



City of
OPA-LOCKA
Florida

Memorandum

To: David Chiverton, Interim City Manager

From: Tom Marko, Assistant City Manager

Date: November 25, 2015

Re: Resignation from City service

David – you met with me this morning to inform me that you had been told that you must advise me to resign from City service or be terminated, and thus you did so. As I mentioned to you, congratulations on the City Commission naming you as Interim City Manager and I wish you the best of success. Rather than be terminated, I am opting to resign as follows.

Although you have told me I must vacate City Hall today, this memorandum, as per professional protocol, provides a two week resignation notice and my service to the City will end on Tuesday December 8, 2015. My concerns, and thus resignation, have nothing to do with working with the excellent and wonderful staff, management and individual Commission Members of Opa-locka, not to mention residents who deserve excellent services. To the contrary, in addition to the above choices you gave me, the following are my reasons.

Unlike you having several years of experience at the City (Assistant City Manager – ACM - and now Interim City Manager) and while I had hoped for much more, I have just two months of work at the City as ACM. Upon his September 2, 2015 hire, City Manager Steve Shiver recruited me from my then gainful employment of similar work, salary and benefits. However, yesterday on November 24, 2015 – just a couple of months into both of our employments' at the City, the City Commission terminated Manager Shiver effective immediately, and it is clear in the public record, including by her own statements, that the Mayor of Opa-locka led that drive for much of the past two months.

I feel compelled to resign for a number of reasons, including because of the Mayor's public statements in Commission meetings aimed directly and indirectly at me. The Mayor is on record on several occasions complaining about the salary and benefits City Manager Shiver provided to me – done so to incentivize me to leave my then gainful employment to join the Opa-locka management team. As the elected leader of the City and via her Commission meeting statements, she clearly is displeased with my pay, although I thought in Florida and under the City's Code, Commissioners are prohibited from affecting staff employment, as it is the sole responsibility of the City Manager.

Further, the Mayor, as you know an African-American woman, in the November 12, 2015 City Commission meeting, shocked her counterparts and attendees by making racial remarks including statements along the lines of that the white man is not going to take out this black woman. It was very uncomfortable for me, and it seems many in the Commission meeting, when the Mayor also requested two female African-American City Department Directors staff stand and, with them standing, made statements along the lines of these two black women look like me, they are from this area and not white people who are not from here. I felt demeaned and that my days at the City were numbered.

As well, the following is a factor resulting in my resignation. Recently, in my office, the Mayor's husband came in unexpectedly as he said his wife wanted him to size me up. (She too told me she needed to visit with me to get to know me but never did.) He spent about 15 to 20 minutes in my office asking questions as to why I would want to work in the black community of Opa-locka. While the Mayor's husband is known to have frequent visits with and affect City staff, he concluded his visit with me by telling me that no City Manager or Assistant City Manager would ever affect any change in Opa-locka, that our positions were meaningless, and that the Mayor solely runs things in Opa-locka.

Further, during my two months, I was dismayed and could not understand why the City has taken no to little action to comply with regulatory requirements for utilities with the US EPA, Florida DEP, and Miami-Dade County Consent Decree that require specific regulatory compliance. There was no support within the City to in any way, to meet these past, present and future requirements.

In closing, David, while a surprise to all that Manager Shiver was terminated in such short order, and while I know that I would enjoy working with you, I recognize it is not in my best interest to be in an organization where the Mayor,

directly and indirectly in public, makes an issue of my professional work, compensation and race.

Thank you and I wish you the best of success in helping the residents of the Great City of Opa-locka.

Cc: Vince Brown, City Attorney
Steve Shiver, Former City Manager
The Amlong Law Firm
Miami-Dade County Ethics Commission
The Florida Governor's Office
Florida Department of Environmental Protection

End of Memorandum