



City of Margate

5790 Margate Boulevard
Margate, FL 33063
954-972-6454
www.margatefl.com

Meeting Minutes

City Commission Workshop

Mayor Tommy Ruzzano

Vice Mayor Joyce W. Bryan

Commissioners:

Lesa Peerman, Joanne Simone, Frank B. Talerico

City Manager Douglas E. Smith

City Attorney Eugene M. Steinfeld

City Clerk Joseph J. Kavanagh

Wednesday, March 2, 2016

5:30 PM

Commission Chambers

CALL TO ORDER

Present: 5 - Commissioner Joanne Simone, Commissioner Lesa Peerman, Commissioner Frank B. Talerico, Vice Mayor Joyce W. Bryan and Mayor Tommy Ruzzano

In Attendance:

City Manager Douglas E. Smith

City Attorney Eugene M. Steinfeld

City Clerk Joseph J. Kavanagh

1) PRESENTATION(S)

A. ID 2016-124 CITY ATTORNEY RECRUITMENT DISCUSSION

MAYOR RUZZANO noted that Commissioner Talerico would be a little late. He thanked Human Resource Director Jackie Wehmeyer and Renee Narloch, S. Renee Narloch and Associates for all of their assistance.

RENEE NARLOCH, S. Renee Narloch and Associates, said that since the group interviews at the last Workshop meeting the Commissioners were able to have one-on-one interviews with each of the five candidates. She explained that this Workshop was to determine what the next steps would be. She said that this meeting was also when the discussions could take place amongst the Commission regarding the candidates.

COMMISSIONER PEERMAN stated that the candidates were very good.

VICE MAYOR BRYAN also felt that the candidates were outstanding to superior.

MS. NARLOCH said that the good candidates were a testament to the City of Margate, because it was recognized as an excellent community that people wanted to come to. She stated that as a recruiter, it was a good process for her.

MS. NARLOCH referred to the rating sheet where notes and various concerns could have been documented and suggested that might be helpful with tonight's discussion.

VICE MAYOR BRYAN felt that the one-on-one interviews made a difference and she was thankful that the Commission had them.

COMMISSIONER SIMONE wished that the one-on-one interviews were longer because she had 21 questions that she only had a half hour for. She noted that she did get the interviews done in time because the candidates were precise. She noted that four candidates that were above the rest were Mr. Gonzales, Mr. Pfeffer, Ms. Whitfield and Mr. Glassman. She stated that all had read the Code and Charter and two candidates found something that stood out to them. She explained that all agreed with doing the job as one person; however, Ms. Whitfield wanted 60 days to make a decision because she felt that having one clerical position for both the City Attorney and City Manager might be a problem. She said that all were on board with building consensus and finding solutions, and all had experience with making major shifts in policy. She noted that each was a little different. She mentioned that Mr. Gonzales informed her of a new Human Resource Law for either alcohol or drug testing, which she felt showed how up to date he was. She added that he had drafted Code ordinances and worked on Waste Management contracts. Commissioner Simone explained that Mr. Glassman commented on the lack of commercial businesses on U.S. 441, and he felt he could work with developers to spruce up U.S. 441 with regard to all of the pawn shops.

COMMISSIONER TALERICO arrived at 5:50 PM.

VICE MAYOR BRYAN said that she found that Mr. Glassman had the least experience and did not know Broward County culture.

COMMISSIONER SIMONE noted that Mr. Pfeffer worked on the Solid Waste contract, and also worked with the 911 Consolidation System.

VICE MAYOR BRYAN added that he also had a lot of experience in Broward County. She stated that Mr. Pfeffer's references, qualifications and background were very high.

COMMISSIONER SIMONE noted that Mr. Pfeffer had explained his reasons for wanting to come to Margate. She said that he read the City's agenda's for the past six months and what was written about Margate and knew what he was getting into.

VICE MAYOR BRYAN agreed and noted that he knew Broward County very well because his wife's family was one of the first 150 families in Coral Springs.

