



City of Margate

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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, February 17, 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 2016-093 CITY ATTORNEY RECRUITMENT PROCESS UPDATE AND DISCUSSION

DIRECTOR OF HUMAN RESOURCES JACKIE WEHMEYER introduced the recruiter for the City Attorney position, Renee Narloch, S. Renee Narloch and Associates, who would provide an update of the process and discuss candidates for review.

RENEE NARLOCH, S. Renee Narloch and Associates, provided a hard copy of the eight candidates. She explained that there were 71 applications for the position. She noted that she reviewed the resumes that were made available to the City. She said that she pulled out those that met the minimum qualifications. She stated that she spoke with about 12 applicants and would speak in detail about the eight candidates. She pointed out that the second page of the paperwork provided their names, current or most recent positions; however, she clarified that they were not in order of preference and were in alphabetical order. She noted that she spoke with them about their management style, area of practice and commitment to accepting the position if offered. She said that she wanted to know whether the position fit their career path, career goals and why they wanted the position, because she did not want someone who would back out at the last minute. She noted that she was interested in whether or not they had done litigation, as well as their take on Community Redevelopment Agencies (CRA's) and any experience they had with CRA's. She stated that she did not ask whether they felt there should be an in-house Attorney for the CRA, but she informed them it would be a topic of conversation for the City going forward. She spoke about work experience, salary expectations and whether or not they were a fit for the organization. She noted that seven of the eight candidates were located in the area and the one candidate was from Orlando. She stated that she had not worked with any of the eight candidates, except Noel Pfeffer, who she interacted with

when doing the County Attorney search for Broward County. She said that James Stokes, current City Attorney of Green Acres with a private practice as well, was a candidate for Coconut Creek; however, he was not selected. She stated that she would review each candidate and have dialogue to determine whether the Commission was comfortable with determining who to bring forward for an interview to meet. She said that once there was a determination, she would discuss the next step, what the interview process would look like, obtain feedback from the Commission and possibly discuss dates. She noted that the City Attorney was leaving soon and there was a timeline; therefore, she did not want the process to stall. Ms. Narloch gave a brief overview of the candidates individually as follows:

- LISA ZIMA BOSCH

Ms. Narloch stated that Attorney Bosch was currently a Regulatory Attorney with Broward County, where she was a Manager and did legal review for Enforcement Administration. She explained that earlier in her career she was the Assistant County Attorney from 1992 to 2002; therefore, she had Broward experience at the level of the County. She had a lengthy career track and many of the moves had to do with family decisions. She stated that Attorney Bosch was very sharp, and Sharon Cruz, former Deputy County Attorney of Broward County, was a reference on her cover letter. She noted that she would like to speak with Sharon Cruz if moving forward with Attorney Bosch. She explained that Attorney Bosch had supervised Attorneys and Paralegals, and her strengths were in litigation, supervising outside Counsel and land use and the environment. Ms. Narloch noted that personal questions she asked the candidates were whether they ever had a Driving under the Influence (DUI) issue, filed bankruptcy or any criminal convictions. She said that the professional questions were whether they had any Equal Employment Opportunity Committee (EEOC) Commission, hostile work environments, sexual harassment or disciplinary actions by the bar or their employees. She noted that Attorney Bosch had nothing to report on the personal side. She stated that on the professional side, when she was serving as Deputy County Attorney in Flagler County, the County Attorney retired and she served as Interim when there was a push for a former County Attorney to come back and take over the job. She explained that Attorney Bosch competed for the job, which set the environment for hostility between the individual coming in and herself. She said that the issue escalated to a level where her purse was searched by Staff members in the City Attorney's office and she ended up leaving with severance pay. Ms. Narloch noted that the performance reviews by the former County Attorney were good, and there was nothing found that was performance related. She explained that Attorney Bosch did not file a lawsuit, but just left Flagler County and moved on. She noted that also worked in Saint John's Water Management District, and that Broward County did hire her back, which spoke volumes for her. She added that Attorney Bosch also worked with the Public Defender's office in Daytona in the Department of Children and Families (DCF). Ms. Narloch stated that Attorney Bosch's current salary was \$100,000. She noted that she informed the candidates they would not be receiving what the current City Attorney was receiving, and that she did not know what the salary was, but it would be determined by the Commission. She said that she did inform the candidates of the City Manager's salary, because it sometimes was an equity line in communities. She explained that she also asked the candidates what their expectations were in coming to Margate.

COMMISSIONER PEERMAN mentioned asking age of the candidates.

MS. NARLOCH stated that they could not ask age.

MAYOR RUZZANO asked whether personal questions could be asked.

MS. NARLOCH said that there would be group interviews and then one-on-one interviews. She noted that were a long set of questions that the Commission could not ask. She stated that she would advise them during every interview not to ask those questions; however, she always informed candidates that the City was hiring a person and that they should feel free to share information if they wanted to.

