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Mayor Guevrekian - We are on agenda item number 13 which is the city manager annual review. Who would like to begin this evening?

City Attorney Doody - Madam Mayor if I might, I respectfully wish to inform you that in my discussion with the city manager regarding his contract amendment that the memorandum that was prepared by the Human Resources director regarding the revision to section 4.4 which would require the deletion of the language regarding his present primary residency has been withdrawn by the city manager and is not part of your consideration this evening.

Commissioner Lonergan - Just five years ago during the interviewing process prior to hiring City Manager Hebert we had some pretty extensive discussions related to what I believe were extensive challenges and wonderful opportunities here in the city of Oakland Park. We discussed what I believe were the necessary qualifications as I believe in dedication determination and vision. We spoke about a little about accepting that challenge as city manager. David Hebert expressed his commitment to doing the best of his ability to fulfill his duties and responsibilities of the city manager of Oakland Park if he was hired. I have been very happy since he got hired. Over the past year, like in prior years, Mr. Hebert's performance has exceeded my expectations. He has worked hard to accomplish the responsibilities assigned to him while setting high expectations for himself and his team. And he is driven to achieve results. With the high number of initiatives and projects currently in progress as well as dealing with real time responsibilities and challenges and planning for the future, I do believe that he is doing his best and doing a good job. From bid packs to new developments to rewriting ordinances and resolutions and the day to day duties to operational oversight, bond, budget, BSO, Oakland Park Fire Rescue, city events, county, CSX, FEC, dealing with FDOT dealing with neighboring cities, Florida Power and Light, let's get someone to deal with them on a regular basis. I cannot say there are no opportunities for improvement because we all have opportunities for improvement. But the feedback, that we are receiving, the lessons learned, I know when I discussed this with David he notes them and discussed this with his team. He and I've had a great discussions about what could we could have done better or differently. I can assure you as the rest of the commission, we receive a lot of feedback from the residents and business owners about things that happen. And we have forward a lot of request to the city manager's office and I gotta say, they have always been on point responding. There may be something a day late here and there, and when I say a day late, instead of responding in the same day, the follow-up the next day. You know what? That happens, but it happens to me all of the time so, I am not going to throw a stone at a glass house.

So, I just have to say in the past year, there is a lot going on. I am very happy with the performance of Mr. Hebert and his team. I know he sets a high expectation for his team and he drives, he can probably be drive a difficult day sometimes achieving the results he's achieving, but the reality is that we could have a city manager who does sits back

and does the minimum and just coasts along. I know that is not our city manager. As far as the one requirement, the ask that was to put out there, I fully stand behind that. Mr. Hebert should be offered the same health care benefits that any employee of the city of Oakland Park is offered. I would also say, Mayor I'm not sure how it works when the rest of the executive team under Mr. Hebert's oversight receives an annual salary increase if that also include Mr. Hebert, but I do actually believe that we need to look at that also in our discussion tonight.

Mayor Guevrekian - Would you like to have a response from staff while we're talking about it or are you deferring to the balance of the .. ? I see that human resources at the ready.

Lori Day, HR - Yes, the city manager receives the same percentage increase as all the other employees.

Commissioner Lonergan - Ok, every year, so it's not something we have to vote on as part of his regular contract?

Lori Day, HR - No sir, every year the same.

Commissioner Carn - Thank you. I'm almost like our public speaker this evening in recognizing the humility. Mr Hebert - he does not like the public attention, but he is at the helm of our ship and so here it goes. I am proud of what has been achieved now about the surface in Oakland Park and for the strategic proactive work that is underfoot. To move some of our initiatives into the actionable phase. Mr. Hebert and I can go on sometimes as he is very passionate during some of our idea sessions. I often test the city manager to find out where he is, what his spaces, what he is seeing out there, what he is thinking, and we have had great conversations. I appreciate the fact that Mr. Hebert does not take a defensive position to my barrage of questions, inquiries and requests and I do have a lot of them on a very regular basis. But I believe he understands and embraces a team philosophy as I do. I am a member of a team. I am not a boss. I am not an elder here, but I am a member of a team. I live in the city and I believe he understands that. We are going to move forward. My feedback from the residents and other elective officials and visitors, etc. are paying Oakland Park very nice accolades for the noticeable progress that is happening in our city. And of course, they go back and begin with your city manager is doing a good job, because I know this type of progress is the result of resolute leadership. I too stand behind the proposal that Mr. Hebert should have health insurance. I'm a paper man, I do my charts, I do this with other executives whose boards I sit on. I have to evaluate them and I'm going to read, exhaustively, what I have. But I would like to read some highlights from the categories that I use to rate the city manager.