COMMISSIONER SIMONE stated that she ranked Ms. Whitfield very high. She noted that Ms. Whitfield explained she wanted to come to Margate with fresh eyes and a new way to look at things. She stated that Ms. Whitfield responded to a question stating she would find out if there was any waste in the City Attorney's office, such as money going to outside counsel. She noted that Ms. Whitfield was also willing to send out information to the Commission, the Police Department and the Department Heads. She said that Ms. Whitfield answered that her best practice was accountability and that she would keep everyone informed of what was going on in her office with quarterly reports. Commissioner Simone added that Ms. Whitfield told her she was surprised that Margate had fees in the Code, which meant that an ordinance was needed to change any fees.

CITY ATTORNEY EUGENE STEINFELD felt that Ms. Whitfield had not read the Charter or she would have known that the Charter required fees be done by ordinance.

VICE MAYOR BRYAN said that Ms. Whitfield seemed straight forward with her responses, as well as confident, honest and a survivor. She stated that a weakness of Ms. Whitfield was that she talked too much. She explained that Ms. Whitfield was willing to help and was proud of her writing abilities and memory; however, she sometimes

procrastinated. Vice Mayor Bryan said that she asked each candidate something fun about themselves and Ms. Whitfield replied that she was a comedian for several years. She felt that Ms. Whitfield knew when to stay out of a fight and let someone else resolve it. She said that she asked her attorney friends about Ms. Whitfield and one of them knew her and felt that she was outstanding, honest and responsible. She noted that Ms. Whitfield stated that she was interested in Margate now because it was emerging with outstanding opportunity.

COMMISSIONER SIMONE said that Ms. Whitfield had no union negotiation or Senior Center experience, with very little Sober Home experience. She noted that Ms. Whitfield did not want to be a CRA Attorney. She explained that Mr. Pfeffer had experience with union negotiations, State and Federal Grants, Special Districts and Sober Homes. She noted that Mr. Pfeffer did not have experience with the Senior Center; however, he was willing to be a CRA Attorney. Commissioner Simone stated that Mr. Glassman had experience with union negotiations, Special Districts, Senior Center and Sober Homes, but had no experience with the State and Federal Grants. She noted that he was willing to be a CRA Attorney. Commissioner Simone stated that Mr. Gonzales had experience with union negotiations, Special Districts, Senior Center and Sober Homes, but had no experience with State and Federal Grants. She noted that he was also willing to be a CRA Attorney. She explained that Mr. Gonzales said that he was not afraid to apologize for errors with regard to his role on the dais. She noted that he felt a successful Commission meeting was one where he did not have to speak. She replied that he would respond within an hour to Commission questions and would always ask when we needed the information. She stated that he was looking for fairness, openness and honesty in Commissioners and wanted to know the motivation behind things. She said that he knew how to find the answers and did not need training as he was versed in a lot of topics. She added that he did not play favorites and that this would be his last job. She noted that he wanted to work in Margate because it was similar to Miramar and was a hometown with a lot of opportunity with the redevelopment.

VICE MAYOR BRYAN said that she asked Mr. Gonzales how he would intervene when Commissioners disagreed and he stated that the client was the Commission, and that the Commission must legally be informed of what had to happen. She stated that Mr. Gonzales had a vast array of knowledge and that he also wanted to teach and played the drums. She noted that he loved being a Dad for his children and would become involved in Margate with activities. She added that he had a lot of interaction with City Attorney Steinfeld.

COMMISSIONER PEERMAN said that her preferred order of candidates was Mr. Gonzales, Mr. Glassman, Mr. Pfeffer and Ms. Whitfield. She noted that Mr. Gonzales had twins and could see bringing his children to an event in Margate, which she felt was good. She explained that Nancy would be deciding whether she wanted to be the City Manager's Secretary or the Paralegal for the City Attorney. She said that the City Attorney would let the Commission know whether or not an Assistant City Attorney was needed. She noted that she informed the candidates that she was the first convicted of a Broward Ethics violation.

