

## **EXHIBITS**

- A. Relevant Provisions of City Charter
- B. Employment Agreement Between the City and Mark Lauzier
- C. ICMA Code of Ethics
- D. Packet from Julia Davidyan entitled "Concerns with the Tone at the Top"

# **EXHIBIT “A”**

#### Section 4.02. - APPOINTMENT; REMOVAL; COMPENSATION.

- (A) *Appointment.* The Commission shall appoint a City Manager for an indefinite term by majority vote of the Commission, to serve at the pleasure of the Commission.
- (B) *Removal.* The City Manager shall only be terminated by the City Commission upon the casting of three (3) affirmative votes in favor of such termination. Said vote shall not take place except at a public hearing which has been duly noticed seventy-two (72) hours in advance of the meeting at which the vote takes place.
- (C) *Replacement.* Upon the death, resignation, incapacity, or termination of the City Manager, the Commission shall appoint an Acting City Manager and thereafter, within a reasonable time, appoint a regular City Manager.
- (D) *Compensation.* The Compensation of the Manger shall be fixed by the Commission.

(Ord. No. 4-76, passed 2/23/76, Adopted at Referendum 2/2/76; Am. Ord. No. 8-83, passed 1/25/83, Adopted at Referendum 3/1/83; Am. Ord. No. 37-90, passed 8/28/90, Adopted at Referendum 11/6/90; Ord. No. 62-01, passed 1/8/02, Adopted at Referendum 3/12/02; Ord. No. 35-12, § 4, passed 10/16/12, Adopted at Referendum 3/12/13; Ord. No. 39-12, § 1, passed 10/16/12, Adopted at Referendum 3/12/13; Ord. No. 17-14, § 1, passed 6/17/14, Adopted at Referendum 8/26/14)

#### Section 4.04. - POWERS AND DUTIES OF THE CITY MANAGER.

- (A) *Powers of the City Manager.* The City Manager shall have the following powers and duties:
  - (1) Appoint and, when he or she deems it necessary for the good of the City, suspend or remove all City employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. All appointments and promotions of City officials and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence. The City Manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency.
  - (2) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law.
  - (3) Attend all Commission meetings and shall have the right to take part in discussion, but may not vote.
  - (4) See that all laws, provisions of this Charter and acts of the Commission, subject to enforcement by him or her or by officers subject to his or her direction and supervision, are faithfully executed.
  - (5) Submit to the Commission and make available to the public a complete report on the

finances and administrative activities of the City as of the end of each fiscal year.

- (6) Make such other reports as the Commission may require concerning the operations of City departments, offices and agencies subject to his or her direction and supervision.
- (7) Keep the Commission fully advised as to the financial condition and future needs of the City and make such recommendations to the Commission concerning the affairs of the City as he or she deems advisable or as the Commission may require.
- (8) Sign contracts on behalf of the City pursuant to the provisions of this Charter, provisions of appropriation ordinances and where authorized by ordinance, resolution or by motion (see Section 4.09).
- (9) Perform such other duties as are specified in this Charter or may be required by the Commission.

- (B) *Prohibition.* The City Manager shall not adopt and provide personnel policies or personnel rules pursuant to this Charter that apply to any of the City's employees who are covered by a collective bargaining agreement that is subject to renegotiation, unless otherwise expressly provided in said personnel policies, personnel rules, or collective bargaining agreement.

(Ord. No. 4-76, passed 2/23/76, Adopted at Referendum 2/2/76; Ord. No. 62-01, passed 1/8/02, Adopted at Referendum 3/12/02)

#### Section 4.05. - BUDGET PROCEDURE.

- (A) *Fiscal Year.* The fiscal year of the City shall begin on the first day of October, and end on the thirtieth day of September of the following year. Such year shall constitute the budget year of the City government, and whenever the word year appears in this Charter it shall be construed as meaning the fiscal year of the City unless otherwise indicated.
- (B) *Budget Submission.* The City Manager shall submit his or her recommended budget for the ensuing fiscal year to the Commission on or before the first regular meeting in August. Complete copies of the proposed budget shall be on file and available to the public for inspection during office hours in the office of the City Clerk, commencing the following business day.
- (C) *Budget Document Requirements.* The budget document shall present a complete financial plan for the ensuing fiscal year. It shall include, at least, the following information:
- (1) Detailed estimates of all proposed expenditures for each department and office of the City, showing the expenditures for corresponding items for the last preceding and current fiscal years with reasons for increases and decreases recommended, as compared with appropriations for the current year;
  - (2) Statements of the bonded and other indebtedness of the City, showing the debt reduction and interest requirements, the debt authorized and unissued, and the

- conditions of the sinking funds, if any;
- (3) Detailed estimates of all anticipated income of the City from sources other than taxes and borrowing, with a comparative statement of the amounts received by the City from each of the same or similar sources for the last preceding and current fiscal years;
  - (4) A statement of the estimated balance or deficit, as the case may be, for the end of the current fiscal year;
  - (5) An estimate of the amount of money to be raised from current and delinquent taxes, and the amount to be raised from bond issues which, together with income from other sources, will be necessary to meet the proposed expenditures;
  - (6) Such other supporting schedules as the Commission may deem necessary.
- (D) *Public Hearing.* A public hearing on the budget shall be held in accordance with State Law. A condensed copy of the proposed budget shall be available to the public prior to the public hearing.
- (E) *Budget Adoption/Appropriations.* At the second regular Commission meeting in the month of September of each year, the Commission shall, by resolution, adopt the budget for the next fiscal year, and shall, in such resolution, make an appropriation for the money needed for municipal purposes during the ensuing fiscal year of the City. The resolution shall also provide for a levy of the amount necessary to be raised by taxes upon real and personal property for municipal purposes, which levy shall not, for the general operating expenses of the City, in any event exceed the millage limitation as provided by State law on the assessed valuation of all real and personal property subject to taxation in the City. Should the Commission take no final action during said meeting, the budget as submitted, shall be deemed to have been finally adopted by the Commission.
- (F) *Expenditures.* No money shall be drawn from the treasury of the City, nor shall any obligation for the expenditure of money be incurred, except pursuant to the budget appropriations. The Commission may transfer any unencumbered appropriation balance, or any portion thereof, from one department, fund or agency to another. The balance in any appropriation which has not been encumbered at the end of the fiscal year shall revert to the General Fund and be reappropriated during the next fiscal year.
- (G) *Financial Data.* At the beginning of each quarterly period during the fiscal year, and more often if required by the Commission, the City Manager shall submit to the Commission data showing the relation between the estimated and actual income and expenses to date; and if it shall appear that the income is less than anticipated, the Commission shall reduce appropriations, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the income.
- (H) *Deposits/Depositories.* The Commission shall designate the depository or depositories for City funds, shall provide for the regular deposit of all City monies, and shall provide for the

proper security of all City deposits.

- (l) *Audit.* An independent audit shall be made of all accounts of the City government at least annually, and more frequently if deemed necessary by the Commission. Such audit shall be made by certified public accountants experienced in municipal accounting, and who shall have no personal interest, direct or indirect, in the fiscal affairs of the City government or of any of its officers. The condensed audit shall be available to the public within thirty (30) days after receipt of the same. An annual report of the City business shall be made available to the public by the City Manager in such form as will disclose pertinent facts concerning the activities and finances of the City government.

(Ord. No. 62-01, passed 1/8/02, Adopted at Referendum 3/12/02; Ord. No. 35-12, § 5, passed 10/16/12, Adopted at Referendum 3/12/13)

# **EXHIBIT “B”**

## EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into this 17th day of October, 2017, by and between the CITY OF DELRAY BEACH, FLORIDA, a municipal corporation, hereinafter called "Employer" or "City," and MARK R. LAUZIER, hereinafter called "Employee" or "Mark R. Lauzier."

### WITNESSETH:

WHEREAS Employer desires to employ the services of Employee, as City Manager of the City of Delray Beach, in accordance with applicable provisions of the Delray Beach City Charter and City Code, as amended, and

WHEREAS Employee desires to be employed as City Manager of the City of Delray Beach pursuant to the terms of this agreement and as provided by the Delray Beach City Charter and Delray Beach Municipal Code, and

WHEREAS this Agreement constitutes the entire employment agreement between the Employer and Employee, and

WHEREAS it is the desire of the Delray Beach City Commission, hereinafter called "Commission," to provide certain benefits, establish certain conditions of employment, and to set working conditions of said Employee, and

WHEREAS the parties acknowledge that Employee is appointed and shall serve at the pleasure of the Commission and that nothing herein is intended to modify Employee's at-will status, and

WHEREAS Employee desires to accept employment as City Manager of said City of Delray Beach, Florida, under the terms provided herein, and

WHEREAS it is the desire that the Employee, as City Manager, shall be responsible to the Commission for the administration of all units of government under its jurisdiction and the Commission shall comply with City Charter provisions of Article IV, Sections 4.01 to 4.06, and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

#### 1. DUTIES

Employer hereby agrees to employ Employee as City Manager of said Employer, to perform the functions and duties specified by law, the Delray Beach City Charter, and Delray Beach Municipal Code ("Code"), and to perform other legally permissible and proper duties and functions as Employer shall assign, from time to time.





## 2. TERM.

Employee agrees to remain in the exclusive employ of Employer as the chief administrative officer of the City beginning November 6, 2017 for an indefinite period of time pursuant to Section 4.01 of the City Charter, and neither to accept other employment nor to become employed by any other employer until termination as hereinafter provided.

## 3. TERMINATION.

Nothing in this Agreement shall prevent, limit, interfere with, or otherwise restrict the rights of the City Commission to terminate the services of the Employee at any time, with or without cause, subject only to the provisions set forth in Section 3 of this Agreement and those contained in the City Charter of the City of Delray Beach. Accordingly, this Agreement shall terminate:

A. At any time by mutual agreement of the Employee and the City;

B. Upon the Employee's death;

C. At any time by the City's unilateral termination of the Employee's employment, with stated good cause, including, but not limited to, material breach of this Agreement by the Employee, or the conviction of the Employee for any illegal act, or any specific act or failure to act on the part of the Employee which constitutes a willful violation of the Charter;

D. At any time by the City's unilateral termination of the Employee's employment without stated good cause as permitted by and in compliance with Article IV, Section 4.02(B) of the City Charter; or

E. By unilateral action of the Employee resigning, provided that the City Manager shall give the City ninety (90) days' written notice in advance of the resignation termination date, unless the City Commission agrees to accept a shorter notice of termination.

F. The following occurrences are mutually acknowledged and deemed to constructively constitute "termination without cause" pursuant to subsection 3(D) and shall entitle Employee to severance or termination benefits as set forth herein below:

- (1) The City Manager's resignation following a reduction in salary or other financial benefits in a greater percentage than an applicable across-the-board reduction for all City employees;
- (2) Refusal of the City, following a written notice from the City Manager, to comply with any other provision of this Agreement benefiting Employee; or



(3) The City Manager's resignation following a suggestion, whether formal or informal, by a majority of the City Council that he resign.

Upon the occurrence of any of the events set forth in subsections F(1), F(2), or F(3) above, Mark R. Lauzier, at his option, may be deemed to be "terminated without cause" on the date of such occurrence.

#### 4. SEVERANCE OR TERMINATION BENEFITS

A. There shall be no severance payment to the Employee in the event the Agreement is terminated pursuant to subsection 3(B), 3(C), or 3(E) above. If the Agreement is terminated pursuant to subsection 3(A), any such benefit shall be agreed upon by the City and the Employee.

B. If this Agreement is terminated by the City Commission, then the City shall pay to the Employee his base salary through the date of termination, plus reimbursement for as-yet unreimbursed expenses pursuant to this Agreement, and such benefits as are then earned, accrued, and payable, and such other benefits as may be required by state law, regulation, City Charter, ordinance, or City policy.

C. If the City Commission shall terminate the Employee pursuant to the provisions of subsection 3(D) or effectively terminate the Employee pursuant to the provisions of subsection 3(F), Employee will be provided with twenty (20) weeks' severance pay at his then-current rate of pay and payment of Employee's COBRA insurance premiums for twelve (12) months, provided that, in the event Employee secures and/or begins full-time employment in a position with equivalent or greater pay and benefits prior to or within that twelve (12) month period, the Employer's obligation to pay COBRA insurance premiums shall cease.

D. The City shall not be obligated to make any payment under subsection (C) unless, within ten (10) days from the date of termination, the Employee shall execute and deliver to the City a general release of the City and its Commission Members, and its officers, agents, and employees for all acts and actions (whether accrued or subsequently accruing) from the beginning of time until the date of the release; said release form to be prepared by and satisfactory to the City Attorney. The City shall make all payments required under subsection (C) within five (5) days of receiving said general release.

E. In the event the Employee shall resign in accordance with subsection 3(E) only, then in that event, the City Commission shall have the option to cause an earlier termination of the Employee, without cause, and in that event, severance shall be limited to payment to the Employee of such benefits as would have been earned until the date of termination proposed under the Employee's notice of resignation.

5. COMPENSATION AND BENEFITS.

A. Salary. Effective November 6, 2017, Employer agrees to pay Employee an annual base salary of \$235,000, payable in equal installments at the same intervals as the Employer's other administrative personnel are paid.

B. Deferred Compensation. Employer agrees to pay Employee's annual deferred compensation in biweekly installment amounts equal to the maximum annual amount permitted pursuant to Section 457 of the Internal Revenue Code at the time of execution of this Agreement for persons over the age of fifty years under the "catch up" provision, said amount consisting of the maximum contribution totaling \$24,000 annually. Said deferred compensation shall be paid to the ICMA Retirement Corporation or any other Section 457 retirement fund or funds designated by Employee. Employer agrees the Employee's interest is immediately 100 percent vested when biweekly deposits are made to the plan. Under all circumstances Employee shall be responsible for paying any and all federal or state taxes related to withdrawal transactions associated with this section.

C. Retirement and Other Benefits. Employer agrees to pay both the Employer and Employee's contribution into an account created for Employee under the City's defined contribution supplemental benefit plan created pursuant to Internal Revenue Code Section 401(a) and Administrative Policy EB-15 in a total amount of six percent (6%) of Employee's salary. Under all circumstances Employee shall be responsible for paying any and all federal or state taxes related to withdrawal transactions associated with this section. Employee shall receive the same health insurance benefit and other benefit package offerings, such as Life Insurance, Disability, etc. as other senior executive employees of the City of Delray Beach under the same terms and conditions.

D. Auto Allowance. Employer shall pay Employee an automobile allowance of \$650 per month in consideration of the requirement of Employee to use his personal vehicle in conducting all City. The automobile allowance shall be administered for tax purposes in accordance with the Internal Revenue Service regulations. Additionally, Employer will provide Employee with a designated and marked parking space without charge to Employee.

E. Leave. Participation in the personal leave, acute illness, and short-term disability leave programs for City general employees. Upon execution of this Agreement, the Employee shall immediately have a bank of one hundred twenty (120) personal/vacation leave days and forty (40) acute illness/sick leave days and shall earn additional days in accordance with the City policies applicable to general employees. Employee may carry a balance of up to one hundred forty (140) personal/vacation leave days and up to fifty (50) acute illness/sick leave from one calendar year to the next. Any accrued personal or sick leave, which exceeds 140 and/or 50 days respectively shall be

forfeited by Employee if not taken prior to the end of each calendar year. In recognition of the Employee's cumulative local government public service of nearly 30 years, Employee will also immediately begin to accrue vacation leave and sick leave at the maximum accrual rates under City Codes and Policies. Upon permanent separation from employment pursuant to subsections 3(D) or 3(F) hereinabove, Employee shall be paid for all accrued vacation/personal leave and acute illness/sick leave up to one hundred twenty (120) vacation/personal leave days and up to forty (40) acute illness/sick leave days. However, if Employee is terminated pursuant to subsections 3(B), 3(C), or 3(E), Employee shall only be paid for vacation/personal and acute/sick leave up to the limits established for all other non-union general employees in accordance with City Codes and Policies.

#### 6. ONE-TIME PAYMENTS/EXPENSES.

It is the intent of the Employee to reside within the City limits of the City of Delray Beach. Employer agrees to provide Employee the following payments and expense reimbursements to assist in the relocation and housing of Employee, Employee's spouse, and an adult dependent child of Employee from Gig Harbor, Washington:

A. Temporary Housing Allowance Payments. While the Employee seeks to find a permanent residence and must maintain residences in both Washington state and Florida until that time, effective November 6, 2017, Employer agrees to provide Employee a housing allowance payment of \$2,500 per month for a maximum period of six months. The housing allowance shall be provided as a separate payment from the payroll system and administered for tax purposes in accordance with the Internal Revenue Service regulations. Once a permanent residence is found the Employee will immediately notify the City and the temporary housing allowance payment will cease and be pro-rated based on the closing date or initial lease date, as applicable.

B. Relocation Expenses. Effective October 17, 2017, the City agrees to pay the following relocation and transition expenses incurred by the Employee, based on appropriately filed monthly expense reports, in an amount not to exceed twenty-five thousand dollars (\$25,000), including

- (1) Reasonable and customary moving expense by movers and storage facilities selected by the Employee to move personal property and vehicles;
- (2) Reimbursement for lodging, meals and travel expenses (airfare, rental car and personal vehicle mileage) incurred for the actual move, any trips during the transition period while attempting to establish permanent residency, and up to three (3) house hunting trips for the Employee, Employee's spouse, and adult dependent child; and
- (3) Should the Employee voluntarily resign from his position as City Manager prior to 24 months of service, Employee shall reimburse the City for paid Relocation Expenses based on the following schedule:

- |   |      |
|---|------|
| a. Within 12 months of initial employment | 100% |
| b. Within 18 months of initial employment | 50%  |

- |  |     |
|--|-----|
| c. Within 24 months of initial employment    | 25% |
| d. On or after 2 years of initial employment | 0%  |

C. Vacation and Sick Leave. Effective November 6, 2017, Employee's vacation leave bank shall be credited with twenty (20) days of administrative leave to be used for periods of absence associated with relocation, house hunting, and for future personal time off, which is in addition to the automatically accrued leave set forth above in subsection 5(E).

## 7. PERFORMANCE EVALUATION.

A. By May 31, 2018 and annually thereafter, the Commission shall conduct an annual performance review of Employee and consider an increase in base salary, a one-time bonus and/or benefit increase in consideration of the compensation policy for other executive management staff subject to the provisions of Section 3(F)(1) of this agreement and the results of the evaluation as hereinafter described.