My ratings range scale from 0 - 4, 4 being outstanding. My first area rating Mr. Hebert is Interpersonal Relationships. I am just going to read the bullets. He engages with residents who want to get to know the city manager. I send a lot of people here who says I don't know him,

so go see him. He maintains an open door policy. I've seen him broaden his network of resources and peers since I've been here and he engages well with the staff and vendors. For Interpersonal Relationships I give Mr. Hebert a ranking of four, outstanding.

Leadership - Mr. Hebert takes a proactive approach to impending or possible conflicts and opportunities. He induces the best from his staff and allows them to lead. We are sometimes hit with surprises, but we engage with Mr. Hebert to dream and drive. For his leadership ability I rated him a four.

Judgements - Mr. Hebert's decisions are driven with facts and data. He gives early mornings to commission and residents about near term obstacles and or realities. He handles difficult situations with tact. And he withdraws items when there is not enough information available or potentially divisive. For your judgment sir, I rate you a four.

Intergovernmental Relations - He maintains a great reputation with the county administrator and our county commission, the MPO Metropolitan Planning Organization that often uses Oakland Park for implementing transportation projects. He freely meets and develops relationships with entities that have been introduced and works well with our lobbyist on state and federal issues. Intergovernmental relations, a four.

Oakland Park City Commission relations, he is responsible and cordial. Communicates vital information early, encourages debate and free thought and what I like mostly is that he enters commission discussion only for clarity and responses to questions. For your commission relations, I ranked you a four.

Meets overall city of Oakland Park objectives. We are winning awards for budgets, winning grants, we seek savings whenever possible, we are enjoying great momentum with our partners, we have a bond program that overwhelmingly passed to replace old structures soon. I rate you a four.

Diversity. We have a diverse staff. It's encouraged. He's inclusionary persons with diverse backgrounds and supportive of small businesses. I rank you a four.

My overall rating for you Mr. Hebert is a four. I submitted this June 5. 2019. The evaluators name is Michael E. Carn. I will give this to the clerk. Thank you.

Bolin - I love that you had a rating system Commissioner Carn. Because in fact, as the newest commissioner I thought to myself, what am I doing for this review? And so, what I did is went to our charter, and looked at section 4, and just looked at what the city managers powers and duties are and I'm not going to read this exhaustive list because it is quite long. But, when you go through it, appointing and dealing with staff and city employees, directing the administration, attending commission meetings, making sure we take part in discussion, but you do not vote, seeing that the laws and provisions of the Charter are executed preparing

and submitting an annual budget. I'm in that process right now for the first time. Submitting to the commission and making available with reasonable time a report on finances, etc.. You can look at this, Section 4.03 certainly you have checked off all of those boxes. I am very new, I will give you my personal point view on this. One, I would love to have a scorecard. I think having us all look at the same thing to give you a good review instead of our personal feelings would be really useful in any position in the government. I enjoyed the onboarding process with you and I have enjoyed having our agenda briefings and speaking very frankly. You and I certainly do not agree on everything that's for sure. But, you've been very innovative and I appreciate that. You have been very responsive, super responsive, because as a new commissioner I have so many questions and you help me and I appreciate that. I appreciate that you listen to my ideas. I know I can be overwhelming, so my commission reports - can you imagine what I'm like in an agenda briefings. I'm like, I've gotta list for you.

You've been very responsive and Ana, super responsive, really as a new commissioner I get a lot of questions and I come to you and I'm able to respond to residents and I appreciate that.