COMMISSIONER TALERICO felt that Mr. Gonzales, Mr. Glassman and Ms. Whitfield were his choices. He explained that Ms. Whitfield had great credentials and was well motivated. He stated that all three candidates were good choices. He said that Mr. Glassman was extremely honest. He noted that Mr. Gonzales was his first choice because he knew the territory, had all the credentials and wanted the job badly. He added that Mr. Gonzales had a good working knowledge of Broward County.

COMMISSIONER SIMONE said that Mr. Gonzales found it interesting that the City hired the Assistant City Attorney as well.

MAYOR RUZZANO also narrowed the candidates to three. He said that Mr. Jove was really quiet and Ms. Whitfield was probably the strongest candidate. He stated that he really liked Mr. Pfeffer because he knew the area well. He added that Mr. Gonzales was great and gave the feeling that he really did want the job. He felt that Mr. Gonzales knew a little extra, but that Mr. Glassman was ambitious and would fit with Margate perfect.

VICE MAYOR BRYAN agreed that Mr. Glassman was a people person.

MAYOR RUZZANO said that he did get a great feeling about Mr. Glassman. He explained that most of the candidates felt that the City should look into getting an Assistant City Attorney with a business background to work with the CRA. He noted that his final three selections were Mr. Glassman, Mr. Gonzales and Mr. Pfeffer.

VICE MAYOR BRYAN noted that if hiring a CRA Attorney, she would consider hiring Mr. Jove's due to his experience with Gulfstream, the mobile homes and land use.

COMMISSIONER PEERMAN thought about how the candidates would handle a situation if the Assistant City Attorney was the CRA Attorney and had a conflicting opinion and they had to go up against each other.

MAYOR RUZZANO mentioned Hallandale handling all the cases every month.

CITY ATTORNEY STEINFELD explained that for the self-insurance cases and automobile cases, the rate received was so low that an Assistant could not be hired. He noted that most of those cases were settled and only a small fraction went to trial. He noted that the City did very well with the self-insurance.

MAYOR RUZZANO asked how many cases were received a month.

CITY ATTORNEY STEINFELD replied that two new lawsuit cases a month were received, and that they were handled pretty well. He noted that he recommended experienced attorneys because they would not have a big office; therefore, the City would want someone who knew quite a bit about Municipal Law in every facet.

MAYOR RUZZANO asked what the City Attorney's work was devoted to in a day.

CITY ATTORNEY STEINFELD said that most of the time was spent advising the City Manager, Department Heads and the City Commission. He added that it was generally dealing with the issues that each of the departments had day-by-day.

VICE MAYOR BRYAN stated that she was torn for first place between Mr. Gonzales and Ms. Whitfield and her third pick was Mr. Pfeffer.

COMMISSIONER SIMONE said that her top two candidates were Mr. Pfeffer and Mr. Gonzales. She felt that Ms. Whitfield and Mr. Pfeffer were the most knowledgeable; however, she did not feel the City could afford Ms. Whitfield. She added that Ms. Whitfield did not have a lot of experience in the areas that the City needed experience in. She stated that Mr. Glassman would undertake an assignment even if not knowledgeable and do it to the best of his ability and as well as possible.

VICE MAYOR BRYAN stated that Mr. Glassman had a big learning curve, because he

did not have municipal experience.

COMMISSIONER PEERMAN said that Mr. Gonzales was her pick and because she never interviewed anyone before, he made her feel comfortable through the interview. She noted that Mr. Glassman told her that the City Attorney must be someone you trust, and she felt that she could trust Mr. Gonzales and Mr. Glassman. She agreed that the City could not afford Ms. Whitfield and she felt that perhaps Ms. Whitfield needed to stay where she was. She noted that Mr. Pfeffer told her negotiations would be five minutes, which she liked.

CITY ATTORNEY STEINFELD stated that he knew Mr. Gonzales and felt he would do a great job, as well as getting along with Nancy.