B. Employee's review and evaluation shall be in accordance with specific criteria developed jointly by Employee and the Commission. Said criteria may be added to or deleted from as the Commission may, from time to time, determine in consultation with Employee. Further, the Commission shall provide Employee with a written summary statement of the findings of the Commission, and Employee will be provided with an adequate opportunity to discuss said evaluation with the Commission.

C. Commencing with the Employee's performance review in May 2018, Employee and the Commission will define such goals and performance objectives as determined necessary for the proper operation of the City of Delray Beach and in furtherance of the Commission's policy objectives, and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be in writing. The objectives shall generally be attainable within the time limitations as specified in the operating and capital budgets and appropriations provided.

8. BUSINESS EXPENSES AND EQUIPMENT. The City shall provide City-owned equipment reasonably necessary to enable Employee to perform his duties as City Manager, including a laptop for Employee's use in his home and a hand-held communication device (smartphone) and pay for the associated voice and data monthly service charges. At termination of employment, the above-mentioned equipment will be returned to the City.

9. ICMA CODE OF ETHICS/OUTSIDE ACTIVITIES. Employee shall not engage in any activity, consulting service or enterprise, for compensation or otherwise, which is actually or potentially in conflict with or inimical to, or which materially interferes with his duties and responsibilities to Employer. Employee will adhere to the International City Management Association (ICMA) Code of Ethics.



10. DUES AND SUBSCRIPTIONS. Employer agrees to budget for and to pay professional dues and subscriptions of Employee necessary for his continuation and full participation in national, regional, state, and local associations, and organizations necessary and desirable for his continued professional participation growth, and advancement, and for the good of the Employer. This shall include the International City/County Managers' Association (ICMA) and Florida City & County Managers' Association (FCCMA).

11. PROFESSIONAL DEVELOPMENT.

A. Employer hereby agrees to budget for and to pay travel and subsistence expenses of Employee for professional and official travel, meetings, and occasions adequate to continue the professional development of Employee and to adequately pursue necessary official functions for Employer, including such national, regional, state, local governmental groups, and professional boards and committees thereof which Employee serves as a member, provided such expenses are consistent with the Employer's policy and procedures for payment of employee expenses or any successor policies. This shall include the International City/County Managers' Association (ICMA) Annual Conference and no more than two, additional job-related conferences of Employee's choosing, such as those of the Florida City & County Managers' Association (FCCMA) or Alliance for Innovation's Transforming Local Government (TLG) conferences.

B. Employer also agrees to budget for and to pay for travel and subsistence expenses of Employee for short courses, institutes, and seminars that are necessary for his professional development and for the good of the Employer, provided such expenses are consistent with the Employer's policy and procedures for payment of employee expenses or any successor policies.

12. INDEMNIFICATION. Employer shall defend, save harmless, and indemnify Employee as set forth in the Charter and City Code and subject to the monetary limits set forth at Section 768.28, Fla. Stat.

13. BONDING. Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law, the Delray Beach City Charter, or Delray Beach Municipal Code.

14. OTHER TERMS AND CONDITIONS OF EMPLOYMENT

A. The Commission, in consultation with the City Manager, shall fix any such other terms and conditions of employment as it may determine, from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Delray Beach City Charter, Delray Beach Municipal Code, or any other law.

B. Employee intends to reside within the City limits, and Employee agrees to continue to maintain residency within Palm Beach County during the term of this agreement.

15. NO REDUCTION OF BENEFITS. Employer shall not, at any time during the term of this agreement, reduce the salary, compensation, or other financial benefits of Employee, except to the degree that any such reduction is made "across-the-board" for all exempt, non-union general employees of the Employer.

16. NOTICES. All notices contemplated or required pursuant to this Agreement shall be provided by either hand delivery or by overnight courier (FedEx, UPS, etc.) with signature confirmation upon delivery to the following addresses:

EMPLOYER:

City of Delray Beach  
Attn: Mayor and City Commission  
100 NW 1<sup>st</sup> Avenue  
Delray Beach, FL 33444  
(561) 243-7000

COPY TO:

City of Delray Beach  
Attn: R. Max Lohman, City Attorney  
200 NW 1<sup>st</sup> Avenue  
Delray Beach, FL 33444  
(561) 243-7090

EMPLOYEE:

Mark R. Lauzier, City Manager  
3603 48<sup>th</sup> Street Court NW  
Gig Harbor, WA 98335  
(253) 313-5745

Alternatively, notices required pursuant to this agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of postmark of such written notice in the course of transmission in the United States Postal Service.

17. GENERAL PROVISIONS.

A. This Agreement contains the entire Agreement between the City and the Employee. All prior agreements and understandings, whether written or oral, pertaining to the City's employment of the Employee are fully abrogated and of no further force and effect from and after the date of this Agreement.

B. No modification of or amendment to this Agreement shall be valid unless reduced to writing and signed by both parties.

C. This Agreement is binding upon the City Manager's heirs and personal representatives and on the City regardless of any changes in the persons holding office as members of the City Council.

D. This agreement shall become effective commencing October 17, 2017.

E. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid, or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

F. No collective-bargaining agreement to which the City is a party shall in whole or in part, govern, apply to, or be deemed a part of or incorporated into this Agreement.

G. Any civil action arising out of this Agreement or the nonperformance or breach of any covenant contained in it shall be brought only in Palm Beach County, Florida.

H. The City's waiver of any breach of any term, condition, or covenant of this Agreement shall not constitute the waiver of any other breach of the same or any other term, condition, or covenant of this Agreement.

I. Regardless of which party or whose attorney prepared the original draft and subsequent revisions of this Agreement, the City and the Employee this Agreement shall not be deemed to be the product of, and therefore, construed against either of them.

J. The omission from this Agreement of a term or provision contained in an earlier draft of this Agreement shall have no evidentiary significance regarding the contractual intent of the parties.

K. This Agreement may be executed in duplicate or in counterparts, each of which shall be deemed an original and all of which together shall be deemed one and the same instrument. No term, condition, or covenant of this Agreement shall be binding on either party until both parties have signed it.


18. OPPORTUNITY TO CONFER WITH INDEPENDENT COUNSEL. In signing below, Employee expressly represents and affirms that the City Attorney was not acting as Employee's counsel in drafting this agreement and that Employee consulted with independent counsel in reviewing and deciding to execute this agreement.

(The remainder of this is intentionally left blank.)




IN WITNESS WHEREOF, the City of Delray Beach, Palm Beach County, Florida, has caused this agreement to be signed and executed on its behalf by its Mayor and Commission, and fully attested by its City Clerk, and the Employee has signed and executed this agreement in duplicate, the day and year first written above.

**CITY OF DELRAY BEACH**

  
Cary Glickstein, Mayor

**EMPLOYEE**

 10/16/17  
Mark R. Lauzier, City Manager

Attest:

  
Katerri Johnson, CMC, City Clerk

Approved as to form:

  
R. Max Lohman, City Attorney

# **EXHIBIT “C”**

# ICMA CODE OF ETHICS

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The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.
2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.
4. Serve the best interests of the people.
5. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.
6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.
7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.
8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.
9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
10. Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.
11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions pertaining to appointments, pay adjustments, promotions, and discipline.
12. Public office is a public trust. A member shall not leverage his or her position for personal gain or benefit.

*Adopted by the ICMA Executive Board in 1924, and most recently revised by the membership in June 2018.*

# **EXHIBIT “D”**

### Concerns with the Tone at the Top

- Changes to policies without Commission approval?
- Questionable hiring and promotion practices that go against established policy; is the CM being prudent with City funds?
- Ineffectiveness and waste in the CM office with more than 2 ACMs (proposed 4?)
- HR reporting to ACM vs. CM creates a potential for a conflict
- Executive Leadership Team moral given delayed performance appraisals; changes in the ACM functions; lack of consistent communication regarding departures of key team members

### Fact Check Timeline – CM's Office

12/7/17 CM revised **PER-20 Administrative Policy on Recruiting, Interviewing and Onboarding** to include the following: *"For purposes of this policy definitions do not include any position that directly reports to the CM as referenced in Section 20.2.... Notwithstanding the foregoing, this policy shall not apply to positions that report to the CM, which include Department Heads, the Executive Assistant to the CM, and senior management staff positions within the CM's Office, such as Deputy or Assistant City Managers or Assistants to the City Manager."*

**Item #1:** New and old policy from Mr. Cooper; Section 4.04 from the City Charter. The current practice in the city is to replace old version of the policy in Laserfiche with the new one but not keep the old/previous version as an attachment to be able to follow changes overtime. The executive secretary to the CM is in charge of keeping older versions.

1/6-1/7/18 CM sent out **60-day Summary Report**. Discusses summary of accomplishments including hiring of Finance Director, Purchasing Director and City Engineer. Both Directors were hired and accepted position with the City in October 2017, under the interim CM De Jesus and not Mr. Lauzier.

Next, the CM introduced **Assistant to the City Manager** position and his new hire India Adams that starts 1/8/18 *"a downward reclassification of the vacant Assistant City Manager position at a substantial savings."*

This report also established the **Team of Teams** concept and the new org. chart.

CM sent out an email to the **Executive Leadership Team** announcing India Adams as the Assistant to the City Manager, encouraging the Manager and Directors to reach out and congratulate her. The resume of Ms. Adams was attached to the announcement including a short bio page and a link to a video from the ICMA.

**Item #2:** 60-day Summary Report;

**Item #2A:** Job Description of the Assistant to City Manager. Calls for “3 years of increasingly responsible experience in government, business management, or professional level administrative experience, or any equivalent combination of acceptable training and experience, as determined by the City Manager.”

Duties included: “Direct the activities of assigned City departments by meeting with department managers to assign projects and responsibilities, review and evaluate work methods and procedures, and identify and resolve problems. Review and evaluate work product, methods and procedures, and study departmental organization and operation functions. Serves as a member of the Executive Leadership Team.”

**Item #3;** Email to executive leadership team, Resume (1 year of full-time employment as Management Analyst II; 2 years of internship/fellow experience). No supervisory or management experience; no budget experience, focus on special projects.

5/1/18

Proposal from the CM (approved by City Attorney) to “authorize the CM to implement the Personnel Policies and Procedures Manual.” Commission approved.

**Item #4:** Legislation Memo; Select sections from the Personnel Policies Manual (97-page document in total): section 1.2; 1.3; 2.6; 4.1; 4.2; 8.1. This manual does not mention any changes the CM made to policy PER-20 regarding the policy not applying to hires he makes into his office... The sections of the manual highlight some great policies and procedures the City has in place to ensure most qualified candidates, performance and promotion; yet these go against PER-20 in terms of CM’s direct reports.

**Section 2.6** does not mention the CM’s changes to PER-20 and that he does not need to follow this policy. CM Memorandum from 3/15/18 attached to that agenda item references various sections of changes to the personnel policy manual but no mention of the changes in PER-20 from December 2017.

6/4/18

Fellow – Vince Roberts started (hired by the CM in March 2018). Offer letter includes relocation expenses, full city benefits. In comparison the fellowship program in the City of Ft. Lauderdale focuses on local universities, offers no relocation or pension benefits to its fellows.

**Item #5:** Offer letter; Resume; Memo requesting 27.5% salary above grade minimum (referencing experience of serving multiple localities during his short career is contradicting the resume where only one city internship of 3 months from 05/17-08/17 is listed).

8/1/18

CM promoted India Adams to Assistant City Manager. This is not part of an annual performance appraisal. This was communicated to the commission as a hidden item in the 7/31/18 CCed memo when the new org. chart was introduced (top of page 4): “Chief of Staff/Assistant City Manager who has the full authority of the City Manager and

whose primary role is to ensure excellence in policy development and execution, business operations and administrative processes. The team captain is India Adams, Assistant City Manager (promotion)."

The promotion amount is not to the grade minimum, is in excess of 20% from original, and there is no memorandum justifying the increase or promotion (like the one justifying the 27% higher pay for Vince), which appears to be a violation of the very policy manual that the CM put together (05/18); which the commission approved.

The job description of the Assistant City Manager calls for an extensive experience and at least 5 years of such, which Ms. Adams does not have.

If the initial hiring referenced in January 2017 was at "substantial savings" it is no longer supported with the ~40,000 increase in salary up to \$120,000. India Adams is also referred to as "Chief of Staff" around the city. The CM frequently makes reference to her taking over as the CM when he retires in 8 years.

**Item #6:** Employee change notice; Offer letter from the CM; Assistant City Manager job description, Memo to the commission (see pg. 4).

**Item #6A:** Another example of how request for salary or promotion amount above a minimum or mid-point is requested by others; this example is for the City Engineer.

1/5/19

CM sends notification to the Executive Leadership Team on Saturday afternoon regarding the resignation of the Finance Director (she reported directly to the CM). Her notice was given to the CM on Friday, 1/4/19, yet the CM deemed it crucial to inform the team on a Saturday afternoon via email. It was also not until that time that Kim's performance appraisal was conducted (was due in November 2017).

Several other Directors had to wait substantially past their annual performance date to receive one and to be eligible for a merit increase. One director who currently reports directly to the CM still remains without a performance appraisal on file even though they were hired in 09/2017; all while the CM insisted on timely performance appraisal for himself and received his merit increase.

**Item #7:** Resignation of Finance Director email; performance evaluation.

1/30/19

Executive Leadership Team Meeting Agenda points to a partial hiring freeze while at the same time the CM hired a new ACM the following week.

**Item #8:** Meeting Agenda

2/5/19

HR Director resigned (reported directly to the CM). To-date no email or other notification sent from the CM's office to the Executive Leadership Team. I am aware of

individuals who were calling the HR office asking for the Director regarding normal business and hearing from the secretary that she was no longer with the City.

The Commission meeting on 2/<sup>5</sup>/~~6~~/19 was another example where the HR Director was in attendance, sitting in her usual spot, yet many leaders were unaware. Not notifying leaders of a key team member departure is a risk to the City. Such a former employee may attempt to gain access to City records or other items and if leaders are unaware of their termination/resignation, could be providing the requested information... The reasons for this departure remain unknown and rumors are suggesting various versions; non-confirmed at this time.

2/6/19

CM announces new ACM was hired, she would oversee the "team" the CM was in charge of previously: Finance, HR, Purchasing and IT. This scenario creates a possibility of a conflict. Typically, the HR department should report directly to the CM.


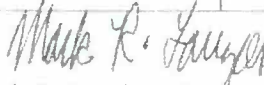
Additional thoughts on the org. chart: what efficiencies are gained by having 4 ACM as the vision of the CM suggests?

At approx. \$160k per head, that is a \$640k payroll. I have not seen any other city or municipality that is so top-heavy.

Under this new approach the CM is in charge of Police, Fire, Neighborhood services and Park and Rec. As such according to PER-20 he can hire the Police Chief without having to follow standard City hiring practices since this would be a direct report department head. In contrast, the last time the City had to replace a Fire Chief (following a retirement in 2016) extensive search, interviewing, panel and a meet and greet were performed...

**Item 9:** Org. chart.



<b>City of Delray Beach</b>  	<b>ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL</b>		<b>SUBJECT: Recruiting, Interviewing, Onboarding</b>	
	<b>NUMBER PER-20</b>	<b>REVISIONS Rev. #1 – 12/2017</b>	<b>EFFECTIVE DATE: 12/07/2017</b>	<b>PAGE 1 OF 4</b>
	<b>SUPERSEDES Orig. 8/29/2016</b>	<b>APPROVED BY:</b>  Mark R. Lauzier, City Manager		

#### PER 20.0 PURPOSE:

The City of Delray is dedicated to creating a highly qualified, culturally diverse workforce focused on serving internal and external customers. This policy is designed to establish uniform and consistent procedures for recruiting, interviewing and onboarding that adhere to the provisions of the Fair Labor Standards Act (FLSA), Veterans Preference, Americans with Disabilities Act (ADA) and other applicable statutes.

The Human Resources Department is responsible to ensure that all of the requirements specified in this policy are carried out so that only the most qualified individuals are hired as employees with the City of Delray Beach. Selection standards will be job-related, uniformly applied, and provide equal opportunity for all to compete.

#### PER 20.1 DEFINITIONS

**Applicant** – Any individual who has applied for a position with the City of Delray Beach that has been posted on the City's website. An applicant may be a current City employee who is applying for a new position. For purposes of this policy, this definition does not include any position that directly reports to the City Manager as referenced in Section 20.2 below.

**Qualifications** – Qualifications for each position are listed on the job posting and on the job description.

**Testing** – Certain positions may require an applicant to successfully complete skills testing before he/she is eligible to be referred for consideration.

**Candidate Tracking Report** – A Candidate Tracking Report lists all applicants who were referred to the hiring department for consideration and notes each applicant's Veterans Preference status.

**Internal Job Posting** – Internal postings are those only available to current employees.

#### PER 20.2 POLICY:

It is the policy of the City of Delray Beach to post every open position on the City's website and to utilize an online application process. Notwithstanding the foregoing, this policy shall not apply to positions that report directly to the City Manager, which include Department Heads, the

SUBJECT: Recruiting, Interviewing, Onboarding  
PER-20  
PAGE: 2 of 4

Executive Assistant to the City Manager, and senior management staff positions within the City Manager's Office, such as Deputy or Assistant City Managers or Assistants to the City Manager. Paper applications are not accepted. Each application will be evaluated against the minimum qualifications of the position and the City will consider only those applicants who meet those qualifications.

Unless approved by the Human Resources Director or his/her designee, interview panels will be utilized to fill each open position. Panels will be designed to provide a diverse group of individuals involved in the hiring decisions.

#### PER 20.3 PROCEDURES:

##### A. RECRUITING

1. In order to begin recruiting for any position – new, vacant, or soon to be vacant – the designated employee in the hiring department will open a requisition in the online application system. Requisitions are approved by the hiring manager, Department Head, Budget Administrator, Human Resources Director and then Human Resources talent management staff.
2. Requisitions will only be accepted for positions that have a job description approved by the Human Resources Director. Department Heads who plan to add a new position to the budget will follow the *Position Classification Instructions*, available from Human Resources.
3. Once the requisition is approved, the Human Resources talent management staff will consult with the hiring manager to determine the posting requirements. External job postings are active for a minimum of three (3) days; internal job postings are active for a minimum of five (5) days. Jobs that may be challenging to fill may be posted as “continuous” and will be posted until filled.
4. Only applications received through the online system will be considered.
5. The City of Delray Beach will ask for information about previous criminal convictions on applications only for positions in Parks and Recreation and Police Department.
6. Job bulletins are posted in Human Resources, the City Hall lobby and are distributed to all administrative assistants to post on departmental bulletin boards. In addition to the job bulletins, internal job postings are advertised to all City employees via Postmaster email.
7. Advertisement on professional organizations' job boards is coordinated by the Human Resources talent management staff in consultation with the hiring manager.
8. Human Resources talent management staff reviews the applications to determine which meet minimum qualifications; the most qualified applicants will be referred to the hiring manager for consideration. If skills testing is required, Human Resources contacts the

qualified candidates and schedules the designated tests. Candidates who receive a passing score are moved forward in the process.