I will say, I think, there is always room for improvement. You are not an elected official so people do not have to like you, but they really don't have to like us either, but they need to vote for us. But I think that is always the space to be in - where can I get better at that interpersonal relationship and I am very committed to getting things worked out - I think is important.

up here on this dais. I want us to do everything that we can to do that. Whatever actions can be taken to make sure we get things worked out I think are important. I have already submitted my ideas on that. I won't repeat them right now, it's not necessary. But just want to state that and want to say thank you. It has been very great for my first six months or so.

Vice Mayor Sparks - I will say that it's better than my first one. You should go back and watch the tape. Everybody has a different way of giving points. There are a few things and I will go through this. And some of the responsibilities that you do have. Managing the city budget, overseeing city personnel, addressing questions from the media regarding city council activities, meeting with various heads of departments to identify and resolve issues, making recommendations to the mayor and other city leaders on a variety of issues including: budgets, personnel needs, project costs, insuring completion of reports and studies for commission by elected officials, overseeing important services such as trash pickup, recycling programs, ensuring water supplies are safe, working on important economic development projects, responding and resolving difficult or delicate questions or concerns of citizens. City Manager Hebert bridges the gap between politics and the day to day administration of the city services. Here in Oakland Park, all departments report to the city manager who reports to the city council. City Manager Hebert serves residents by ensuring that the city services are running smoothly and efficiently however, he also has to balance

this against the serving the agendas of each one of the city commissioners. A common joke in the city management profession is that the city manager knows how to count to four. As long as the majority of the council is happy with the manager he has some level of security.

On a more personal note, I'd like to add that City Manager Hebert and I at one point, did have a bit of a falling out. I did not take an agenda briefing with him for one week. We met together and talked, sat down and put our personal differences aside and had a professional discussion. He and I actually worked it out. I think we just needed to talk it out and we did a good job of that. I really appreciate that. I'm so glad we did not end up in a big dispute and for that I am thankful.

Such job security is easier to imagine than accomplish since some commissioners can be fickle, meaning, the makeup and priorities of the city commission can change dramatically in a short period of time. Sometimes running a city well means convincing the body on the commission that what they want, or what they promised their constituents, might not be the best use of city resources or time.

It is my opinion that the city manager Hebert excels at all the aforementioned tasks. Oakland Park has years to blossom and I believe is on a clear path to greatness. Most of us can take some credit for that but a city always has a leader, and sir, you are the leader. Thank you for all your hard work. You absolutely excel at your job. You should be proud of yourself.

Mayor Guevrekian - OK, thank you. I am going to start off with some very basic factual stuff because I had requested some numbers because I lost track. I remember, just off the top of my head what the basic contractual agreement were, but I did not remember subsequent information, such as the one Commissioner Lonergan requested as far as what the percentage increases or whether non-classified management is the same like everybody else. I did make a request, and would like to thank the finance director for comprehensively responding to each one of my request. And also note that it was copied to the balance of the commission June 5 at 11:35 if you haven't had a chance to see it. Just in a matter of fact way, plainly, with no judgment, I am going to just state that the manager was hired at a salary, an agreed-upon salary with an agreed upon set amount to contribute as a pension contribution. And there was a set amount for a paid time off. So, as the years progressed, and as the managers responsibilities increased and as we became collectively impressed by the results and the accomplishments that we were seeing in front of us, I remember distinctively saying the words, I was a bit stingy upon hiring, because I did not want to give away the farm on day one. But, subsequently, we did, I think, offered some very generous increases. Pretty substantial increases. So, what was originally \$170,000 salary and \$27,000 pension contribution per year and 160 PTO hours per year, we awarded, instead of that \$27,000 pension annual compensation we changed the compensation to the FRS equivalent increase which was really an enormous increase, almost double. So, I was fine with that because I felt like this was appropriate compensation for

