a step back. I then heard Mr. Stunson, our prior city manager, was at two hundred ninety-six hours. Now keeping in mind that's an employee who is with the city for 22 years. Okay. So I want to take that to account. There was a study, if I'm not mistaken, you can correct me that the city managers in Broward County on the average are getting is it two-hundred and ninety-six or two hundred and sixty-nine?

Lori Day - two hundred and sixty-eight hours.

VM Lonergan - Do we know what the average span of employment is at this this level of compensation?

Lori Day - Ah yes sir. 26 municipalities have responded to this survey and 16 of those city managers had been serving for less than five years.

VM Lonergan - Ok. Sixteen of 26.

Lori Day - Yes, sir.

VM Lonergan - So that would be. What percent? 40 some percent?

Mayor Adornato - I'm thinking twenty-six would be fifty-five. Sixty?

VM Lonergan - Okay, and I just share this as part of discussion through. I know myself who works for a private company who's been for a company, with the company for 31 years. How they have done it and I just share this in case you're not familiar. Every five years you earn positive potentially an extra week of vacation up to a maximum and I believe it was two hundred and sixty hours. I don't know what executives make at the company so that takes the whole philosophy out there. But I don't know if we want to consider immediately moving up the number of vacation hours up to the five-year mark and then increasing it maybe another week after the five-year mark in every five years after that. Again, I just shoot this out as a potential starting point. I don't know. I don't know what your feeling is. My basic understanding is that one hundred and sixty hours the city manager is currently not even at the same equal playing net that the entire staff is at as far as accruing vacation over time. So I know there's a lot to think about here and I just wanted to throw all this stuff out there so we can see what sticks and what falls.

CA DJ Doody - Respectfully, you've got around the time you've got limited time.

Mayor Adornato - Yes, commissioner Carn.

Commissioner Carn - So I don't think a manager should accrue less than his staff. So I don't know what that number would be but.

Mayor Adornato - what would that number be? What do staff accrue at?

Lori Day - Well the number that the average number that we're looking at is the two sixty-nine and the highest accrual right now of any of the city manager staff is at 240.

Mayor Adornato - I'm sorry the 269 was relevant to the study the other city managers across the county. The 240 you're saying is 240 is what Oakland Park City staff are accruing at what?

Lori Day - That is the highest - that's the highest person who reports to the city manager. Correct.

Mayor Adornato - And how does a city employee increase their accrual?

Lori Day - Based on your years of service, the civil service rules outline the incremental increases and then the non-classified employees were on individual contracts so there's are not as incrementally equal as the civil service ones but they go up about four days then three days, then three days and four days as you as you climb in years of service.



Mayor Adornato - each year or?

Lori Day - At the end of the second year then you're two through seven your eight through 14 you're 15 through 19 and then 20 plus.

Mayor Adornato - Yes. Commissioner Guevrekian.

Commissioner Guevrekian - You know we should start at this at seven thirty this morning, because there's a lot of information here. I had a lengthy conversation with the manager in his office in advance of this because I wasn't really clear why it just says I'm quoting, "at present the city manager accrues fewer PTO hours than any other city employee who has been employed with the city for at least two years." Well, presumably everybody that's been for at least two years was pretty much identified and hired under your, under your management which is totally fine. You just have a different way of doing it the way it once was. That doesn't mean we have to use the way it once was as a benchmark. They're no longer- they're not classified employees are no longer operating under contract. These are all managerial decision making things that we've been kept in the loop with along the way. So when I came into this knowing that I think our ACM has 240 hours so that's what I was the framework that I was working with in the back of my mind coming into this table and I remember my mouth flapping upon the offer of the contract saying well I just don't think you should have the highest level of benefits on day one. So I don't know where we would go from here. I mean as far as whether it would stay at 240 or we would revisit it next year or at a future date. But what was important to me to understand that's what I came in to the table tonight with that in my mind and then it's also important to understand that upon retirement or exiting service we have defers back to the civil service policy that only - I'm not going to say it, I would like for the human resources director to answer that question.

Lori Day - The maximum amount of payout is one hundred and twenty hours.

Commissioner Guevrekian - Ok because, I said to myself who and this man is too busy to take six weeks off. What's he going to do with all that PTO? And my concern was that it was going be banked and then the value of it would be growing exponentially over the next decade. That was my concern. So I just wanted to understand all of that which is why I requested a whole bunch more information. But at this point in time, given how stingy I was when we offered the contract in the first place, I want our city manager has produced and I want him to be to be well compensated and I would like to propose that that we go with the 240 for this amendment to upcoming year contract and for a reward for a job well done on the evening of your annual review.

Mayor Adornato - Is that motion?

Commissioner Guevrekian - Yeah, that's what I meant to say. Thank you.

Mayor Adornato - Is there a second?

VM Lonergan - yeah, I'll second it.

Mayor Adornato - Is there further discussion. Roll call

Commissioner Carn? Yes. Commissioner Sparks? Yes. Vice Mayor Lonergan? Yes, Commissioner Guevrekian? Yes. Mayor Adornato? Yes.

Mayor Adornato - Thank you. Thank you, Mr. City Manager for your hard work. Its due compensation.