9. Once a position has closed, Human Resources sends a Candidate Tracking Report to the Department, listing all applicants who have been referred for consideration. Candidates claiming Veterans Preference will be noted.

## B. INTERVIEWS

1. The hiring manager selects and schedules the applicants they want to interview. The interview list must include referred applicants claiming Veterans Preference that are at least as qualified as the applicants who were selected for interview. Refer to PER-14 *Veterans Preference* for specific regulations.
2. Interview questions are reviewed and approved by Human Resources prior to all job interviews. A standard interview form will be used, provided by Human Resources.
3. Unless otherwise approved by Human Resources, interviews will be conducted by a panel selected by the hiring manager. The goal of the panel is to include a diverse group of interviewers as well as subject matter experts. A Human Resources representative will be present at all interviews.
4. The Human Resources representative is responsible to collect and maintain all interview notes, ensure the forms are scored correctly and secure the documents digitally.


## C. HIRING AND ONBOARDING

1. When the interview process is completed, the hiring manager selects his/her preferred candidate based on interview scores, feedback from the panel and the appropriate fit for the team. The hiring manager completes the Candidate Tracking Report indicating the candidates who were interviewed, all interview scores and the preferred candidate. If the department is requesting to hire the candidate above minimum salary, a justification memo to the Human Resources Director must be attached. Starting salary above the minimum must be approved by the Human Resources Director and City Manager (if applicable) according to Administrative Policy PER-4 *Classification and Pay Plans*.
2. Once the salary is approved, Human Resources drafts the letter of conditional employment and sends it to the Department Head or designee for signature. Human Resources then contacts the candidate to discuss the job offer. The signed offer letter is sent to the candidate along with the Background Check Consent form.
3. The pre-employment process is conducted by Human Resources and consists of:
  - Background screening including driver's license record
  - Pre-employment physical including a test for nicotine
  - Drug testing for safety-sensitive positions as defined in Administrative Policy PER-12 *Comprehensive Drug and Alcohol Abuse Policy*.

- Verification of employment history and reference checks

Specialized background checks, fingerprinting and polygraphs that are required by Fire-Rescue, Police and Parks and Recreation are handled by the hiring department. Results are included in the employee's personnel file.

4. Any findings on a criminal background screening are reported to the Human Resources Director for review in consultation with the Department Head.
5. When the candidate has passed all pre-employment steps, Human Resources notifies the department and a start date is selected. Start dates will be first or third Mondays to coincide with the orientation schedule unless otherwise approved by the Human Resources Director or his/her designee.
6. The hiring department is responsible to send the completed Employee Appointment Form to Human Resources along with the required form for computer access, which is then sent to IT for implementation.
7. Key cards are ordered from Building Maintenance by Human Resources for all employees as needed. Employee ID cards are provided by Human Resources after orientation.

<b>City of Delray Beach</b>  	<b>ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL</b>		<b>SUBJECT: Recruiting, Interviewing, Onboarding</b>	
	<b>NUMBER PER-20</b>	<b>REVISIONS</b>	<b>EFFECTIVE DATE:</b>  August 29, 2016	<b>PAGE 1 OF 4</b>
	<b>SUPERSEDES</b>	<b>APPROVED BY:</b> <i>Donald B. Cooper</i> Donald B. Cooper, City Manager		

#### PER 10.0 PURPOSE:

The City of Delray is dedicated to creating a highly qualified, culturally diverse workforce focused on serving internal and external customers. This policy is designed to establish uniform and consistent procedures for recruiting, interviewing and onboarding that adhere to the provisions of the Fair Labor Standards Act (FLSA), Veterans Preference, Americans with Disabilities Act (ADA) and other applicable statutes.

The Human Resources Department is responsible to ensure that all of the requirements specified in this policy are carried out so that only the most qualified individuals are hired as employees with the City of Delray Beach. Selection standards will be job-related, uniformly applied, and provide equal opportunity for all to compete.

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SUBJECT: Recruiting, Interviewing, Onboarding  
PER-20  
PAGE: 2 of 4

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#### PER 10.3 PROCEDURES:

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1. In order to begin recruiting for any position – new, vacant, or soon to be vacant – the designated employee in the hiring department will open a requisition in the online application system. Requisitions are approved by the hiring manager, Department Head, Budget Administrator, Human Resources Director and then Human Resources talent management staff.
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  - Verification of employment history and reference checks

Specialized background checks, fingerprinting and polygraphs that are required by Fire-Rescue, Police and Parks and Recreation are handled by the hiring department. Results are included in the employee's personnel file.

SUBJECT: Recruiting, Interviewing, Onboarding  
PER-20  
PAGE: 4 of 4

4. Any findings on a criminal background screening are reported to the Human Resources Director for review in consultation with the Department Head.
5. When the candidate has passed all pre-employment steps, Human Resources notifies the department and a start date is selected. Start dates will be first or third Mondays to coincide with the orientation schedule unless otherwise approved by the Human Resources Director or his/her designee.
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## Section 4.04. - POWERS AND DUTIES OF THE CITY MANAGER.

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[DOWNLOAD \(DOCX\) OF SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

(A)

*Powers of the City Manager.* The City Manager shall have the following powers and duties:

(1)

Appoint and, when he or she deems it necessary for the good of the City, suspend or remove all City employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. **All appointments and promotions of City officials and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.**

The City Manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency.



1993 • 2001 • 2017

**CITY OF DELRAY BEACH**  
MARK R. LAUZIER, CITY MANAGER



100 N.W. 1st AVENUE • DELRAY BEACH, FLORIDA 33444 • (561) 243-7015

**DATE:** January 7, 2018  
**TO:** Mayor and City Commission  
**CC:** Executive Leadership Team  
**FROM:** Mark R. Lauzier, City Manager  
**SUBJECT:** 60-day Summary Report

On started 11/6/17

Hello Mayor and City Commission:

First, I want wish everyone **happiness, health and prosperity in 2018!**

I have been your City Manager for two months as of January 6<sup>th</sup>. I wanted to take some time to provide you a high-level report summarizing some of our team's leadership activities as we seek to create excellence in the City of Delray Beach. For the past two months I have been addressing performance expectations with senior leadership during my staff meetings and more recently through an **Excellence and Expectations for 2018** memorandum issued on January 2<sup>nd</sup> that you were cc'd on. My organizational review has been focused on assessing the following:

- How we set goals and objectives;
- Whether we are living our core values;
- Leadership capabilities throughout the organization;
- Our organizational culture which impacts how we perform;
- Our customer service focus and how we treat our customers;
- How we interact and partner (or don't partner) with key stakeholders;
- What we do well (and not so well) as well as what we consider to be acceptable levels of performance;
- Status of our technological strategy and related systems implementations; and,
- Whether we are using the characteristics of high-performing teams.

As I previously have stated, high performance requires a collaborative, participatory, direct and accountable leadership system exemplified by working in teams in their many forms, be they project, problem-solving, or policy advisory. Achieving high performance requires collaboration and communication on an inter-agency/inter-governmental and inter-departmental level. Prior to becoming your City Manager, I felt that my focus should be on **Achieving Community, Developing Unity, and Excellence in Governance, Leadership and Service Delivery**. My primary focus has been on the latter while achieving community and developing unity in policy direction are efforts that should be a top priority with the new City Commission. I would anticipate commencing with a discussion of expectations in the Commission-Manager form of government followed by an in-depth goal-setting process.

Our team's overall performance level can be ascertained via a gap analysis based on best practices found in high-performing local government organizations. I would be happy to discuss details of specific matters as each of you desires via one-on-one meetings. A general summary of accomplishments is as follows:

- Weekly **Executive Team Staff Meetings** that include:
  - Organizational Culture Transformation
  - Coaching and Setting Performance Expectations
  - Developing Teamwork and Breaking Down Silos
  - Establishing Accountability and Transparency
- Hired Key Departmental and City Manager's Office **Senior Leadership positions**, including:
  - \*○ Finance Director *Hired by Neal de Jesus, accepted position 10/14/17*
  - \*○ Purchasing Director *Hired by Neal de Jesus, accepted position 10/27/17*
  - Assistant to the City Manager (a downward reclassification of the vacant Assistant City Manager position at a substantial savings; **India Adams** starts 1/8/18)
  - \*○ City Engineer (**Patrick Figurella** starts 1/9/18)
- Created a **Team of Teams** comprised of several department heads within each team that will focus on creating organizational excellence in four focus areas:
  - **Governance, Policy Development & Internal Services** - This team is comprised of your policy development and policy review senior leadership staff headed by the City Manager, Assistant City Manager and supported by the new Assistant to the City Manager. Their focus is excellence in our internal services and governance system capabilities in the areas of City Management, Finance, HR, IT, Purchasing, and the City Attorney's Office. This team's work will be a key focus area of the City Manager in 2018.
  - **Operations** - This team is comprised of your key operational departments and will focus on achieving operational excellence in public safety, community improvement, special events and related quality of life services and programs. They are charged with delivering a balanced approach, maintaining the City's excellent overall quality of life, and maximizing service delivery excellence and efficiency. This team is comprised of your key executives in the Police, Fire, Community Improvement, and Parks & Recreation departments.
  - **Infrastructure and Economic Development** - This team is comprised of your key infrastructure and economic development departments and will focus on achieving excellence in utility operations, engineering, project management, facilities and excellence in our community's built environment.
  - **Continuous Improvement and Organizational Development** - This team is comprised of a core group of departments who are most concerned with continuous improvement including the CMO, HR, Budget but will also include other departments as available and needed. Key efforts will focus on process improvements, systemic improvements, efficiency and effectiveness, as well as performance management focusing on alignment of strategy, goals and objectives, budget initiatives, departmental strategic plans, annual work plans, and performance measures/metrics. Ultimately, establishing a **Strategic Business Plan** approach with the City Commission will be their key goal.
  - CMO staff will be working with the above teams in both a primary and support role. A core assignment of the Assistant to the City Manager will focus on the governance and continuous improvement teams.

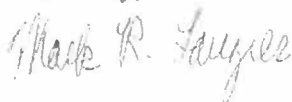
performance  
done ~~11/15~~  
1/24/19

performance done  
on 11/18

- **Achieving Community** – I have been focusing on a thorough and widespread civic engagement strategy to build the internal and external relationships necessary to achieve performance excellence at the community level – not just the City organizational level. This included:
  - Nurturing and growing our partnerships among key stakeholder organizations such as the Community Redevelopment Agency (CRA), Downtown Development Authority (DDA), Chamber of Commerce, Old School Square, etc.
  - Meeting with the City Commission; community leaders; groups/agencies we need to partner with, such as the African American Elders and BPOA; key individual stakeholders; and senior managers in each department.
  - Site visits of all City facilities while partnering with our residents, businesses, institutions and employees will continue in early 2018.
- **Developing Unity** – Goal Setting; Departmental Strategic Plans; Operational and Organizational Analyses – I discussed the need for City Commission goal setting earlier. I am also regularly gathering data regarding competing viewpoints as to City policies and community values directly from citizens stakeholders. I am currently reviewing data requested from the departments; the programs, projects and services they deliver; and, reviewing any existing departmental strategic plans for purposes of future alignment through goal setting with the City Commission.
- **Business Agenda Improvements** that include:
  - Setting Agenda Memo completeness standards,
  - Directed a requirement to improve transparency and public accessibility to information via the agenda memo as the first and primary document attached behind each agenda item, and
  - Currently improving the *Funding Source* section of the memo by adding/requiring **Financial Impact** analysis as part of the agenda approval process that will ensure:
    - A sound business case is explained for the expenditure of public funds that everyone understands, and
    - Ensuring the procurement process has been professionally administered using best practices in local government purchasing procedures.

In closing, I encourage you to review my **Excellence and Expectations for 2018** memo previously sent to my senior leadership team which you were copied on when issued earlier this week. I also look forward to working with you all closely during 2018 as we seek to achieve **Performance Excellence in All We Do**. I wish you all health, happiness and joy in serving our great community in the coming year.

Sincerely,



Mark Lauzier  
City Manager

2A

## City of Delray Beach Classification Description

Class Code  
00126

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Classification Title: ASSISTANT TO THE CITY MANAGER  
FLSA Status: Exempt

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Pay Grade: 118

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### General Purpose and Description

Under the general direction of the City Manager, performs a wide variety of highly responsible, complex, and diverse advanced level professional duties involved in providing administrative, analytical, and technical support to the City Manager's Office; plans, coordinates, and participates in various program and administrative operations and activities including those having a city-wide impact; coordinates assigned activities with City departments, outside agencies, and the general public; and provides information and assistance to internal and external customers.

### Nature of Work

Essential Functions and Responsibilities: The following duties are normal for this position. The omission of specific statements of duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

Duties may include but are not limited to the following:

- Participates with City Manager in framing City Commission's vision and strategies for accomplishing organizational initiatives;
- Represents and supports the City Manager with City Commission, employee and citizen group discussions and meetings;
- Keeps the City Manager informed about projects and issues of importance to the City Commission;
- Provides the City Manager with accurate and timely information to support decision-making and policy direction;
- Directs the activities of assigned City departments by meeting with department managers to assign projects and responsibilities, review and evaluate work methods and procedures, and identify and resolve problems;
- Reviews and evaluates work products, methods and procedures, and study departmental organization and operational functions;
- Coordinates a variety of projects for the expansion or improvement of City services;
- Promotes innovation, critical thinking and creativity in developing approaches and solutions to city needs. Empowers all levels of staff to be proactive and participatory. Promotes, encourages and leads collaboratively in seeking new ways to share resources, ideas and best practices in order to optimize service delivery organization wide;
- Conducts research and special projects and assures implementation of programs developed and initiated by the City Manager and/or City Commission;
- May direct the development of programs to address citizen needs to include citizen involvement. Coordinates with Department Heads or other appropriate parties to respond citizen inquiries;



- Performs policy analysis on anticipated programs to evaluate their feasibility within the organization;
- Conducts complex and sensitive administrative, operational and management analyses, studies, and research projects including those involving City-wide issues, programs, policies, and procedures; selects, adapts, and applies appropriate research and statistical techniques; gathers and analyzes data and information from various sources on a variety of specialized topics;
- Evaluates reports and other materials submitted to the City Manager for accuracy and completeness, and addressing deficiencies with appropriate parties;
- Meeting with members of the public including members of the business community and citizen groups to explain City policies, procedures, goals and objectives;
- Coordinates activities and special projects with City departments and outside agencies and organizations as well as serving as the liaison between the City Manager and City departments;
- Attends City Commission meetings and work sessions; researches, responds to and prepares correspondence; performs necessary follow up and communicates with City management on sensitive and confidential issues;
- Serves as a member of the Executive Leadership Team in the City Manager's Office;
- Responsible for assisting with the coordination of citywide economic development efforts, creation of job opportunities, sustaining the provision of permanent quality housing for all income levels, and for facilitating meaningful citizen advisory groups throughout the community development process; and
- Performs other duties as assigned.

Minimum Qualifications and Requirements: Completion of a Master's degree program from an accredited college or university with major coursework in public administration, or a related field and three (3) years of increasingly responsible experience in government, business management, or professional level administrative experience, or any equivalent combination of acceptable training and experience, as determined by the City Manager. Completion of the ICMA local Government Management Fellowship program as well as desire to advance in the local government profession to become a City Manager is preferred.

Knowledge, Skills, Abilities: Knowledge of: modern and highly complex principles and practices of municipal government administration and economic trends and operating problems of municipal government departments, organization and economic development functions and services; principles of personnel administration, supervision and training; methods and techniques of public administration research, analysis and report preparation; effective public relations and interrelationships with community groups and agencies, private businesses, firms and other levels of government. Basic principles of mathematics and methods and techniques of scheduling work assignment; and pertinent federal, state and local laws, codes and regulations. Ability to identify; organizational intergovernmental problems and advise the city manager of alternative courses of action and recommendations; exercise independent judgement in the performance of a variety of complex and difficult administrative duties with only occasional instruction or assistance; interpret applicable laws, rules and regulations; prepare and analyze fiscal and organizational reports, statements and correspondence; analyze, interpret, summarize and present administrative and technical information and data in an effective manner; communicate clearly and concisely, both orally and in writing; establish and maintain cooperative working relationships with staff, committee members, public officials, business leaders and the general public; identify and interpret technical and numerical information; and observe and problem solve operational situations, technical policies, and procedures associated with city projects.

The abilities expected of all employees include being able to respond to supervision, guidance and direction of superiors in a positive, receptive manner and in accordance with stated policies, be appropriately groomed and attired so as to present a professional image in accordance with the

organization's mission, goals, and policies; report for work promptly and properly prepared at the time and place required by the assignment or orders; notify the appropriate supervisor of intended absences in accordance with stated rules; conform with standards and rules regarding use of accrued time; demonstrate a polite, helpful and courteous manner when engaged in any activity with the public; operate and care for equipment to manufacturer's specifications and/or within the specified parameters; demonstrate an understanding, consideration, and respect of cultural, religious, and gender differences when interacting with the public and colleagues.

A comparable combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this position, may be substituted for the minimum qualifications.

Physical Demands/Work Environment: The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The work environment characteristics described are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

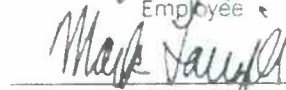
While performing the duties of this job, the employee is frequently required to sit and talk or hear, use hands to finger, handle, feel, or operate objects, tools, or controls, and reach with hands and arms. The employee is occasionally required to walk. Specific vision abilities required by this job include close vision and the ability to adjust focus. Works inside in an office environment.

**SELECTION GUIDELINES:** Formal application, rating of education and experience; oral interview and reference check; job related tests might be required. The job description does not constitute an employment agreement with the employer, and requirements of the job change.