work and a job well done. However, the PTO was also increased from 160 to 240. So fast-forward today, those are significant increases. I think the compensation is commensurate. I think the compensation is commensurate for the position and the size of our city. Based on the starting point of our contract its somewhere in the neighborhood, if you base it on four years, it's in the neighborhood of a thousand dollar increase per month since the original contract agreement. So, it's not that the city manager does not have health insurance. Part of the negotiation process was that the city manager made it clear to us that he opted out of it in favor of, I think the ICMA provider. But, it was my assumption that it was rolled into the salary. So, what I understand about tonight ask is that there be a increase in salary for the equivalent of what that health insurance would be. So, I notice on the table that was provided us and the FRS contribution is that there is also health insurance subsidy and the FRS retirement equivalent contribution is 25.41% of the annual salary. Is the point I'm trying to make, so, it's no insignificant number.

I site these things because I think they're important. I think they're factual, I think they're important. I'm not in the woe is me category because I don't think I get paid enough either in my day job. Nobody cares about that - that's my personal business. I signed a contract, I chose a job. I chose a profession. We all live with that.

I'm very cognizant of the fact the money we are spending is not actually coming out of our own pocket. We are spending money from a pool of tax payers money and so that makes me a little more conservative than I might be otherwise. Now, whether you consider this subjective or personal experience matters not to me, because nobody - nobody has supported the success of the position of the city manager himself of his requests for compensation increases and his requests for special considerations from our charter regarding his private residency. I am very happy to see that request was removed this evening because that is something I hear over and over again from the constituency, right - wrong - or otherwise. I wholeheartedly supported it. Nobody supported the city manager more than I did for his first three years in office. Until such time that my experience became much, much, much different than what I hear described from my colleagues - my fellow elected officials experiences.

I assure you that I struggled with it and tried on numerous occasions and enlisted other people in the room to be present and unsuccessfully so. I assure you that my experience with the manager's interpersonal skills and managerial style have reached the point of being on acceptable.

I witnessed nothing but a pure gentleman publically, but not witnessed that privately. On several occasions in the last year and a half requested immediate and corrective action from the city manager. You know, for what I have experienced, has been hostile and dictatorial management style.

There has been zero acknowledgement. Never mind any kind of suggestions for remedy. Zero acknowledgement.

This morning we received a thirty page document depicting what I perceive as pure on the city manager's part. Someone put a significant amount of time into preparing this document with omissions. It reads like a stenographer, like a transcript, but it is not. It has omissions, edited content and has emphasis added. This document, no way depicts the overall holistic and comprehensive account of what has been unfolding over the course of the past year and a half. If I could sit here and spout rainbows and unicorns all day long that would be my first choice. I do not wish to be my term in office that I worked to succeed in election to be marred by this any more than I wish to mar my colleagues terms or the professional staff that serves the city of Oakland Park. Yet, I'll tell you something, I am not exaggerating - I am not fabricating. I have been seeking solutions. There has been zero acknowledgement whatsoever. Zero. And I don't know how we get from zero acknowledgment

So, the last thing I'm going to say is that the day after our May 16, City Commission meeting I came to realize that the city manager's husband had been calling me while we were still sitting right here in session. I inquired to the city manager as to the nature of the calls, but receive zero response to my inquiry. And frankly, I can think of no rational reason for the city manager's husband to be calling me. I'm going to guess, and go out on a limb, that my guess if the shoe was on the other foot, your heads would be exploding right now. I just don't think its appropriate. I'm going to submit the email to the clerk for the city record because I think that is one of many emails I've inquired about various topics that have gone unanswered. So, for that reason, the balance of my evaluation is going to be extremely brief, and it is going to be in the form of pass or fail. And my assessment of the city manager's responsibility to consistently provide all of the information to all five elected officials as a flat out fail. The city manager's responsibility to consistently manage employees and elected officials in a civil and respectful manner is a fail, and the managers refusing an offer by a prominent and well- respected county official to act as a mediator to help with this conflict resolution, that is a huge fail in my book. Consistently adhering to the highest utmost ethical behavior, for most of you that are not sitting in meetings and sitting behind closed doors an necessarily intimately aware of the day-to-day procedures and happenings of things, you are not privy to the experience, so therefor you may not share my opinion, but it doesn't really matter, this is my experience. This is my educated experience and this is what I'm documenting for the record, and I'm going to continue to do that because I feel very firmly and very strongly, that we are not here, through any one of our individual long-term success or career goals, we are here to serve the city of Oakland Park. We work for the people, it is not the other way around. It is not easy to be the odd man out, it is not easy to be the naysayer when everybody else is talking about rainbows and unicorns, but I think it is very important to be honest for the record while we are conducting the people's business, and that is why I say what I do. On that note, I'm going to stop talking and I was going to turn it over to my right side, except that I realize we have another agenda item, following