- GARY M. GLASSMAN

MS. NARLOCH stated that Attorney Glassman worked in Orange County and went to Tampa for a short period. She stated that she had not previously worked with him. She noted that his wife was the Executive Director of the Convention Center in Orange County. She said that he was commuting long distance with children in Orlando when working with the City of Tampa. She explained that he had an understanding there that he would be promoted to Deputy City Attorney; however, the new Mayor did away with the Deputy City Attorney position, which was why he went back to Orlando. She clarified that when coming to Margate, his wife would continue to serve her job in Orlando for another year or two. She said that she felt he was well-rounded and his current salary was \$150,000 plus a bonus, which was not his expectation in Margate. She said that he did a lot of municipal litigation and had several large cases. She noted that he also did labor employment and worked with Police and Fire Departments. She said that he represented the Police and had been involved in excessive force cases. She added that he also worked with the unions; however, he did not have a lot of CRA experience. He stated that he watched the videos of the Margate meetings. She said that he was not currently with a firm because at the firm he was working with, the partner left and took municipal work with him; therefore, there was not enough work. She stated that there were no conflicts, disciplinary action, or bar complaints.

- DOUGLAS R. GONZALES

MS. NARLOCH stated that she had not worked with Attorney Gonzales. She said that in December 2015, he left Weiss-Serota, and he was previously the Assistant City Attorney for the City of Hollywood and in private practice prior to that. She said that with Weiss-Serota he made about \$200,000 a year. She noted that his expectation was in the range of \$160,000 to \$175,000. She stated that he was one of the founding Hollywood families and would remain at his residence in Hollywood and would commute. She felt he was well-rounded and represented many people over the years. She stated that when with Hollywood, he did CRA work and served as the Police Labor Advisor. She said that she liked his style and training, as well as his training abilities, which was where litigation and legal problems were avoided. She added that Attorney Gonzales also served with Weiss-Serota as City Attorney in Miramar for about nine years through two administrations. She said he had experience with Labor Code Enforcement, Contracts, Police Department and large projects. She noted that he separated from the firm because there was a narrow chance of becoming a partner.

COMMISSIONER TALERICO asked whether he was City Attorney of Miramar through the company he was working for.

MS. NARLOCH agreed and explained that the firm of Weiss-Serota was well known for municipal work and that was Attorney Gonzales' assignment.

COMMISSIONER PEERMAN questioned whether the Commission could ask about the candidates from people that worked with them.

MS. NARLOCH said that soon during the process she would ask for references. She asked that at this point in the process, the Commission not make phone calls and to wait until the process was narrowed down. She said that after that, the Commission could ask those questions.

COMMISSIONER PEERMAN felt that the best people to ask would be other City Commissioners.

VICE MAYOR BRYAN said that the Commission might ask someone who had an axe to grind.

MS. NARLOCH said that she would provide reference comments with names listed of people she talked to, as well as people she did not speak with.

- DAVID JOVE

MS. NARLOCH explained that Attorney Jove currently was General Counsel with Tanenbaum Harber of Florida in Miramar. She said that prior to that position he served as head of Municipal Law with Papp and Lewis. She explained that he knew a professional affiliate who had major cases that needed to be pushed forward; therefore, he asked Attorney Jove to assist with that. She said that he was hired as Assistant City Attorney with Hallandale in 2001 and was there until 2011. She explained that his salary at Hallandale was \$189,000 plus a car allowance. She noted that the City Attorney's office in Hallandale saved the City a lot of money by pushing litigation through. She felt that Attorney Jove had a well-rounded body of work and touched on everything where Municipal Law was concerned. She said that the last few years were rough for Attorney Jove, because Hallandale was very challenging. She stated that she gave him credit for staying as long as he did and leaving unscathed. She noted that Attorney Jove's primary questions were about the Commission, and he was honest and realistic about his questions. She said he did his homework and watched Commission meetings, but did not want to repeat Hallandale.

CITY ATTORNEY EUGENE STEINFELD noted that Attorney Jove had toured the facility.

MS. NARLOCH felt that he was a good attorney and the City could afford him. She added that the City would get its money's worth with Attorney Jove, who she felt had a good demeanor and was a good fit for the organization.

COMMISSIONER PEERMAN asked whether he had an issue with being around Commissioners.

MS. NARLOCH disagreed and explained that he just did not want to walk into a really bad situation. She said that he had a lot of personal issues he was going through during his time there, but he remained and was a good candidate.