Accepted:

  
\_\_\_\_\_  
Employee

Approved:

  
\_\_\_\_\_  
Supervisor

**From:** Lauzier, Mark <[Lauzier@mydelraybeach.com](mailto:Lauzier@mydelraybeach.com)>  
**Sent:** Saturday, January 6, 2018 5:29 PM  
**To:** Executive Leadership Team  
<[ExecutiveLeadershipTeam@cityofdelraybeach.onmicrosoft.com](mailto:ExecutiveLeadershipTeam@cityofdelraybeach.onmicrosoft.com)>  
**Cc:** Rangel, Delores <[Rangel@mydelraybeach.com](mailto:Rangel@mydelraybeach.com)>; Kubsch, Richelle  
<[KubschR@mydelraybeach.com](mailto:KubschR@mydelraybeach.com)>; Emmanuel, Nora  
<[EmmanuelN@mydelraybeach.com](mailto:EmmanuelN@mydelraybeach.com)>; Smith, Shona  
<[smithsh@mydelraybeach.com](mailto:smithsh@mydelraybeach.com)>  
**Subject:** Assistant to the City Manager - Profile: India Adams

Hi Team:

As we have discussed, I have assessed our organizational needs in the City Manager's Office (CMO) in consideration of our journey toward excellence and where we are at in that journey in order to determine who can best fulfill the duties and responsibilities of the open Assistant City Manager position. I am happy to report that based on a December site visit and candidate introduction with key members of the CMO and our Operations Team, we are looking forward to having India Adams join the executive team in the City Manager's Office this coming Monday. She will be playing a key role in our organization's success as the incoming **Assistant to the City Manager**. I encourage everyone to reach out and welcome her to our team. You will also have the opportunity to meet her at Wednesday's staff meeting. Take a few minutes to review the attached documents including her interview video with the ICMA found in the Intro document that gives you a more detailed look at some of her experiences. She is a dedicated, hard-working, up-and-comer in the City Management profession and I am very confident she will be a great addition to our team. Have a great weekend!

Mark



# INDIA ADAMS

## MANAGEMENT ANALYST II

\* 1 year of full-time employment  
\* 2 years of fellow/Internship

### EDUCATION

Project Management Certificate, University of Washington-Tacoma 2017

Graduate Certificate in Local Government Management, Virginia Tech University, 2013 – 2015

Master of Public Administration, Virginia Tech University, Blacksburg, VA 2012 – 2014

Bachelor of Science, Public Administration, George Mason University, Fairfax, VA 2008 – 2012

### EXPERTISE

Project Management  
Policy Analysis  
Budgeting  
Economic Development  
Research  
Public Policy  
Microsoft Office  
Leadership

### EXPERIENCE

#### MANAGEMENT ANALYST II

City of Tacoma/ Tacoma, WA / 2016 – Present

Population: 207,948 Budget: \$ 3.1B Employees: 2,078

- Serves as management analyst, working on special projects for the Community and Economic Development department
- Served as project manager for the implementation of an Economic Development Microsite- "Make it Tacoma"
- Develops and maintains economic and demographic data needed to provide reports on market conditions, development opportunities, real estate listings, and other business development-related projects.
- Coordinates the technical aspects of data collection and assembly of cost estimates for various public actions such as land acquisition and public improvements
- Managed contract negotiations and implementation of two innovative economic development site selection tools to recruit both large and small businesses (Zoom Prospector and Size Up)
- Manages department performance measures (Results 253) and coordinates annual reporting as part of 10-year budget goals
- Knowledge of: zoning policies; project management; GIS mapping/analysis; commercial/retail recruitment and retention principles, practices and implementation; experience with design programs and development of marketing and presentation materials.

#### MANAGEMENT FELLOW/ CITY COUNCIL ASSISTANT

City of Tacoma/ Tacoma, WA / 2015 – 2016

Population: 207,948 Budget: \$ 3.1B Employees: 2,078

- Served as management fellow, working on special projects for the City Manager's and City Council Offices
- Served as staff support for the City Council and Mayor including research, speechwriting, official reports and related documents
- Managed the City Manager's Office and City Council's budget
- Lead two innovative community engagement events- Student Government Day 2015 and T-Town City Services Expo, which successfully engaged over 2,000 residents and Tacoma students
- Analyzed and researched policy specific to community and economic development including: community wealth building initiatives, affordable housing and other community and economic development topics
- Provide full staff support to working coalitions: Tacoma2025 Advisory Committee, Citizen Police Advisory Committee and the Black Collective
- Served as staff liaison to City Council standing committees, by providing administrative support in gathering items for discussion and potential City Council

# INDIA ADAMS

## MANAGEMENT ANALYST II

### SKILLS

Strategic Planning

Community  
Engagement

Data Analysis

Local Gov't  
Administration

Grant Writing

### PERSONAL INTERESTS

Traveling

- Studied  
Democratic  
Theory in  
Greece & Turkey

Softball

- Division I  
Student-Athlete  
at George  
Mason University

Tennis

Basketball

Reading

Hiking

Photography

### EXPERIENCE (CONTINUED)

#### MANAGEMENT FELLOW *intern*

County of Albemarle/ Charlottesville, VA *(2014 - 2015)*

Population: 103,000 Budget: \$375M Employees: 650

- Served as a management analyst, working on special projects for the County Executive's and Budget Offices through ICMA's Local Government Management Fellowship
- Maintained and improved Performance Management website and briefed County Executive quarterly on trends (Albemarle Performs)
- Successfully secured innovation funds to improve the County's legislative management system and video streaming solution in collaboration with the Clerk's Office on behalf of the Board of Supervisors
- Served as Project Lead for deployment of legislative management solution (Granicus) and video streaming solutions, coordinating implementation between five departments
- Responsible for contract negotiations and incentives that leveraged over \$24,000 in savings for the County
- Advised County's legislative liaison, by providing analysis on the potential fiscal impact of proposed legislation
- Spearheaded 6-month survey and compiled comprehensive comparative analysis on the training, prevention and volunteer divisions of the Albemarle County Fire Department and benchmarking peer localities

#### GENERAL ASSEMBLY FELLOW

*During college*  
Virginia Tech Office of Gov't Relations / Richmond, VA / 2013 - 2014

- Briefed administration on potential fiscal impacts of proposed legislation
- Compiled and maintained a daily bill list using Microsoft Access and Excel for the Director of State Relations
- Responsible for attending Board of Visitors, State Council for Higher Education for Virginia, General President's Advisory Council meetings and other legislative meetings on behalf of University

#### CUSTOMER SERVICE REPRESENTATIVE

Virginia Department of Motor Vehicles / Richmond, VA / 2012 - 2013

- Courteously served between 30-70 diverse customers a day through applying proper judgment in accurate interpretation of applicable laws, documents to reach logical and legal conclusions on customer transactions
- Promoted inclusiveness and collaboration with other representatives in a team environment and upheld courteousness during peak workload periods



## Legislation Text

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**File #:** 18-144, **Version:** 1

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**TO:** Mayor and Commissioners  
**FROM:** R. Max Lohman, City Attorney  
**DATE:** May 1, 2018

ORDINANCE NO. 04-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 35, "EMPLOYEE POLICIES AND BENEFITS", SECTIONS 35.001 THROUGH 35.014 AND READOPTING SAME, AS REVISED, IN ORDER TO ADOPT A PERSONNEL POLICY AND PROCEDURES MANUAL, PROVIDING FOR ITS ADMINISTRATIVE AMENDMENT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (FIRST READING).

**Recommended Action:**

Motion to approve Ordinance 04-18 amending Chapter 35 to authorize the City Manager to implement the Personnel Policies and Procedures Manual.

**Background:**

Ordinance 04-18 repeals and readopts Chapter 35, "Employee Policies and Benefits", and authorizes the City Manager to implement a Personnel Policies and Procedures Manual. This Ordinance would repeal the Civil Service Board but all other measures part of the City's grievance process would remain in effect. In addition, the City Manager would be authorized to implement the City's Personnel Policies and Procedures Manual in order to centralize all of the current City personnel policies into one document. All policies contained in the Personnel Policies and Procedures Manual have received legal review by the City's labor counsel. The City Attorney recommends these revisions in order to centralize the City's personnel policies for all City employees governed under same and in order remain consistent with recent City-wide changes to move various administrative procedures from the Code of Ordinance to a separate policies and procedures manual.

**City Attorney Review:**

Approved as to form and legal sufficiency.




# City of Delray Beach

## M E M O R A N D U M

TO: City Commission

THROUGH: Mark R. Lauzier, City Manager

FROM: Sharon Liebowitz, Human Resources Director 

DATE: March 15, 2018

SUBJECT: Revised Personnel Policies and Procedures Manual

As a result of the March 15, 2016 City of Delray Beach Special Election, Chapter 25784 Laws of Florida was repealed, allowing the City Commission to amend its Civil Service Code by ordinance. This revised Personnel Policies and Procedures Manual will replace the Civil Service Code of Rules and Regulations and the Personnel Policy Manual currently in effect.

The highlights of the changes are as follows:

### Section 1.1

- The revised manual has been expanded to include current Administrative Policies and Procedures that relate to human resources and personnel management. Including these policies in the manual will provide employees a more efficient method of accessing information in one location.

### Section 1.2

- Employees who fall within the provisions of the Civil Service Act of the City of Delray Beach (i.e. employees who are not department heads and are not covered under the terms of a collective bargaining agreement) will now be considered "at will" employees. Their employment will be based on merit and qualifications.

### Section 9

- The reasons for disciplinary action have been revised to be more specific, provide more clarity, and standardize current practice.
- If the progressive discipline process results in the City Manager making the decision to terminate an employee, his/her decision is final. Thus, eliminating the need for a Civil Service Board which had rarely been used in the past (i.e. The Civil Service Board heard one case last year and the City's decision was not overturned).

### Section 10

- The grievance process for non-disciplinary issues will end with the Human Resources Director instead of the City Manager.

### Section 11

- Language concerning separation of employment was clarified to ensure employees are aware of their rights and responsibilities.



**CITY OF DELRAY BEACH**  
100 NW 1<sup>st</sup> Avenue  
Delray Beach, Florida 33444  
**HUMAN RESOURCES DEPARTMENT**

## **PERSONNEL POLICIES AND PROCEDURES MANUAL**

Approved by

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**Mark R. Lauzier, City Manager**

Effective 5/15/18



## **SECTION 1: OVERVIEW**

### **SECTION 1.1 ORGANIZATION AND ADMINISTRATION OF PERSONNEL POLICIES**

This Human Resources Policy Manual implements the City of Delray Beach's (City) Human Resources management system and conforms to the policies established by the City Manager and the City Commission of Delray Beach. This manual shall govern Human Resources-related matters of the City unless superseded by other specific regulations established in the City Charter or Code, or Florida Statutes.

The purpose of this manual is to establish various policies, rules and regulations, fringe benefits and services provided to full-time employees, and where applicable, part-time employees. As an employee of the City of Delray Beach, it is your responsibility to read and understand the information contained in this booklet.

A proper and efficient Human Resources system is indispensable and necessary to properly administer the business affairs of the City. Further, the City insists upon a fair, equitable, and uniform system of public employment in order to attract the excellent caliber of employees our citizens demand and deserve. Department Directors are responsible to the City Manager for administration of the Human Resources Policies set forth herein.

The policies contained in this manual supersede any prior personnel policies and procedures of the City. They are provided to employees for information only and are subject to change at any time without advance notice. Nothing in this manual constitutes or establishes a contract of employment of any particular duration or any other legal obligation granting continued employment.

This policy manual replaces the Civil Service Rules and Regulations and the Human Resources Policy Manual.

### **SECTION 1.2 DECLARATION OF POLICY**

The City Commission and City Administration of the City of Delray Beach declare the following principles to illuminate the personnel policies of the City of Delray Beach:

1. Employment is at will and shall be based on merit and qualifications free of personal or political consideration.
2. Just and equitable compensation and conditions shall be established and maintained in order to promote efficiency and economy in the operation of the municipal government.

3. An effort will be made to classify positions with similar duties and responsibilities on a uniform basis.
4. Appointments, promotions, and other personnel actions will occur upon approval of the City Manager or his/her designee.
5. The City will retain employees on the basis of the adequacy of their performance or conduct, correct inadequate performance or conduct, and separate employees whose inadequate performance or conduct cannot be corrected.
6. Every effort shall be made to inspire and support high morale by administration of these policies with appropriate consideration of the rights and interests of City employees, the public and the City administration.
7. The City will assure fair treatment of applicants and employees in all aspects of personnel administration without regard to race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, genetic information, gender identity or expression or any other status or condition protected by applicable federal, state or local laws. And to take affirmative steps to recruit, employ and advance in employment qualified minorities, women, veterans and persons with disabilities.
8. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

The Human Resources Director, through the City Manager, shall prepare and submit to the City Commission these Personnel Policies. These policies shall become effective when approved by the City Manager. Amendments to the Personnel Policies may be made in the same manner.



### **SECTION 1.3 POWER OF APPOINTMENT AND POLICY OVERVIEW**

The City Manager or his/her designee has the ultimate authority to appoint, promote, demote, discipline, remove or otherwise impact the employment of all City employees and appointed administrative officers in accordance with the City Charter.

#### Additional Rules and Regulations:

Additional rules and regulations may be established by the Departments and/or by Standard Operating Procedures (SOP's) that are not inconsistent with these policies and which have been approved by the City Manager or his/her designee.

Administrative Policies and Procedures that relate to the policies in this manual and provide



additional details will be annotated in the appropriate sections.

#### Application of the Policies:

This policy will apply to all fulltime and part-time personnel employed by the City of Delray Beach except that in the event of any conflict between the terms of any Collective Bargaining Agreement and this policy, the Collective Bargaining Agreement will control.

#### Responsibilities for Administration of the Policies:

The Human Resources Director with approval and direction from the City Manager shall:

1. Administer, maintain and amend the personnel policies as may be required for the efficient administration of City government;
2. Develop, maintain, and amend a comprehensive classification plan that reflects, on a current basis, the duties and responsibilities of all budgeted positions;
3. Administer special pay policies in cases of declared emergencies based on the needs and circumstances of the emergency (Administrative Policy GA-46);
4. Develop and administer recruitment and onboarding procedures that will provide best qualified applicants to meet the needs of City departments;
5. Provide leadership in the development of programs for the improvement of employee productivity and morale;
6. Encourage and exercise leadership in the development of effective personnel administration within the departments of the City and make available the facilities of the Human Resources Department for that purpose; and
7. Perform any other functions as necessary or as directed by the City Manager to carry out the purpose and provisions of the Personnel Policies.

#### Summary of Personnel Policies

The City Manager, through the Human Resources Department, is responsible to the City Commission for developing and administering the following:

1. The classification of all City positions with adequate provision for reclassification of any position whenever warranted by changing circumstances;
2. A pay plan for all City positions with periodic pay plan adjustments based on economic and budget factors;
3. Methods for determining the merit and fitness of candidates for appointment or

promotion;

4. The policies and procedures regulating reductions in force;
5. Policies and procedures for performance evaluations and merit pay increases as approved in each fiscal year budget;
6. Policies and procedures for progressive discipline, grievances and termination;
7. Regulations for hours of work, attendance, flex time, provisions for sick leave, vacation leave, holidays Family and Medical Leave (FMLA), and other types of leave with or without pay; and
8. Other procedures and practices necessary to the administration of the City personnel system.

not consider applicants who have used tobacco products for a period of at least three (3) months prior to application for employment. The definition of "tobacco products" shall include, but is not limited to, cigarettes, nicotine patches, electronic cigarettes, cigars, chewing tobacco, pipes and snuff.

Firefighter Applicants:

The City of Delray Beach will not hire Firefighter applicants who have used tobacco products for a period of at least one (1) year prior to application for employment. The definition of "tobacco products" shall include, but is not limited to, cigarettes, electronic cigarettes, nicotine patches, cigars, chewing tobacco, pipes and snuff.

All applicants for employment must sign a Non-Tobacco Use Affidavit and undergo an annual nicotine screening test as part of the City's Wellness Incentive program. Any employee who signs the Non-Tobacco Use Affidavit and violates the Non-Tobacco Use Policy shall be subject to termination.

## **SECTION 2.6 RECRUITMENT AND HIRING<sup>6</sup>**

The City of Delray is dedicated to creating a highly qualified, culturally diverse workforce focused on serving internal and external customers. This policy is designed to establish uniform and consistent procedures for recruiting, interviewing and onboarding that adhere to the provisions of the Fair Labor Standards Act (FLSA), Veterans Preference, Americans with Disabilities Act (ADA) and other applicable statutes.

The Human Resources Department is responsible to ensure that all of the requirements specified in this policy are carried out so that only the most qualified individuals are hired as employees with the City of Delray Beach. Selection standards will be job-related, uniformly applied, and provide equal opportunity for all to compete.

It is the policy of the City of Delray Beach to post every open position on the City's website and to utilize an online application process except for certain positions which may be filled by City Manager appointment. Paper applications are not accepted. Each application will be reviewed against the minimum qualifications of the position and the City will consider only those applicants who meet those qualifications. Applicants who do not meet the minimum qualifications for the position, have submitted an incomplete application, or have been identified as having falsified their application, will not be moved forward in the selection process.

From the pool of qualified applicants, Hiring Supervisors/Managers select those candidates that will be interviewed. All Veterans in the pool of qualified candidates **MUST** be given an

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<sup>6</sup> Reference Administrative Policy PER-20: Recruiting, Interviewing, Onboarding



opportunity to interview per Florida Veterans' Preference State Statutes.

Unless approved by the Human Resources Director or his/her designee, interviews will be conducted by a panel. Whenever possible, panels should be comprised of a diverse group of individuals who are subject matter experts, and who will have input into the hiring decision. The selection process may vary in the case of executive recruitments (Department Director level and higher).

#### Hiring Process:

The recruitment, selection and hiring process will follow the guidelines established by the Human Resources Department, and any applicable federal, state or local laws or regulations.

- Each position will have minimum requirements for education, experience, licensing or certification requirements. These requirements will be listed in the job description and job posting.
- All new hires and rehires will be hired at the starting hourly pay rate for the position in which they are being hired, unless otherwise approved by the Human Resources Director or City Manager, if applicable. (PER-4 Classification and Pay Plans).
- All new hires and rehires will be required to complete New Hire Orientation.

## **SECTION 2.7 PROBATIONARY PERIOD**

The probationary period is regarded as an integral part of the placement process. It permits careful observation of the employee's performance to either provide an effective adjustment of the new employee to the position or to terminate an employee whose performance has not met the required work standards.

The probationary period for all employees is one (1) year for the purpose of determining whether the individual shall attain regular status in the position. Quarterly performance evaluations are completed during the probationary period to notify the employee and the Human Resources Department of the employee's progress. A performance evaluation of an employee reflecting less than satisfactory performance may result in immediate termination of employment.

Upon the recommendation of the employee's Department Director and the Human Resources Director, the City Manager may terminate an employee at any time during the probationary period for "Unsatisfactory Completion of Probationary Period." Any termination prior to expiration of the probationary period shall be final with no right of appeal under the grievance policy.