this, assuming that the balance for the commission is finished with this item. And in all fairness, I would like to give our city manager

an opportunity to respond to any single thing that has been said, good, bad, otherwise. Yea, or nae.

City Manager Hebert - I owe you thanks for everything you have done on my behalf. I believe strongly that is a forum that we should remain respectful of one another. Dignity is an important part of our obligation, and for you to put yourselves out the way you do, and to be as generous as you have been, in your compliments to me and to my staff is in fact both gratifying and humbling. I do hear what I do only because I have wonderful people to work with, and that includes people, at this dais as well as every one of the city employees who work so hard to accomplish your goals. As long as I'm here, I'm going to try to achieve that, so thank you.

Mayor Guevrekian - Thank you, sir. If there is nothing further, I suppose we are going to move on. Excuse me, I didn't mean to cut you off.

City Attorney Doody - Regarding the memorandum, you received, there would be an action duty taken by the city commission to amend the employment agreement with respect to the request for your consideration to afford him the option to elect because it by the health and wellness benefit extended to all employees, or to receive an amount equal in value to the city's contribution, to be used for health and wellness related benefits of his choosing.

Mayor Guevrekian - Is it one or the other? Or is it just as it is read.

City Attorney Doody - As I understand, the human resources director has posted it as an option to be afforded the city manager that he can elect going forward. It would be on an annual basis, correct?

Lori Day, HR - Yes, sir.

City Attorney Doody - Okay. Is there any particular time when that election would have to take place?

Lori Day, HR - During open enrollment.

City Attorney Doody - Okay, thank you.

VM Sparks - So, that would just be a motion to approve it?

City Attorney Doody - A motion to approve, accepting the recommendation and directing the amendment to the employment agreement, to provide that option.

Commissioner Lonergan - I move to amend the employment agreement, to include for the city manager to elect coverage, the same employee and Commissioner health coverage that we would have. Does that work? Or to receive an amount equal to the value. Yes.

Mayor Guevrekian - Pardon for interrupting, but that is also between \$7800 per year and \$10,500 per year, plus of course the percentage of the salary because it is going to trigger the FRS contribution as well.

Commissioner Lonergan - Yes. And I take that either way, it is the same financial impact on the city, correct, except for what you are saying, if he takes it, he has to have health insurance, so I really highly doubt, I think I would just leave it up to him. If the amount costs, that is going to cost the city is the same.

Commissioner Guevrekian - That is the only thing I couldn't ascertain from the report I received. I'm really just doing this to be factual. I do this stuff on regular basis, so I really just wanted to understand because I remember this part of the discussion that it wasn't that health insurance wasn't available. The City manager, please correct me if I'm wrong, opted out because he had his own chosen carrier, so it was assumed at the time, that was just part of the income and he would spend it wherever he wanted. So, now, it is basically an increase, and if that decision should continue to take place, this is essentially an increase in salary which will also kick in under the 25.41 percent in 2019, changes slightly year-to-year, but for the FRS contribution. I just want us to know what the actual cost and the associated costs are.

VM Sparks - I will second that.

Commissioner Lonergan - Mr. City attorney, did we state that correct?

City Attorney Doody - Yes, sir, I understand the intent. Thank you. >> Okay, so we have a motion and a second.

YES: Commissioner Lonergan, Vice Mayor Sparks, Commissioner Bolin, Commissioner Carn

NO: Mayor Guevrekian