COMMISSIONER SIMONE said that she also picked Mr. Gonzales along with Mr. Pfeffer. She liked that Mr. Pfeffer said he would not play favorites or count votes on the dais. She added that he knew how to create Master Agreements for services.

VICE MAYOR BRYAN said that Mr. Pfeffer was outstanding and professional, as well as Ms. Whitfield; however, Mr. Gonzales was her pick.

MAYOR RUZZANO agreed with the other Commissioners to hire Mr. Gonzales.

VICE MAYOR BRYAN said that Mr. Pfeffer shared with her that Margate was on the radar because of the snake heads in the canals, because he was a fisherman.

MAYOR RUZZANO questioned the next step.

CITY ATTORNEY STEINFELD said that at the next Commission meeting, the Commission could offer to negotiate a salary of an approximate amount with the same benefits as the City Manager.

COMMISSIONER PEERMAN asked whether that could be discussed now.

CITY ATTORNEY STEINFELD agreed.

COMMISSIONER SIMONE asked what his salary was compared to Mr. Pfeffer.

MS. NARLOCH stated that Mr. Gonzales had been around the \$200,000 range for several years, and his expectation was to be around \$160,000 to \$175,000 to consider the position. She noted that Mr. Pfeffer had a current annual salary of \$178,000 with a benefit package; however, the base was around \$150,000 to \$160,000. She said that Mr. Pfeffer had also indicated wanting a salary of \$160,000 to \$180,000. She noted that Mr. Gonzales understood that the \$200,000 was private sector money.

MAYOR RUZZANO noted that the City would offer insurance and the Florida Retirement System (FRS). He asked the City Manager if he had a car allowance.

CITY MANAGER DOUGLAS E. SMITH stated that he had a \$400 car allowance and an \$80 cell phone allowance.

COMMISSIONER TALERICO asked why the City did not just give a cell phone.

CITY ATTORNEY STEINFELD explained that the reason for giving a subsidy was because of public record.

MAYOR RUZZANO asked whether the allowance was taxed.

CITY MANAGER SMITH said that it was taxed as it was considered income.

MS. NARLOCH reiterated that the range was from \$160,000 to \$175,000.

COMMISSIONER PEERMAN asked what the City Manager started at.

CITY MANAGER SMITH said that he started at \$165,000 and was currently at \$173,000.

CITY ATTORNEY STEINFELD noted that Coconut Creek was at \$173,000.

COMMISSIONER PEERMAN asked what the Commission wanted to start Mr. Gonzales at.

MAYOR RUZZANO suggested \$170,000.

COMMISSIONER SIMONE suggested \$165,000.

VICE MAYOR BRYAN suggested \$168,000.

COMMISSIONER PEERMAN agreed with \$168,000.

COMMISSIONER TALERICO agreed with \$168,000.

MS. NARLOCH suggested giving the negotiators the range of \$165,000 to \$175,000 to work in.

COMMISSIONER PEERMAN said that health insurance, FRS, car and phone were the benefits.

CITY MANAGER SMITH noted that the wording in his contract regarding teaching. He suggested that Ms. Narloch provide advice on what type of action vote might be the outcome for this evening with regard to taking the next step.

MS. NARLOCH said that she might not always see a unanimous vote, but she felt that it was important for solidarity to get a 5 to 0 vote if comfortable doing that. She felt that it showed the Commission was behind the candidate as the City Attorney and sent a good message.

CITY ATTORNEY STEINFELD noted that he was hired by a 3 to 2 vote at \$32,500.

CITY MANAGER SMITH said that the Commission's action might be selecting a top ranked candidate and authorizing the City Manager and the City Attorney to enter into contract negotiations and if successful, bring it back before the Commission.

MAYOR RUZZANO asked whether the benefits would be disclosed at tonight's meeting.


CITY ATTORNEY STEINFELD said that the Commission could say the benefits were the same as were offered to the City Manager. He noted that the International Association of City Attorneys (IACA) also mentioned that it should be patterned after like Charter Officers and specifically the City Manager.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:38 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo


Joseph J. Kavanagh, City Clerk

Date: 5/4/16