The employee's Department Director, with approval of the Human Resources Director, may extend the probationary period up to six additional months.

## **SECTION 4: COMPENSATION and HOURS OF WORK**

### **SECTION 4.1      SALARY PLAN ESTABLISHMENT AND PHILOSOPHY<sup>8</sup>**

The City Manager or his/her designee shall periodically review the compensation plan. This plan may subsequently be amended as deemed necessary.

The salary plan and associated salary structure shall contain position classifications and salary ranges for positions of full time and part time employment by the City with the exception of those subject to a Collective Bargaining Agreement.

#### **Salary Plan Philosophy**

- The City of Delray Beach Job Classification and Salary Plan seeks to ensure that salary levels are commensurate with the skills and responsibilities of the position and that the position classification and salary ranges are fair and equitable internally and externally to other comparable municipalities in the state. The maintenance of this plan applies to existing positions in order to ensure that salaries and salary ranges are competitive within the employment market in order to retain and reward our workforce.
- The salary plan contains salary grades which indicate minimum and maximum salary rate for each position. Any employee's salary will not exceed the maximum of the salary grade for his/her position.
- When creating a new position, the Human Resources Department will research surrounding municipalities to obtain accurate salary comparisons to positions with similar position responsibilities. A competitive salary range will be established and added to this document. New positions must be approved by the City Manager.

### **SECTION 4.2      MANAGEMENT OF JOB CLASSIFICATION AND SALARY PLAN<sup>9</sup>**

The Classification Plan is a system designed to determine how each position in the City is arranged according to its function, content, competencies, responsibilities, skills and requirements. The classification plan establishes the job description, pay grade, FLSA status and salary range for each position.

The job descriptions are developed and maintained solely by the Human Resources Department and are available to all employees. The City of Delray Beach utilizes the Fair Labor Standards Act, (FLSA) as guidelines when developing job descriptions and makes sure they are compliant with

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<sup>8</sup> Reference Administrative Policy and Procedure PER-4: Compensation and Pay Plans

<sup>9</sup> Reference Administration Policy PER-4: Classification and Pay Plan

Americans with Disabilities Act (ADA) regulations.

#### Pay Plan:

The Pay Plan shall be directly related to the Classification Plan and shall provide the basis for compensation of employees. It is developed by assigning a position grade and determining a salary range for the position.

A position grade is established by assessing several core factors of a position such as, the level of complexity of functions, scope of responsibilities, degree of authority and degree of experience necessary to perform the essential functions of the position.

The Pay Plan shall include tables of basic rates of pay and schedules of salary grades for each job title in the Classification Plan. Each position grade is assigned a salary range that is based upon salary data of similar and comparable organizations in the immediate geographical area of the City. The salary range represents the corresponding salary levels of a position at progressively increased levels of experience and job knowledge.

**Regular Full-Time Employee:** An employee who is hired to work on a continuous basis 40 hours per work week.

**Regular Part-Time Employee:** An employee who is hired to work on a continuous basis up to 29 hours per work week

#### Administration of Pay Plan:

##### Initial Employment

1. A new employee entering the City's work force will typically start at the minimum salary level of the pay grade assigned to his/her position. When there are exceptional considerations, such as advanced experience, education/training, or qualifications that significantly exceed the minimum requirements of a position, a hiring manager may request approval to start the employee at a salary that is above the minimum level for the position.
2. Requests for a starting salary that is up to twenty percent 20% above minimum salary level for a position shall require the approval of the Human Resources Director. Requests for a starting salary that is more than twenty percent (20%) above the minimum salary level for a position require the Human Resources Director's review with recommendations to the City Manager for final approval.

No manager has the authority to extend an offer of employment that is above the minimum salary for a position to a candidate without the Human Resources Director's and/or City Manager's prior approval.

3. As a matter of practice, the City of Delray Beach does not issue sign-on bonuses as part of its normal recruiting strategy, however, it does recognize the need for such a measure in unique hiring situations or when recruiting for extraordinarily difficult vacancies to fill.



In these instances, the Department Directors must request authorization from the Human Resource Director, in writing, prior to offering a sign-on bonus. Requests for sign-on bonuses require the Human Resources Director's and the City Manager's approval. Sign-on bonuses are subject to mandatory tax deductions.

#### Promotions:

It is considered to be a promotion when a position is vacant and through the internal job posting process and in compliance with Equal Employment Opportunity (EEO) principles, an employee applies for the position and is selected to fill the position, if the vacant position is a higher classification and job grade than the employee's current position

The salary of an employee who is promoted will be increased by ten percent (10%) of the employee's salary before the promotion or to the minimum salary level of the new position grade, whichever is greater.

Requests for a salary that is up to twenty percent (20%) above minimum salary level for a position shall require the approval of the Human Resources Director. Requests for a starting salary that is more than twenty percent (20%) above the minimum salary level for a position require the Human Resources Director's review with recommendations to the City Manager for final approval.

If a regular full-time employee receives a promotion which results in a salary increase of ten percent (10%) or higher, the employee's next annual performance review date, shall be adjusted to twelve (12) months from the date of the promotional salary increase and the employee will have one year probationary period.



#### Demotions:

A demotion occurs when an employee leaves one position and moves to a position with a lower classification and position grade. For example, when a position is vacant and through the internal job posting process an employee applies for the position and is selected to fill the position, if the vacant position is a lower classification and position grade than the employee's current position, then this is considered to be a demotion.

Demotions generally result in a decrease in salary which must be approved by the Human Resources Director and with final approval from the City Manager. The employee will have a one (1) year probationary period.

#### Reclassifications:

When a position changes significantly in terms of job content, scope, skills, and responsibilities, its classification may be changed by the Human Resources Department at the request of the Department Director. The change can be to a higher or lower classification and position grade. If the change results in a higher classification, the Department must have the funds in their budget to support the change.



If the new classification results in a lower job grade, the employee will have ninety (90) days to apply for another position within the City that has a higher position grade and classification. If after ninety (90) days, the employee is not successful in securing another position with a higher classification, the employee's salary will decrease according to the guidelines of a demotion.

If a position is reclassified to a higher position grade, the incumbent's new salary shall be increased at least equal to the minimum salary level of the new position grade. If the employee's current salary is higher than the minimum salary of the reclassified position, the employee shall receive a four percent (4%) salary increase when the reclassification results in a one (1) grade increase; eight percent (8%) salary increase for two (2) grade increase; or ten percent (10%) salary increase for a three (3) grade increase. Reclassifications that result in more than a three (3) grade change increase will entitle an employee a four percent (4%) salary increase per grade change. In any case, the minimum increase is 2%.

If the reclassification results in a salary increase of ten percent 10% or higher, the employee's next annual performance review date shall be adjusted to one year from the date of the salary increase.

Changes to a job title or job description that do not result in changes in salary or rate of pay will require the Human Resources Director's review and approval.

A Department Director's request to deviate from the policy regarding reclassifications, must be in writing and approved by the Human Resources Director and the City Manager.

#### Reallocation:

A reallocation, as distinguished from reclassification, occurs when only the position grade changes in response to job market change. In these situations there are no changes in job content or responsibilities. If a position is downgraded as a result of a reallocation and filled by an incumbent, generally the incumbent's salary will not change. Where a filled position is upgraded as a result of a reallocation, the incumbent's new salary shall be at least equal to the minimum salary level of the new position grade. If the current salary of the incumbent is higher than the minimum salary level of the position grade of the reallocated position, the incumbent shall receive two percent (2%) salary increase for each number of grade changes. For example, the employee would receive a two percent (2%) salary increase for a one (1) grade adjustment; four percent (4%) salary increase for a two (2) grade adjustment; or six percent (6%) salary increase for a three (3) grade adjustment etc.

If a reallocation results in a salary increase of ten percent (10%) or higher, the employee's next annual performance review date shall be adjusted to one year from the date of the salary increase.

#### Transfers:

A transfer occurs when an employee changes job within the same position grade but to a different or same job title, and without a change in salary. This may occur when an employee applies for a vacant position and is selected to fill the position that has the same position grade or title as the employee's current position.

An employee's next annual performance review date remains unchanged with a transfer, however, the employee is subject to a twelve (12) month probationary period in the new position.

#### Annual Merit Increases:

The City will make every effort to administer salary increases based on merit and job performance on an annual basis for full time, regular employees. However, there may be times when the City may not be able to administer annual merit increases for eligible employees due to budget constraints. Immediate supervisors are responsible to complete and administer employee performance evaluations on a timely basis. Guidelines for percentage salary increases are established annually. Recommendations for merit salary increases that exceed the established guidelines, or for salary increases that are in addition to an employee's annual merit review cycle may be requested by a Department Director. Such requests must be in writing detailing the unusual or exceptional reason for the requests. Once submitted, the request shall be analyzed by the Human Resources Director who will forward a recommendation to the City Manager for final approval.

No full-time regular employee will receive a merit salary increase without a completed performance evaluation.

#### Salary Plateau or "Top Out":

Salary Plateau or "Top Out" occurs when an employee reaches the maximum salary level of the salary range for his/her position grade. No employee's salary can exceed the maximum salary level of the salary range of his/her position grade. Employees whose salaries have plateaued or topped out may receive the equivalent of their merit salary increase, either as a full or partial lump sum bonus if approved by the City Manager for the current fiscal year budget.

No full-time regular employee will receive a top-out bonus without a completed performance evaluation.

#### Regular Part-time Employment Merit Increase

##### Eligibility:

The City will make every effort to administer salary increases based on merit and job performance on a bi-annual basis for part-time, regular employees. To be eligible for a merit pay increase, a regular part-time employee must have worked at least 700 hours in the twelve (12) consecutive months preceding the merit increase recommendation. Regular part-time employees who satisfy the merit pay requirements shall receive a merit pay increase twenty four (24) months after the date of hire.

Regular part-time employees who satisfy the merit pay increase requirements are eligible for merit pay increases twenty four (24) months after the last pay increase.

No part-time regular employee will receive a merit salary increase without a completed performance evaluation.

## **SECTION 8: PERFORMANCE EVALUATIONS**

### **SECTION 8.1      PERFORMANCE EVALUATIONS**

Each performance evaluation should be an interactive process. The supervisor and the employee shall discuss the employee's performance in meeting the responsibilities of the job as well as the strengths and weaknesses of the employee. A performance evaluation will be conducted of every employee during the initial third, sixth, ninth and twelfth month of employment, and annually thereafter.

An employee may receive his/her first merit increase in pay after the twelfth month of employment and annually thereafter, if approved in the City's budget for that fiscal year.

Every effort will be made on the part of the supervisor to provide the performance evaluation to the employee in a timely manner.

Performance evaluations can be grieved through the grievance process outlined in Section 10.2 - *Grievance Procedures for Non-Disciplinary Actions* only if the employee received an evaluation with an overall rating of Unsatisfactory.

The City shall establish such forms and criteria as necessary to measure and maintain records of employee work performance. The forms and criteria shall at a minimum:

1. Provide employees with timely reports of their work performance and document areas of improvement;
2. Identify the employee's work performance strengths and areas of improvement;
3. Provide an ongoing performance record which is retained in the employee's personnel file;
4. Provide employees with an opportunity to discuss ways to improve work performance;
5. Provide an opportunity to review the current job responsibilities as stated in the most current job description, and make any necessary updates to the job description;
6. Set performance goals with the employee for the upcoming evaluation period.

#### Procedures:

- A. Annual performance evaluations shall be completed by the supervisor on the

employee's anniversary of the original date of hire or on the most recent appointment date to a new position, whichever is applicable. Annual evaluation meetings will take place no later than the employee's applicable anniversary or appointment date.

- B. If the performance evaluation corresponds to a merit increase, the full percentage increase will be added to the hourly/annual rate. In cases where the increase would exceed the maximum of the pay grade for that position, a lump sum bonus may be issued. (Per section 8.2 – Lump Sum Bonus). An employee must have an average or above average performance appraisal in order to receive a merit pay increase. The employee cannot have had any discipline resulting in demotion or suspension imposed upon them during the evaluation year for which the merit increase would be paid and cannot have had any at fault accidents in excess of the current deductible observed by the City. Employees covered under Collective Bargaining Agreements will be subjected to the eligibility requirements in the applicable agreement.
- C. Completed performance evaluation forms will be maintained in the employee's personnel file in the Human Resources Department.
- D. Each month, the Human Resources Department will prepare a report listing employees' anniversary or appointment dates, by department and by month. This report will be sent each month to the department Director or designee, to identify all employees with an anniversary or appointment date in the upcoming thirty (30) days.
- E. The Human Resources Department will track the receipt of completed annual performance evaluations, and will provide a monthly report to the Department Director and the City Manager of evaluations that have not been submitted by each department.
- F. Department Directors will be responsible to ensure that annual performance evaluations are completed in a timely and accurate manner for their employees.

## **SECTION 8.2      LUMP SUM BONUS**

When a general employee (exempt and non-exempt) who has reached the maximum amount of the salary range receives an annual Performance Appraisal, a recommended performance increase is issued. This process results in one of the following actions:

1. A full percentage increase in the hourly/annual rate; or,

2. No percentage increase (because the employee is either at the maximum of the pay grade and a Lump Sum Bonus is appropriate or the employee is not deserving of an increase because their Performance Appraisal is Unsatisfactory); or,
3. Partial percentage (to reach the maximum rate for the grade), along with a possible Lump Sum Bonus.

Eligibility:

An employee must have an average or above average Performance Appraisal. The employee cannot have had any discipline resulting in demotion or disciplinary suspension imposed upon them during the evaluation year for which the bonus would be paid and cannot have had any at fault accidents in excess of the current deductible observed by the City.

Process:

During the annual Performance Appraisal process, an employee who reaches or is at the maximum amount of the salary range and who receives only a portion of the recommended annual Performance Increase may be eligible for a Lump Sum Bonus. The bonus awarded shall be the amount the Performance Appraisal recommended and not received, but in no case shall the combined Performance Increase amount and the bonus exceed five percent (5%) of the base annual salary. Such onetime annual bonus amount shall be paid at the time of the employee's Performance Appraisal and shall not be applied to the employee's base rate.



# CITY OF DELRAY BEACH

MARK R. LAUZIER, CITY MANAGER

100 N.W. 1<sup>ST</sup> AVENUE • DELRAY BEACH, FLORIDA 33444 • (561) 243-7015



1993-2001-2017

March 26, 2018

Dear Vincent,

Please accept this letter as confirmation of the City of Delray Beach offer of employment as a Management Fellow/Analyst. This offer is contingent upon satisfactory results from reference and background checks and a physical exam that includes a tobacco test.

The following salary and benefits are offered to you with your employment:

**Starting Annual Salary:** You will be placed at Management Fellow/Analyst classification at an hourly rate of \$ 25.56 per hour, or \$ 53,174 annually.

The City will provide life insurance, health insurance and disability insurance under the same terms and conditions as provided for other general employees. Coverage begins on your 31<sup>st</sup> day of employment.

You will be entitled to sick and vacation leave benefits under the terms and conditions provided to other general employees of the City. Sick leave begins at six months; vacation leave begins at one year.

You will be enrolled in the Defined Benefit (Pension) Plan effective your date of hire; you will also be eligible to participate in Voluntary Supplemental Retirement plans.

## Relocation/Moving Expenses

The City will reimburse you for reasonable costs associated with relocation and moving expenses such as household goods, personal effects, storage, required deposits and fees associated with temporary housing, lodging, vehicle rental and vehicle transport, up to \$3,800.00. You will need to provide three quotes (in writing) from which the City will pay/reimburse the lowest quoted price for all direct moving expenses. To obtain reimbursement, original receipts must be submitted.

You will also be reimbursed for the actual temporary housing/accommodation expenses incurred following your date of hire, up to a maximum reimbursement of \$1,200.00 per month for up to one month.

If you voluntarily end employment the City of Delray Beach you will be required to repay moving costs on a pro-rata basis as follows:

- Within six (6) months 100%
- Within nine (9) months 70%

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Don't list in Human Resources, will contact you to process the background check and schedule your physical. Please feel free to contact her at 561-243-7127.

You are welcome to visit our website to review the employee benefits. After your arrival, you will be scheduled for employee orientation where benefits will be fully explained, and enrollment forms will be completed. Please feel free to call Sue Radig, Benefits Manager, directly at 561-243-7125 about the benefits plans.

Please sign and return the enclosed copy of this letter to me no later than March 29, 2018. I am very pleased that you have agreed to join the City of Delray Beach Team and I look forward to your arrival.

Please contact me at 561-243-7015 and/or India Adams at 561-243-7015 if you have any questions regarding this offer, or if I can assist you in any way.

Sincerely,

*Mark R. Lauzier*  
Mark R. Lauzier  
City Manager

Accepted: *[Signature]* Date: 03/29/18

cc: Personnel File  
Sharon Liebowitz, Human Resources Director  
India Adams, Assistant to the City Manager / Director Strategy, Innovation & Budget



## Vincent S. Roberts

### EDUCATION

- **University of North Carolina – Charlotte**  
**Master of Public Administration**  
(August, 2016 to present)  
Current GPA: 4.0
- **University of North Carolina – Chapel Hill**  
**Bachelor of Arts in Political Science**  
(May, 2012)
- **Campbell University**  
**Norman Adrian Wiggins School of Law**  
(August, 2013 to May, 2014)
- **Appalachian State University, Boone, NC**  
**Major: Political Science**  
(August, 2008 to May, 2010)

### EXPERIENCE

- **City Management Intern (May, 2017 to August, 2017)** → no other city/municipality or locality experience lists  
City of Bessemer City, Bessemer City, NC
  - Focus within City Manager's office. Work daily within all departments throughout the city, in order to assist department heads with any and all necessary tasks.
- **Graduate Assistant (January, 2017 to present)** College  
UNC-C Department of Political Science and Public Administration, Charlotte, NC
  - Teach undergraduate lab course on political research by way of SPSS, as well as assist department professors.
- **Player's Assistant (August, 2015 to August, 2016)** private co.  
Golf Galaxy, Winston-Salem, NC
  - Assisted customers with sales, golf club repair, and returns, and helped to maintain the appearance of the store.
- **Maintenance Coordinator (October, 2015 to August, 2016)**  
Salem View Property Management, Winston-Salem, NC
  - Coordinated daily maintenance work, and managed maintenance projects.
- **Operations Manager (July, 2014 to January, 2015)**  
Salem View Property Management, Winston-Salem, NC
  - Managed the day-to-day operations of the company and supervised a small team of employees
  - Coordinated inspections and ensured that all properties exceeded the minimum code expectations.
  - Assisted in growing the business (from 10 to 45 properties) to include Section 8 housing units, multi-family properties, duplexes, and luxury homes.

### OTHER EMPLOYMENT

- Transaction Supervisor, Carolina Longleaf LLC, Greensboro, NC (January, 2015 to July, 2015)
- Sales Associate, Dick's Sporting Goods, Winston-Salem, NC (November, 2012 to August, 2013)
- Security, Solas Night Club and Fine Dining, Raleigh, NC (May, 2011 to February, 2012).
- Mover, The Professionals Moving Company, Winston-Salem, NC (January, 2008 to May, 2011)

### STUDENT ACTIVITIES AND VOLUNTEER SERVICE

- International City County Management Association Student Group (August, 2016 to present)
- American Society for Public Administration, NC-Central Piedmont Chapter (August, 2016 to present)
- Member, Alpha Mu Chapter of Kappa Sigma Fraternity (January, 2011 to May, 2012)
- Varsity Football Assistant Coach, Mount Tabor High School (August, 2012 to December, 2012)
- Varsity Football Team, Preferred Walk-on, Appalachian State University (August, 2008 to March, 2009)

### SKILLS AND COMPUTER SOFTWARE

- Budgeting and Financial Management; Customer Service and Inventory Management
- Logistics, Scheduling, and Events Coordination; Personnel, Project, and Volunteer Management
- Microsoft Word, Excel, PowerPoint, SPSS





# City of Delray Beach

## M E M O R A N D U M

TO: Mark R. Lauzier, City Manager  
THROUGH: Sharon Liebowitz, Human Resources Director  
FROM: India Adams, Asst. to the City Manager/Director of Strategy, Innovation, & Budget  
DATE: March 29, 2018  
SUBJECT: Approval for salary above minimum – Vincent Roberts

I am requesting approval to offer Vincent Roberts, candidate for Management Fellow/Analyst, a salary that is 27.5 % above the minimum for the pay grade. This position is Grade 110 with a minimum salary of \$41,705; we would like to offer Mr. Roberts a salary of \$53,174.

Mr. Robert's education, recognition as an ICMA Local Government Management Fellowship finalist and experience serving multiple localities during his short career has exceed the minimum requirements of the position. *? only 3 months experience in one city*

We believe Mr. Roberts will be an asset to the department and to the City.

Thank you for your consideration.

☒ Approved ☐ Not Approved

*Sharon Liebowitz*  
Sharon Liebowitz, HR Director

Date *3/29/18*

☒ Approved ☐ Not Approved

*Mark Lauzier*  
Mark R. Lauzier, City Manager

Date *3/30/18*

6 month after hire

(6)

CITY OF DELRAY BEACH



grade min \$108K  
more than normal  
10% of position min grade

## EMPLOYEE CHANGE NOTICE

Employee Number 965287

Effective Date 08/01/2018

Employee

Adams  
(Last)

India  
(First)

J.  
(Mi)

### CURRENT

### NEW

Fund: (#001)

(#001)

Department: City Manager (#1311)

City Manager (#12-000)

Division: Administration (#512)

Administration (#512)

Position/Title: Assistant to the City Manager (#126-01)

Assistant City Manager (#106-02)

Grade: 118 Status: Reg. RF PT

Grade: 126 Status: Reg. RF PT

\$39.66

\$57.69

Hourly Rate

Hourly Rate

Reason for Action  
1/2018

\$82,492

\$120,000

% of Increase 7  
08/2018

Performance Increase ☒

Reclassification ☐

Promotion ☒

Reallocation ☐

Transfer ☐

Lump Sum Amount

Incentive ☐

Bonus ☐ \$

Other: ☐

Please explain

### COMPLETE FOR RESIGNATION OR RETIREMENT ONLY

PAYABLE SICK LEAVE \_\_\_\_\_ Hours

ACCRUED VACATION \_\_\_\_\_ Hours

TOTAL: \_\_\_\_\_ Hours

PLUS/MINUS ADJUSTMENTS \_\_\_\_\_ Hours

\*\*(Explain below)

FINAL TOTAL \_\_\_\_\_ Hours

\*\*(Explanation)

Effective Date:

Reason for Action:

Retirement ☐

Deceased ☐

Disability ☐

Retirement/Pension ☐

Resignation ☐

Dismissal ☐

Laid Off ☐

Disability/L.T.D. ☐

Specify, if other: \_\_\_\_\_

(Attach letter received from employee to this form.)

Employee's Future Address:  
(If Known)

DEPARTMENT HEAD

HUMAN RESOURCES

CITY MANAGER OR RESIGNEE

DATE

DATE

DATE

BUDGET:

HUMAN RESOURCES:

PAYROLL:

1 Finance/Payroll Department

2 H.R. Department

3 Departmental Processed Copy

4 Department Ticker File Copy

Rev 1.10



# CITY OF DELRAY BEACH

## CITY MANAGER OFFICE

100 N.W. 1<sup>ST</sup> AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7015

Delray Beach

Florida



1993 • 2001 • 2017

August 1, 2018

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Ms. Adams:

Congratulations on your promotion to Assistant City Manager with the City of Delray Beach. The promotion is effective as of August 1, 2018. The salary and benefits of this position are as follows:

1. The annual salary for this position is \$120,000. Upon the one-year anniversary date of your appointment, you may be considered for a merit increase or other form of salary adjustment in accordance with then-existing City policies.
2. Like other department heads you will be eligible to participate in the City's General Employees pension plan or the ICMA deferred compensation plan. If you elect to opt out of City's General Employees' pension plan, the City will deposit 9 1/2% of your base salary to the ICMA deferred compensation plan.
3. As a member of the City's Senior Management Team, you will also be eligible to participate in the 3% Management Match Program. Under this Program, if you choose to contribute 3% of your salary to the ICMA 457 or 401a plan, the City will contribute a matching 3%.
4. The City will provide one of the following automobile options as indicated below:

☐ (1) The fire and police department heads will receive an unmarked automobile equipped with appropriate mobile communications, and will be allowed unlimited local personal use of this automobile which shall be insured and maintained by the City; or

☒ (2) Your job as a department head is deemed to require travel or field work and therefore you will be provided an automobile allowance in the amount of \$220.00 monthly;

☐ (3) Your job as a department head does not require you to travel away from the office more than periodically. Therefore, you will not be entitled to a car allowance, but will be reimbursed for mileage pursuant to the City's policy

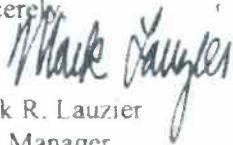
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5. The City will continue to provide life insurance, health insurance and disability insurance under the same terms and conditions as provided for other department heads.
6. The City will defend, save harmless and indemnify you from any claim or demand or action arising out of the performance of your duties as Assistant City Manager in accordance with State Statutes and the City's ordinance. The City shall bear the cost of any bonds required of your position under any law or ordinance.
7. You will be entitled to sick and vacation leave benefits under the terms and conditions provided to other department heads and general employees of the City not covered by a collective bargaining agreement. You will be advanced the use of up to ten (10) vacation days that can be taken prior to your first anniversary, January 8, 2019. Your "FLSA" days to use for time off will be increased to a total of five (5) each fiscal year.
8. It is recognized that you must devote a great deal of time outside normal office hours to business of the City. You will, therefore, be allowed to take reasonable time off as shall be deemed appropriate by the City Manager during normal office hours.
9. The City will pay for professional dues and subscriptions for your continued participation in national, regional, state and local associations necessary for your continued professional growth and advancement if approved by the City Manager. If you choose to join a civic organization, the City will pay your dues for one organization, if you are an active member, as well as reasonable business expenses for attendance at breakfast, luncheon and dinner meetings.
10. The City will also pay travel and subsistence expenses in accordance with the standard travel policies and Florida law, determined and as required for your attendance at Conferences. These travel policies are subject to review if proper justification is presented to the City Manager.
11. You will be entitled to participate in the City's Tuition Reimbursement Program if the classes/degree will benefit your job and if approved by the City Manager.
12. In the event that you are dismissed for any reason other than official misconduct you shall be given ninety (90) calendar days written notice, or payment equal to ninety (90) calendar days pay at the then prevailing rate of pay. In addition, you will receive payment for all unused vacation pay up to thirty-six (36) days and payment for 50% of all sick leave accrued which payment shall not exceed thirty-five (35) days at the time of dismissal. Payment will be based on your current rate of pay at the time of termination.

13. You may resign your position with the City at any time thereby terminating this agreement provided you furnish the City thirty (30) days written notice prior to the effective date of said resignation. Upon receipt of said notice the City Manager, may, at his/her option, request that you terminate at an earlier date

Thank you for your continued excellent work for the City of Delray Beach.

Sincerely,



Mark R. Lauzier  
City Manager

Accepted:

  
India Adams

Date:

8/7/18

cc: R. Max Lohman, City Attorney  
Personnel File / Human Resources

## City of Delray Beach

### Classification Description

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**Classification Title:** ASSISTANT CITY MANAGER

**FLSA Status:** Exempt

**Pay Grade:** 126

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Emergency Designation Code: D1 – Key Staff

FEMA/NIMS Training Minimum Requirements: IS-100; 700, 200, 800, 300, 400

### General Purpose and Description

This position assists the City Manager in the administration of the City and involves highly responsible and independent administrative and managerial tasks in planning, coordinating and directing activities of assigned departments and teams. Work is performed under the general direction of the City Manager. In the event the City Manager is unable to fulfill the responsibilities of his/her position at any time, the Assistant City Manager is required to perform the duties of Acting City Manager at the direction of the City Commission.

### Nature of Work

#### Essential Functions and Responsibilities:

The following duties are normal for this position. The omission of specific statements of duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

- Coordinates and directs the overall activities of assigned City departments and teams.
- Oversees and is accountable for achievement of assigned City department goals within the City Commission Strategic Policy Priority areas.
- Coordinates and oversees the delivery of inter-departmental, systemic and process excellence.
- Coordinates and researches assigned or self-initiated special projects and presents results to City Manager and/or City Commission.
- Participates in preparation and evaluation of annual budget for assigned departments.
- Plans, directs, coordinates and evaluates work of subordinates for assigned areas of responsibility.
- Provides administrative assistance to the City Manager and completes special projects and tasks as assigned.
- Assists in agenda review and preparation process; reviews agenda items prior to City Manager approval and has approval authority for certain types of agenda items.
- Reviews correspondence from citizens, vendors, board members and responds or assigns responsibility to department directors.
- Develops procedures for implementing changes in organization and administrative systems as directed by the City Manager.
- Reviews and responds to citizen and City commission complaints and inquiries for assigned departments and teams.
- Serves as a liaison to various boards and committees.
- Serves as spokesperson for City when necessary, represents City at public functions and maintains good public image when representing the City.
- Supervises or assists in the preparation of materials for publicity and press releases as needed.
- Performs all functions and responsibilities according to the Palm Beach County Code of Ethics and Florida State Statutes 112.313.



## ASSISTANT CITY MANAGER

- Fosters and embodies positive employee relations and employee morale on a City-wide basis.

**Minimum Qualifications and Requirements:** Graduation from an accredited four year college or university with a Bachelor's Degree in Public Administration or a related field. Master's degree and ICMA accreditation and Florida experience highly desirable. Five years experience as an Assistant City Manager or management experience in the public or private sector. Knowledge of all functions of municipal government. Knowledge of modern management practices and techniques. Ability to deal with difficult situations. Ability to communicate effectively in writing and orally. Ability to analyze complex situations, important factors and to make good recommendations. Ability to work well with various individuals and groups. Skill at conducting meetings. Skill in writing reports. Ability to manage and prioritize routine, specialized and complex assignments and problems utilizing knowledge acquired through prior education, training, and experience. Ability to adapt to an evolving and continually improving environment. Requires demonstrated ability to utilize office software such as MS Word, MS Excel and electronic mail.

The abilities expected of all employees include being able to respond to supervision, guidance and direction of superiors in a positive, receptive manner and in accordance with stated policies, be appropriately groomed and attired so as to present a professional image in accordance with the organization's mission, goals, and policies; report for work promptly and properly prepared at the time and place required by the assignment or orders; notify the appropriate supervisor of intended absences in accordance with stated rules; conform with standards and rules regarding use of accrued time; demonstrate a polite, helpful and courteous manner when engaged in any activity with the public; operate and care for equipment to manufacturer's specifications and/or within the specified parameters; demonstrate an understanding, consideration, and respect of cultural, religious, and gender differences when interacting with the public and colleagues.

A comparable combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this position, may be substituted for the minimum qualifications.

### **Physical Demands/Work Environment:**

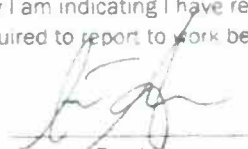
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The work environment characteristics described are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear, use hands to finger, handle, feel, or operate objects, tools, or controls, and reach with hands and arms. The employee is occasionally required to walk. Specific vision abilities required by this job include close vision and the ability to adjust focus. Works inside in an office environment.

**SELECTION GUIDELINES:** Formal application, rating of education and experience; oral interview and reference check; job related tests might be required. The job description does not constitute an employment agreement with the employer, and requirements of the job change.

By signing below I am indicating I have read and concur with the above description of my job. I understand that I will be required to report to work before, during, and/or after a declared emergency as directed.

Accepted:

  
Employee

Approved:

  
Supervisor

**CITY OF DELRAY BEACH**  
MARK R. LAUZIER, CITY MANAGER



100 N.W. 1st AVENUE • DELRAY BEACH, FLORIDA 33444 • (561) 243-7015

**DATE:** July 31, 2018  
**TO:** Executive Leadership Team  
**CC:** Mayor and City Commission  
**FROM:** Mark R. Lauzier, City Manager  
**SUBJECT:** Rebuild the Organization Strategic Policy Priority - FY 2018 Organization Chart;  
FY 2019 Opportunities and Next Steps

Hello Team:

As you know, I am a firm believer that high performance requires a collaborative, participatory, direct and accountable leadership system exemplified by working in teams in their many forms - be they project, problem-solving, or policy advisory. Beginning in 2018, our City leadership team embarked on creating an organization of excellence by establishing a Team of Teams where silos were broken down and team coordinators assisted the City Manager's Office in identifying major, multi-departmental systemic improvements necessary to enhance organizational performance.

In addition to establishing a working-in-teams, high-performance culture, an assessment of the organizational structure, staff capabilities, filling of key executive positions, initial best practices review, and a High-Performance Organization (HPO) assessment were key objectives that we've accomplished. Our prior organizational structure and related culture appeared to have the systemic features of one, or both, of the low-performing, autocratic management systems (see chart previously distributed). This was a recipe for a lack of creativity and vision, high turnover, and a failing, under-performing organization.

Since day one I have been stressing **Alignment, Accountability and Continuous Improvement**. This involves reviewing industry best practices, accreditation standards, department-specific measures and metrics, and other benchmarks that will get us to a level that reflects **Performance Excellence in All We Do**. Prior to the establishment of the City Commission's strategic policy priorities, our collaborative teams first worked together on major challenges and inter-departmental issues after creating team charters. To our past efforts we can now add the Commission's vision, mission and priorities for the coming year as **initially** identified in our strategic policy priorities, which include:

1. Improve Infrastructure
2. Implement Development Plans and Initiatives
3. Improve Transportation and Mobility
4. **Rebuild the Organization**

More than any other of the goals listed above, the City Manager is primarily and personally responsible for achieving the strategic policy priority of **Rebuilding the Organization**.

Besides goal-setting, we also have come through the annual budget process up to the point of presenting the FY 2019 City Manager's Recommended Budget. With those experiences behind us, it is now time to take it to the next level by creating formal accountability, alignment and continuous improvement assignments in the City Manager's Office while continuing our work within the team structure. In short, we need a leader over each team whose core responsibilities include ensuring we continue the path toward excellence by developing and executing the vision, mission, policy priorities, team project/issue assignments and all related business activities of the City within each team and supporting department(s). Our major work efforts are just getting started and include:

- ✓ **Strategic Policy Priorities** – The initial priorities are identified but our work continues and this will require additional review and enhancement in order to develop detailed goals, objectives, and action steps, as well as a revisit of key strategies not addressed
- ✓ **Prioritized City Commission Goals** – See comment above. This work-in-progress will be accomplished through annual goal setting and quarterly workshop updates.
  - **Strategic Business Plan (SBP)** – Includes Objectives and Action Steps
    - **Team of Teams** Efforts to Address SBP & Org Excellence Issues
      - **Departmental Strategic Plans** including Goals, Objectives and Action Steps toward achieving Annual Strategic Policy Priorities
      - **Department Improvement Plans**, as needed, including
        - **Program Priority Budgeting** (potential FY 2020)
          - Program and Service Excellence based on a **Performance Management System** showing Measures and Metrics proving results

With the recent completion of the Commission's goal setting as well as the setting of the maximum millage rate for the FY 2019 Recommended Budget on July 10<sup>th</sup>, our FY 2018 final organizational structure based upon available resources is clear. Given our current and FY 2019 expected resources, it is now necessary to make some temporary and permanent changes in assignment and our organizational structure based upon identified, mission-critical systemic shortcomings. Organizational issues needing to be addressed include:

1. **Chief of Staff; Business and Workshop Agendas** – We must improve the way we conduct business and the timeliness and completeness of our business and workshop agenda items. It has been stated several times before, we can improve trust through transparency by giving our City Commission and the public excellent supporting documents when they are making policy decisions.
2. **Excellence Team and Strategic Policy Priorities** – A well-coordinated Team of Teams coordinated through a Chief of Staff is needed to ensure we achieve excellence through the *development and execution of a Strategic Business Plan*. The team coordination role should be formalized as a core assignment of an Assistant City Manager since these matters are inter-departmental and/or systemic.
3. **Policy Development and Innovation** – There is a complete absence of leadership and execution in one of the City's critical core values = Innovative Mindset. Although our strategic policy priorities are a good start, the City Commission has recognized a policy focus shortcoming and requested a greater focus on Resiliency and Sustainability. Our strategic policy priorities focus on the near-term priorities based on existing challenges but are lacking in breadth, scope and depth for the mid- and long-term. This is likely due to the fact that the City Commission recognizes the prior high turnover in leadership positions in the City Manager's Office and at the department head level, resulting in critical execution shortcomings. Although it is appreciated the Commission desires that our initial work be focused on Rebuilding the Organization and improving related systemic processes, we have



reviewed and discussed major policy areas that are not addressed in the current Strategic Plan. For example, fiscal sustainability cannot be achieved without exploring new revenue opportunities as was desired in the prior policy directives. Additionally, there are Quality of Life and related strategies that should be considered, such as:

- Education Excellence – The Education Master Plan is scheduled for the 9/11/18 workshop so the City Commission can receive a comprehensive update and determine if existing program efforts should receive greater inter-governmental policy focus. Key question: Should current education program efforts be elevated to the City Manager's Office as was done with Resiliency and Sustainability?
  - Health and Safety – Since our 3-year expansion plan contradicted our tax reduction fiscal policy, no new public safety positions were added in FY 2019. Should we review service levels and revenue opportunities/sources?
4. **Capital Projects, Infrastructure Planning and Financing** - There is a complete absence of leadership and execution in the area of infrastructure planning, facilities assessment, ongoing capital reinvestment/maintenance (renewal and replacement), and long-range facilities and transportation infrastructure needs analysis. We must use a basic process of assess, prioritize, program (financial plan), and execution. A number of efforts are underway to obtain the needed data that will address our buildings, roads, parks, community centers and utilities enterprise infrastructure. The problem is not one associated with a lack of financial resources, but is a problem of coordination, planning and execution.

The organizational solutions to these critical deficiencies in consideration of limited resources is found in the organization chart in **Attachment 1**. It addresses current solutions and contemplates additional, future organizational improvements not yet fully defined that could impact future department organization charts. The current solutions contained in the updated organizational chart include:

1. Assignment of team success within the existing four teams to senior executives, to be known as **Team Captains**, within the City Manager's Office on a permanent or temporary basis is a key solution to delivering alignment, accountability and continuous improvement. Team captain assignments are as follows:
  - a. **Excellence Team Co-Captains** = Mayor Shelley Petrolia (vision and policy making) and City Manager Mark Lauzier (policy execution) via Excellence Team workshops. The Excellence Team, comprised of the City Commission, City Manager, Team Captains, Collaborative Teams and all Department Heads, will meet four times per year (annual goal-setting and three, quarterly workshop updates) in order to review progress. This ensures performance based upon the status review of our collaborative teams' goals, objectives and project assignments as they relate to the Commission's Strategic Policy Priorities (as well as within related Departmental Strategic Plans and/or Departmental Improvement Plans). The City Manager and his Team Captains will ensure ownership of assignments, deliverables, schedules and outcomes. Reporting progress quarterly is part of a promise management approach to transparency in the execution of the City Commission's vision, mission, priorities, goal and objectives. In that regard, the City Commission could also consider assigning its' members as policy priority goal champions as was done with Commissioner Bathurst on FDOT Atlantic Ave./I-95 interchange design issues.
    - i. Assignment duration: Permanent.
  - b. **Results, Outcomes & Innovation Team Captain** = Mark Lauzier, City Manager
    - i. Assignment duration: Temporary, until further notice.
  - c. **Community Engagement Team** = Jeff Goldman, Acting Assistant City Manager

- i. Assignment duration: Temporary, until further notice.
  - d. **Livability and Placemaking Team** = Caryn Gardner-Young, Assistant City Manager
    - i. Assignment duration: Permanent, but pending FY 2019 additional opportunities.
- 2. Enhancing our ability to execute on an ongoing basis through the establishment of a **Strategy, Innovation, Budget and Performance Management Team** to address current deficiencies in organizational performance. Since the team is at the core of executing the business of the City, it should be led by a Chief of Staff/Assistant City Manager who has the full authority of the City Manager and whose primary role is to ensure excellence in policy development and execution, business operations and administrative processes. The team captain and her related duties include:
  - a. Strategy, Innovation, Budget and Performance Management (SIBPM) Team Captain = India Adams, Assistant City Manager (promotion)
    - i. Assignment duration: Permanent. The SIBPM team captain will oversee critical Strategy, Innovation, Budget and Performance Management program efforts under the ongoing guidance of the City Manager, to include:
  - b. Business Office/Chief of Staff - Working closely with the City Manager on alignment, accountability and continuous improvement at the Team of Teams level, including goal-setting and quarterly reporting, which will be provided by the three, collaborative team captains.
    - i. Tighter oversight of the agenda process by developing a formal QA/QC process coupled with management of the City Clerk Department's programs and staff under within the CMO for improved coordination of business processes.
  - c. Budget Process, Policy Analytics, Capital Improvement Plan development, refinement and reporting
  - d. Excellence Team – Coordination and support to the Excellence Team Co-Captains (City Manager and Mayor) as well as project support to the other team captains, particularly in the area of Media and Communications.
  - e. Local Government Management Fellows (LGMF) Program – Direct program and staff oversight with the core responsibilities being policy development/analysis, budget, position control, and addressing our inadequate Capital Improvement Program processes.
  - f. Resiliency and Sustainability Program – Direct programs and staff oversight
  - g. Innovation Office and Programs – This is currently associated with a number of efforts toward performance management, community engagement, transparency, improved communications, and customer service. This could include additional program and staff oversight based upon City Commission future direction regarding expansion of Strategic Policy Priorities, such as Education Excellence.
  - h. Supporting the closely-related and ongoing excellence efforts of the Results, Outcomes and Innovation Team and its team captain (currently the City Manager) – This team's efforts relate to creating excellence in our administrative and internal services departments and programs, which directly impact our ability to achieve excellence in our business processes and deliver on our strategic priorities.

An organization chart detailing the structure of the Strategy, Innovation, Budget and Performance Management Team is found in **Attachment 2**. A summary chart of the roles/assignments of the five team captains is under development and will be provided in the near future for additional clarity. All department heads will also be cc'd on four memos from the City Manager to each team captain setting forth my expectations. This should help answer any questions about the organization charts and will also help identify

how you will be involved in ensuring the success of our Team of Teams as it relates to your TOT/team and department leadership roles.

The greatest organizational challenge to achieving excellence is the fact that we are in a basic rebuilding process while at the same time we also desire to achieve Performance Excellence in All We Do. That requires resources. We will do the best we can with what we have. Ideally, to fully execute where we want to be in a more timely manner, future resource needs include two additional, full-time professionals in the Strategy, Innovation, Budget and Performance Management (SIBPM) area, including:

1. Budget and Strategy Officer, or Chief Innovation Officer – This continuous improvement leadership function shall be performed by the City Manager and all team captains.
2. Budget and Management Analyst, or Senior Budget and Management Analyst, or Capital Budget Coordinator – The revenue enhancement, policy analysis, policy development and CIP functions shall be performed collaboratively among the City Manager, SIBPM team captain, budget control officer, and local government management fellow. Developing and placing talented young professionals in these roles through the LGMF program is an anticipated long-term leadership development solution that can address current shortcomings.

Regardless of resources, we will move forward as best we can and ensure no backslide in organizational progress and performance. **The plan described above and as shown in the detailed organization chart in Attachment 1 is effective August 1, 2018.** As Chief Goldman begins his new, temporary assignment, he will be issuing a formal memo appointing an Acting Chief of Police.

### **FY 2019 Opportunities and Next Steps**

The adoption of the FY 2019 budget and the direction of the Community Redevelopment Agency will set the stage for our success in the coming year. I see many opportunities to take our organization even further during FY 2019. Identified opportunities and ideas include:

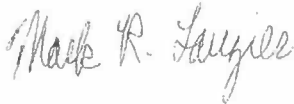
1. **Next Level Leadership – August 31<sup>st</sup>** - Our “leadership at all levels” approach will be achieved through a communications approach that promotes transparency and exchange of information at all levels and in all directions. This memo is part of that. I am looking forward to our servant leadership training session on August 31<sup>st</sup> and collaborating with you and your senior management team on our ongoing cultural transformation toward excellence. I will be inviting Mayor Petrolia to help me open up our day-long, professional development session to provide some words of encouragement and reinforce how well our organization and its “Board of Directors” has coalesced.
2. Enhancing, improving and rebranding our Planning, Building and Zoning Department services into a **Development Services Department** in order to enhance our focus related to our Strategic Policy Priorities associated with: 1) Implement Development Plans and Initiatives; 2) Improve Infrastructure, and 3) Improve Transportation and Mobility. These priorities, as well as setting LOS expectations and improving transparency through technology, are key initiatives.
3. Enhancing, improving and rebranding our Community Improvement Department into a **Neighborhood and Community Services Department** in order to deliver on our Strategic Policy Priorities associated with key areas of focus, such as: 1) Neighborhood Revitalization; 2) Affordable Housing, and 3) Community Services, including partnering with the CRA to deliver on the aspirational goals articulated in the SET Transformation Plan.



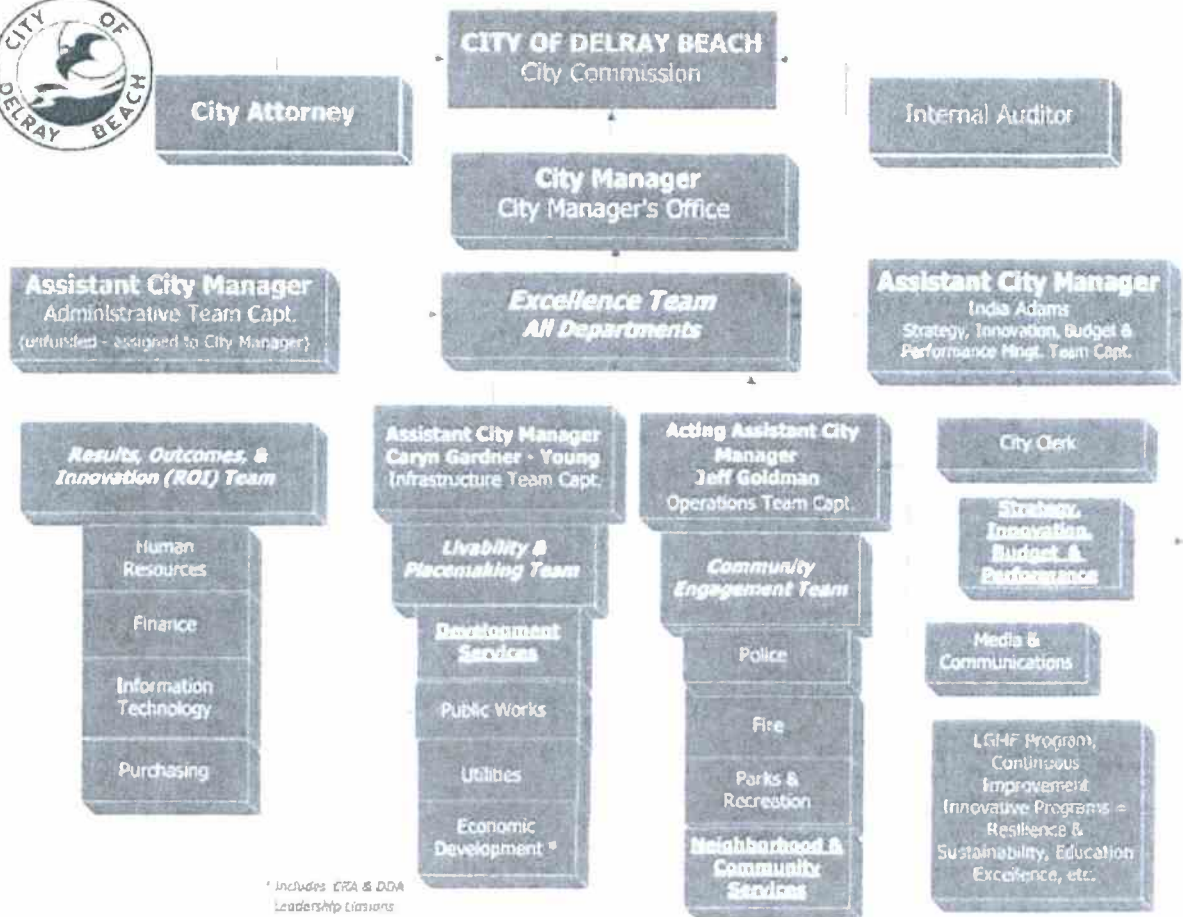
4. Enhancing, improving and defragmenting our media and communications functions into a centralized **Media and Communications Division** within the City Manager's Office. This would entail a well-coordinated and comprehensive approach to transparency, press releases, media relations, social media/internet, webmaster, public information officer duties and promoting/marketing the great things we do in each and every department. A web content video program we initiated and would like to continue is called our "Up Close" feature in which we interview City employees.
5. Improved organizational integration with our **Community Redevelopment Agency** partners to improve coordination, defragment a poorly-planned CIP process, and improve the likelihood of success in achieving our Strategic Policy Priorities related to: 1) Implement Development Plans and Initiatives; 2) Improve Infrastructure, and 3) Improve Transportation and Mobility. Given these priorities, and the recent reconstitution of the CRA Board, it is clear the policy makers believe, as do I, that the success of both the City and the CRA are inextricably linked. I will be making the business case in the near future that we need them, they need us, and we are better in one organization with the CRA Board and City organization in the policy development and policy execution leadership roles, respectively, in order to improve coordination and performance. Additionally, there appear to be significant financial efficiency opportunities given current City vacancies and the CRA staff's roles and abilities to help both agencies achieve excellence. The details can be worked out from the general outline once the business case is presented and after the CRA Board reviews and determines if the identified advantages are sufficient to move forward.

Thank you for your time and I look forward to working with you to achieve **Performance Excellence in All We Do**.

Sincerely,



Mark Lauzier  
City Manager



**S**ERVICE • **P**ERFORMANCE • **I**NTEGRITY • **R**ESPONSIBLE • **I**NNOVATIVE • **T**EAMWORK



**DATE:** November 2, 2018

**TO:** City Manager's Office Team Captains = Assistant City Managers: Caryn Gardner-Young;  
Jeff Goldman, India Adams

**CC:** Executive Leadership Team

**FROM:** Mark R. Lauzier, City Manager *Mark R. Lauzier*

**SUBJECT:** Team of Teams' Captain's Roles for Assistant City Managers (ACM) in the CM's Office

As one of the team captains who is working with the City Manager on a daily basis, the intent of this memo is to provide you specific expectations in regards to our Team of Teams' captains' roles in the City Manager's Office (CMO). Your team captain assignment and departmental portfolio was carefully chosen to maximize our ability to achieve excellence based on your subject matter expertise in the area assigned. The final Team of Teams structure and ACM portfolios were established during FY 2019 Budget adoption (**Attachment 1**). Near-term milestones to pay close attention to that will further inform your assignments include:

- 11/13/18 – CC Workshop: Review & Refinement of City Commission's Vision and Strategic Plan and presentation of Quarterly Team of Teams accomplishments
- 12/4/18 – CC Meeting: Adoption of City Commission's Vision and Strategic Plan incl. Initial Goals

We have recently reviewed our Team of Teams' activities and accomplishments and have discussed and refined the Strategic Business Plan goals that are pending City Commission approval. **Attachment 2** is a summary chart identifying the six, Strategic Policy Priority (SPP) areas of focus, who will lead performance in each SPP area, the 34 major goals within the six, SPP areas of focus, and the goal champion or co-champions for each of the 34 goals. The goals and your assignments are *subject to change* based on the direction of the City Commission at the November 13<sup>th</sup> workshop.

In addition to the goals review at the Nov. 13<sup>th</sup> City Commission workshop, we will present our Quarterly Team of Teams' accomplishments and projects progress. I also want us to work very closely together at the captains' level so that we can coordinate our activities where necessary while ensuring the team captains are taking full responsibility for delivery of assigned goals and projects. The following is a summary of the core mission found in your Team Charter(s), the departments you are assigned, and some specific assignments for the current fiscal year:

1. **Excellence Team** (Mayor/City Commission and All Departments) – *Lauzier*:
  - a. Lead *The Ultimate Team of Teams* - Achieve community, develop unity and create an organization of excellence using a shared leadership, collaborative teams approach in partnership with the Mayor and City Commission.

- b. Bring energy, momentum and value to the table as you work with the City Commission, key partner agencies and stakeholders to achieve the community's goals regardless of who is primarily responsible.
  - c. Provide equitable strategies to all residents, business owners, and visitors of the City of Delray Beach through excellence in service provision.
  - d. Lead and inspire - up, down and sideways while supporting the Mayor and City Commission in all City efforts that achieve excellence
  - e. Promote personal, professional, and organizational development of all City employees.
  - f. **FY 2019** – 1) Ensure we are leading and managing to the Commission's goals and priorities as found in the Adopted Strategic Business Plan (pending) and that strategic progress is reported quarterly and operational monthly; 2) That each ACM=Team Captain undertakes at least one major, departmental operations/management review to achieve excellence and efficiency (i.e. inter-departmental systems improvement, department organization or management review, departmental systems/processes/procedures improvement); 3) Ensure CM and team captains develop and publish Annual Work Plans;
- 2. **Community Engagement Team** (CMO Media & Communications, Fire Rescue, Neighborhood and Community Services, Parks and Recreation, and Police) – **Goldman**: Your assignment is primarily associated with **Operations** as you:
  - a. Build community equity and social justice through integrated strategies that address safety, security, and community health.
  - b. Preserve and expand affordable housing options in all neighborhoods
  - c. Build lasting and effective public and private-sector partnerships to develop and maintain community-based neighborhood development and long-term community prosperity.
  - d. **FY 2019** – 1) Neighborhood and Community Services Department organizational review and structure allowing for high performance; 2) Housing Task Force Recommendations and Affordable Housing Policy Development; 3) Cemetery Business Plan and Policy Recommendations; 4) Golf Course CIP Renovation Project, Rates and Funding Update (budget mid-year); 5) Pompey Park Master Plan design decision, funding plan and CIP schedule
- 3. **Livability and Placemaking Team** (Development Services, Economic Development/CRA/DDA liaison, Public Works, Utilities) – **Gardner-Young**: Your assignment is primarily associated with **Infrastructure** as you support and deliver efficient, effective and sustainable projects and programs through data-driven thought leadership and timely, innovative solutions in fulfilling goals and objectives that:
  - a. Provide a safe and well-maintained infrastructure for the health, safety and public welfare
  - b. Create neighborhoods of opportunity where we live, learn, work, play and thrive
  - c. Coordinate and leverage City strategic investments through expanded public, private and non-profit partnerships
  - d. Prioritize investments to best support those who need it most or in underinvested neighborhoods
  - e. Prevent displacement through redevelopment
  - f. Promote broader mobility, walkability and connectivity
  - g. Practice meaningful community engagement to better understand and respond to local context when designing municipal placemaking plans and projects
  - h. Work closely with the CET on affordable housing initiatives
  - i. Grow and diversify the local economy and tax base while strengthening the City's financial health



- j. **FY 2019** – 1) Fleet Operations and Vehicle Replacement Program Review and Recommendations (incl. 5-year replacement program and Fleet Fund balance analysis); 2) Development Services Department ongoing excellence (incl. permit process improvement analysis; service level agreements or standards; preparation for electronic submittals via new software systems in conjunction with IT Strategic Plan); 3) CIP Monthly Team meetings with all CIP team members to review progress (PW, Utilities, CRA, Budget) and feed quarterly reporting updates; 4) Completion of all Infrastructure Assessment Studies commenced in 2018 and development of CIP next steps
- 4. **Results, Outcomes & Innovation Team** (Human Resources, Finance, Information Technology, Purchasing) – **Lauzier**: Your assignment is primarily associated with **Administration/Internal Services** as you:
  - a. Support the City Commission and community in the areas of policy development, policy analysis and program development while facilitating and supporting all teams, departments and operations by identifying and implementing best practices in internal services.
  - b. **FY 2019** - 1) Develop Information Technology Strategic Plan and reorganization; 2) Matchpoint Contract Amendment; 3) Develop and Implement FY 2020 Budget Process Improvements.
- 5. **Strategy, Innovation, Budget and Performance** (City Manager's Office, City Clerk, Budget) – **Adams**: Your assignment is primarily associated with **Strategy and Budget** as you:
  - a. Help create the business systems that will lead to performance excellence by working with the City Manager and City Commission on creating a Strategic Business Plan (SBP) that achieves alignment, accountability and continuous improvement as the City Manager's Chief of Staff.
  - b. Focus on process improvements, systemic improvements, efficiency and effectiveness, as well as performance management focusing on alignment of strategy, goals, objectives, budget initiatives, departmental strategic plans, annual work plans, and performance measures/metrics. Lead the Budget Office in consultation with the City Manager.
  - c. Coordinate the business and workshop agendas while constantly looking for linkages between what we do, our goals, continuous improvement efforts and business strategies.
  - d. Improve and maintain our website and Customer Request Management (CRM) system so we can achieve excellence in service level performance using modern and efficient techniques and practices.
  - e. **FY 2019** – 1) Operating and Capital Budget Preparation Manual for 2020; 2) Core Operating Budget Policy Development for 2020; Public Records Requests Process and Policy Improvements (incl. Web QA and consistent cost estimating and chargebacks for ALL departments via updated policy); 3) Quarterly CIP Reporting as part of SBP Quarterly Updates; 4) Website upgrade; 5) Customer Request Management (CRM) evaluation and recommendation; 6) Counterparts Role Clarity and Creation of Departmental Business Liaisons, Fund Managers, and Budget Analytical Assignments by Department

**Next Steps** – To improve productivity, we have streamlined and reduced staff meetings by alternating weekly sessions to focus on agenda preparation and problem solving. Please continue to coordinate monthly TOT team meetings and facilitate efforts toward completing goals and projects supporting our Strategic Business Plan. In general, please stay within your assigned portfolio areas while working with your teammates to avoid duplication of effort and maintain consistency in direction. Next steps include:

**1. Quarterly Progress Reporting:**

- a. Review Current Team of Teams Projects that are Completed; In-Progress; and Future for inclusion in 11/13 CC meeting presentation - ASAP
- b. Report quarterly progress to Ms. Adams for the Quarterly TOT Update to the CC – Review all TOT agendas and projects as well as Attachment 2. Provide Ms. Adams the Strategic Policy Priority and goal number for every major effort in your portfolio that are contained in the SBP. - ASAP
- c. Ms. Adams will create the Quarterly Reports to the City Commission (ongoing)

**2. Strategic Business Plan Refinement:**

- a. Identify what items should remain within the monthly TOT Meeting Agenda and ensure goals and projects are properly assigned to a specific department head to lead regardless of whether they are primarily individual or team efforts = accountability.
- b. Identify those Strategic Policy Priorities that you and your department heads will lead and begin to flesh out objectives and actions steps associated with your goals and departmental portfolios found in Attachment 2
- c. Ensure coordination with other Team Captains, the TOTs and project teams as necessary

**3. Annual Work Plan Development with Department Heads:**

- a. Set Expectations with each of your department heads by identifying the work that must occur in the TOT process versus what shall be best accomplished individually or in a project or problem-solving team. Use the problem-solving Team Captain's meetings to their full advantage.
- b. Have Department Heads Create Annual Performance Goals, Objectives, Actions Steps and Set Reasonable Deliverables, Performance Expectations and Quarterly Targets based on the City Commission's priorities in the SBP
  - i. Create written Work Plans for your department heads and review them with me in DRAFT form before finalizing
  - ii. Incorporate goals and objectives into annual performance reviews based on the timing of what can be accomplished between now and their next review date. Create a going forward work plan for the next rating period – See me if you have any questions

**4. Submit Your Annual Team Captain Work Plan for FY 2019 – Due Jan. 1<sup>st</sup>: Move us toward excellence through Alignment, Accountability and Continuous Improvement:**

- a. Align your work plan to the SBP
- b. Align your department heads' work plans to yours and the SBP goals, objectives and action steps
- c. Constantly seek continuous improvement and operational efficiency opportunities while identifying specific objectives and action steps that further SBP goals

Thank you for your assistance and dedication. I look forward to working with you to refine our Strategic Policy Priorities, Goals, Objectives and Action Steps with the City Commission as we seek to achieve **Performance Excellence in All We Do.**

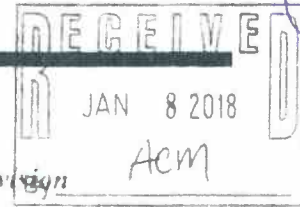




# City of Delray Beach

Public Works Programs and Project Management Division

## M E M O R A N D U M



[www.myclaybeach.com](http://www.myclaybeach.com)

TO: Mark Lauzier, City Manager

THROUGH: Caryn Gardner-Young, Assistant City Manager *CGY*

FROM: Missie Barletto, Deputy Director Programs and Project Management

DATE: November 27, 2017

SUBJECT: Permission to Hire City Engineer above Midpoint of Salary Range

RECEIVED  
JAN 08 2018  
CITY MANAGER

I am requesting permission to extend an offer of employment to Patrick A. Figurella, the preferred candidate for the position of City Engineer at a starting salary of \$119,995.20 annually or \$57.69 hourly, which is the above the midpoint of the salary range.

The City Engineer position was advertised with a posted salary range of \$89,793.59 -- \$143,686.41 annually. We received a number of applications from highly qualified candidates with a great deal of experience in this field. Mr. Figurella has an advantage in that he already has served the City of Delray Beach (City) as consultant City Engineer for several months. As such, he has an excellent working knowledge of City construction standards, Land Development Regulations and Capital Improvement Projects. He has extensive experience in managing other engineers. Mr. Figurella has worked as a consultant to obtain permits from municipalities, counties, state and federal governments during his career, which enables him to be mindful of process with a full understanding of the requirement to perform site plan and plat review in a timely manner. He understands City policy and procedure, which will enable him to immediately perform the full duties required of the City Engineer. During the interview process, he answered the questions well.

Mr. Figurella possesses a degree in civil engineering and has many years of applicable experience, well exceeding the minimum requirements for this job. I feel that he will be an excellent fit both with staff and with the community.

I would appreciate your approval of this starting salary.



Approved: \_\_\_\_\_

*Mark Lauzier*  
Mark Lauzier, City Manager

*1/8/18*  
Date



Approved: \_\_\_\_\_

*Sharon Liebowitz*  
Sharon Liebowitz

*1/8/18*  
Date

Davidyan, Julia

---

**From:** Lauzier, Mark  
**Sent:** Saturday, January 5, 2019 3:01 PM  
**To:** Executive Leadership Team  
**Subject:** Resignation of Finance Director - Kim Ferrell

*Resigned Friday 1/4/19  
Performance review & increased pay after the fact.*

Hi Team:

I am saddened to report of the voluntary resignation of a critical team member. Kim Ferrell has been recruited away and will be taking another Finance Director position in North Port FL. She returns to a position that has benefits offered within the Florida Retirement System's Senior Management Service where Kim has already logged 21 years of FRS service. I had many points of argument loaded up to keep her but I guess you could say I met my match. I am excited for Kim and her future plans.

Kim has helped us achieve an amazing turnaround. Our FY 2018 preliminary audit work with our external auditors is light years ahead of where it was at this point last year. We are looking for a much earlier CAFR issuance and improved financial reporting stability that will get us into the normal municipal reporting and budget policy development cycle of a high performing organization. There have also been many more improvements in areas too numerous to mention, like Utility Billing field operations. The tremendous progress we made is commendable. Although we still have a lot to do, there is now light at the end of the tunnel thanks to Kim's leadership and the efforts of her team.

Kim, THANK YOU! for your excellence in service, dedication, professionalism, positive attitude, unflappable demeanor when under constant outside scrutiny and pressure, and the leadership you brought to our Ultimate Team of Teams. I know I speak for the entire team when I say that you will be sorely missed. We wish you nothing but the best! Thanks.

Mark

**Senior Leadership Team Performance Evaluation 2017 - 2018  
and Pay Adjustment Authorization Form**

Employee: Kimberly Ferrell

Position: Finance Director

Rating period: 11/1/2017 -- 11/1/2018

Pay adjustment %: 5%

Pay adjustment effective date: 11/1/2018

Retroactive: Y or N Y

Rating System through 9/30/2018	% Weight	Score
Strategic Leadership	40%	38%
Goals Achieved	n/a	
Addressing Gap in Excellence in Best Practices and Service Delivery	40%	38%
Priority Assignments Achieved	n/a	
Baseline Expectations of Performance	20%	19%
Job Knowledge		
Dependability and Reliability		
Ethics and Compliance		
Accountability		
Adaptability & Initiative		
Customer Service		
Quality of Work		
Productivity/Quantity of Work		
Interpersonal/Communication		
Job Performance Factors		
Maximum Points =	100%	95%

**Comments by Supervisor:**

Kim has successfully dealt with a number of severe legacy issues she had to correct. From staffing vacancies, to a mid-year financial software change, to high turnover. Kim has helped us achieve an amazing turnaround. Our FY 2018 preliminary audit work with our external auditors is light years ahead of where it was at this point last year. We are looking for a much earlier CAFR issuance and improved financial reporting stability that will get us into the normal municipal reporting and budget policy development cycle of a high performing organization. There have also been many more improvements in areas too numerous to mention, like Utility Billing field operations. The tremendous progress we made is commendable.

Leader's

Signature: 

Date: 1/8/19

City Manager

Signature: 

Date: 1/7/19

Pay Adjustment Rating Scale	
95 - 100	5.0%
90 - 94	4.5%
85 - 89	4.0%
80 - 84	3.5%
75 - 79	3.0%
70 - 74	2.5%
65 - 69	2.0%
60 - 64	1.0%
< 60%	0.0%

# CITY OF DELRAY BEACH



## EMPLOYEE CHANGE NOTICE

Employee Number 965270

Effective Date: 11/01/2018

Employee: Ferrell  
(Last)

Kimberly  
(First)

P.  
(Mi)

**CURRENT**  
80% General (# 001 )  
Fund: 20% Water & Sewer (# 441 )  
Department: Finance (# 13-000 )  
Utilities Customer Srv (# 36-050 )  
Administration (# 513 )  
Division: W & S Combined Services (# 536 )  
Position/Title: Finance Director (# 111 )

### NEW

Grade 126 Status: Reg. RF PT

\$60.10

Hourly Rate

Grade \_\_\_\_\_ Status: Reg. \_\_\_\_\_ PT \_\_\_\_\_

\$63.11

Hourly Rate

Reason for Action:

% of Increase

Performance Increase ☒ 5%

Reclassification ☐

Promotion ☐

Reallocation ☐

Transfer ☐

Lump Sum Amount

Incentive ☐

Bonus ☐

\$

Other: ☐

Please explain

### COMPLETE FOR RESIGNATION OR RETIREMENT ONLY

PAYABLE SICK LEAVE \_\_\_\_\_ Hours

ACCRUED VACATION \_\_\_\_\_ Hours

TOTAL: \_\_\_\_\_ Hours

PLUS/MINUS ADJUSTMENTS \_\_\_\_\_ Hours

\*\* (Explain below)

FINAL TOTAL \_\_\_\_\_ Hours

\*\* (Explanation)

Effective Date: \_\_\_\_\_

Reason for Action:

Retirement ☐

Deceased ☐

Disability ☐

Retirement/Pension ☐

Resignation ☐

Dismissal ☐

Laid Off ☐

Disability/L.T.D. ☐

Specify, if other: \_\_\_\_\_

(Attach letter received from employee to this form.)

Employee's Future Address  
(If Known)

DEPARTMENT HEAD

HUMAN RESOURCES

CITY MANAGER OR DESIGNEE

DATE

DATE

DATE

MAAC

1-10-19

Mark Taylor

1/8/19

By: By: By:

Date Processed: Date Processed: Date Processed:

BUDGET: HUMAN RESOURCES: PAYROLL:

# RETROACTIVE PAY FORM

Employee Name: Kimberly Ferrell  
 Employee Number: 965270  
 Department/Division: Finance / Administration  
 Status Change Effective Date: 11/1/2018

Start Date: 11/1/2018  
 End Date: 1/4/2019

65 Days

Old Rate	New Rate
60.1000	63.1100

(Use if rate is different than Standard Rate) Standard Rate  
 Alternate Rate - 1  
 (Use if rate is different than previously listed) Alternate Rate - 2

Type of Pay	Pay Code	Hours Paid	Adj	Retro Hours to be Paid	Amount Due	Pay Rate
Regular Pay	RG	192.00		192.00	577.92	Standard Rate
Away with Pay	AP	8.00		8.00	24.08	Standard Rate
Holiday	HP	48.00		48.00	144.48	Standard Rate
Personal Holiday	PH	8.00		8.00	24.08	Standard Rate
Sick Pay	SP	64.00		64.00	192.64	Standard Rate
Leave without pay	LP			0.00	-	Standard Rate
Bereavement	BP			0.00	-	Standard Rate
Vacation	VP	32.00		32.00	96.32	Standard Rate
Vacation Emergency	VE			0.00	-	Standard Rate
Military Leave	ML			0.00	-	Standard Rate
Call Out	CO			0.00	-	Standard Rate
Sick Incentive Award	IS			0.00	-	Standard Rate
Overtime Straight	OS			0.00	-	Standard Rate
Overtime	OT			0.00	-	Standard Rate
Overtime	OT			0.00	-	Alternate Rate - 1
Exempt Day	FA	24.00		24.00	72.24	Standard Rate
Regular Pay	RG			0.00	-	Alternate Rate - 2
Regular Pay	RG			0.00	-	Alternate Rate - 2
<b>TOTAL</b>		<b>376.00</b>	<b>0.00</b>	<b>376.00</b>	<b>1,131.76</b>	

Department Head: Mark Langier

Date: 1/9/19

PAYROLL USE ONLY				Standard Rate	Alternate Rate - 1	Alternate Rate - 2	Total	Net
Regular Pay	RR	376.00	@	63.1100	0.0000	0.0000	23,729.36	
	RR	-376.00	@	60.1000	0.0000	0.0000	(22,597.60)	1,131.76
Overtime Straight	OF	00.00	@	63.1100	0.0000	0.0000	-	
	OF	00.00	@	60.1000	0.0000	0.0000	-	
Overtime	RO	00.00	@	63.1100	0.0000	0.0000	-	
	RO	00.00	@	60.1000	0.0000	0.0000	-	
Non Pensionable	XX	00.00	@	63.1100	0.0000	0.0000	-	
Sick Incentive Award	XX	00.00	@	60.1000	0.0000	0.0000	-	
		<b>376.00</b>						<b>1,131.76</b>



# *Executive Leadership Team Meeting*

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## AGENDA

Wednesday, January 30, 2019; 9:30 am  
1<sup>st</sup> Floor Conference Room at City Hall

### **NOTE: BUDGET KICKOFF FOR CIP WILL PRECEDE STAFF MEETING**

#### **I. FY2020 BUDGET**

- a. CIP Kickoff – Revenue projections – Operating budget
- b. Operating Budget Policy Guidance for Kickoff
- c. **Core budget** - Each department will be given a **target budget figure** for ongoing operations comprise of personnel and O & M core needs. Your **Department Entry** figure must match the **Core Budget** figure provided by the budget team
  - i. Personnel services – Budget Team will develop. Vacancies budgeted at mid-range. 3% attrition for same departments as FY 2019
  - ii. Operating Expenses – Controllable=same funding level as provided in the adopted 2019 budget less any adjustments for FY 2019 or other resources provided. Uncontrollable=as determined by Budget Office for fleet, admin./central services
  - iii. Replacement Vehicles and Capital Outlay – \$0 to start pending fleet study and allocation of vehicle operating and vehicle/equipment replacement needs
  - iv. **Enhancement Requests** – Any budget request that does not provide the existing service level and that is above your core budget figure should not be entered into the financial system but must be quantified and submitted in line-item detail on the Enhancement Request Form
- d. **5% Budget Reduction** – The City is faced with substantial, ongoing fiscal sustainability challenges. Specific financial challenges include: 1) Unfunded pension benefit policies of prior City Commissions; 2) Current period lowering of return on investment rates by the Police and Fire Pension Committee; 3) Industry-wide need to adjust mortality tables (GASB/other); 4) Health insurance experience/rate needs; 5) CRA tax base expansion that requires large increases in tax increment financing payments from the City to the CRA; 6) Short-sightedness and poor infrastructure planning
- e. Department Total Budget Request = Department Entry (Core Budget) + Enhancement Requests (not to be entered in budgeting system); Net Changes in CM Budget Level Determine Recommended Budget

#### **II. TEAM OF TEAMS**

- a. Goal Champions with Commission Priorities

#### **III. CONTINUOUS IMPROVEMENT UPDATE**

- a. Boards and Committees Mandatory Training
- b. Laserfiche – Contracts database

#### **IV. COMMUNICATIONS**

- a. New Website – Proof and Update Content

#### **V. MEETINGS (ALL); CAPTAINS' & SME PROBLEM SOLVING (CAPTS.)**

- a. Feb. 6<sup>th</sup> – Review Workshop Items: 1) Homeless Advocate Update; 2) Stormwater Master Plan – Seawall Vulnerability
- b. Feb. 13<sup>th</sup>, 20<sup>th</sup> – Problem solving: 2020 NPO \$; 2020 CRA budget process; Special Magistrate; 2019 Goal setting planning

#### **VI. MISCELLANEOUS ITEMS**

- a. Employee separation process – e-mail; Web QA; voicemail; website
- b. Take Child to Work Day – Friday, 2/1/19
- c. Weekly Vacancy Report - Personnel Req. Approval – Partial hiring freeze





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\* Includes CRA & DDIA Leadership Positions