- NOEL PFEFFER

MS. NARLOCH stated that she knew Attorney Pfeffer from prior interaction. She said that he was in the City of Delray Beach, which he liked; however, he wanted to come back to Broward. She noted that he would not have had an interest unless it was Margate. She stated that he was a well-rounded Attorney. She noted that Delray Beach was a full service City with Police and Fire. She noted that in his role as City Attorney he had oversight for the CRA. She stated that when he started in Delray Beach, the current

Coconut Creek Attorney Terrill Pyburn had just left and the practice needed to be built up. She said that he built the practice up and did a good job making it a much busier litigation practice. She explained that he was strong in real estate, finance procurement, Human Resources, supervising legal work for Port Everglades and the airport and did a lot of transactional work with BB&T. She mentioned that he did work for the Arena, the Convention Center and negotiated several union agreements with the Police. She noted that the CRA in Delray Beach was very large and he was very active serving as the Attorney. She stated that this position would put him closer to home. She mentioned the Code of Ethics, which Delray Beach had as well as in Broward. She noted that he did annual training for administrative boards that he would provide a refresher for Sunshine Law for the elected officials. She explained that since he went to Delray Beach, things changed and they had three City Managers in 18 months. She added that there was a shift in how business was done. She stated that the current Commission wanted to be more involved. She noted that three of the five Commissioners were also attorneys and were very involved in the day-to-day decisions of the City. She said that there was nothing in his background that needed discussing. She clarified that he currently had five attorneys, three support staff and a full time Police Advisor.

COMMISSIONER PEERMAN asked whether Attorney Pfeffer was the Attorney for the County for the Resource Recovery Board.

CITY ATTORNEY STEINFELD agreed that Attorney Pfeffer was the primary attorney to help form the Resource Recovery Board.

- FRANCINE STEELMAN

MS. NARLOCH said that she had not worked with Attorney Steelman, and that she had a little less traditional resume. She explained that Attorney Steelman started with the Florida Department of Transportation (FDOT) and then went to Weiss Serota for about a year and a half as a Senior Attorney working with various municipalities. She noted that Attorney Steelman was recruited everywhere she went by someone she worked with before. She explained that someone at Miami Dade College who Attorney Steelman worked with when she was with Weiss Serota offered her a job there. She noted that Attorney Steelman was there for about seven years and was promoted from Assistant College Attorney to College Legal Counsel for Operations. She said that the College was then downsized and Barry University picked her up right away for a couple of years, when someone she worked with at FDOT was running the Miami Dade Expressway Authority and recruited her away from Barry University. She noticed that Attorney Steelman came across as being very bright and was exposed to enough things throughout her career to understand Municipal Law, though she had not been the traditional City Attorney. She stated that Attorney Steelman was very professional with a CEO presence about her. She said that she was impressed and was a University of Miami graduate who was currently making \$110,000.

- JAMES D. STOKES

MS. NARLOCH explained that she previously worked with Attorney Stokes. She said that he started as a Law Enforcement Officer with a Law degree in 1995. She said that he made a career shift in 1995, to become an attorney. She added that in 2014, he received his Theology degree and pursues further education throughout his career. She explained that when he was with the City of Palm Bay, they loaned him to the City of West Melbourne as Interim City Attorney. She noted that West Melbourne wanted to keep him, but Palm Bay still wanted him. She said that he stayed there until 2011, after which he went out on his own. She noted that he was actually let go by the Council in Palm Bay,

because he took a stand on a few issues in Palm Bay from a legal prospective, which led to his demise. She mentioned an editorial in the Palm Bay paper that spoke very highly of him as being ethical and saying, "No" when necessary. She explained that he moved on and started his own practice and served different municipalities since then. She added that he was currently working part-time with Green Acres, but also represented other clients outside of Green Acres. She stated that his salary was \$100,000 as a part-time Attorney. She explained that when speaking to him, he felt that if earning \$100,000 for a part-time position, he thought a full-time position would be around \$200,000. She asked whether he would consider the job for less, and he said that was not the case. She felt that there was room to discuss salary with him. She stated that he had two offices; one in Fort Lauderdale and one in Melbourne. She noted that his residence was in Melbourne, but he would relocate. She noted that he was offered a Broward School Board General Counsel position in 2010, but he pulled out because the School Board wanted to keep the person filling the position, as well as with Attorney Stokes.

MS. NARLOCH noted that she did ask the applicants their long and short term career goals, which opened dialogue about their commitment to coming to Margate. She stated that everyone responded between 8 and 10 years, which meant they were committed to coming here.

• V. LYNN WHITFIELD

MS. NARLOCH stated that Attorney Whitfield was currently the City Attorney for Hallandale Beach since 2011. She said that she was with the City of North Miami for five years and in private practice earlier in her career with the City of West Palm Beach as Deputy City Attorney and Chief Litigator for five years. She explained that Attorney Whitfield was a University of Miami Law School graduate who was currently earning \$203,000. She noted that Attorney Whitfield indicated that she could not come to Margate for less than \$200,000. She informed Attorney Whitfield that she would have dialogue with the Commission. She stated that Hallandale Beach had a separate CRA Council and Attorney Whitfield was very involved in Labor and Employment Law negotiations. She added that she had a lot of development experience and did contract review, day-to-day municipal government training for Commissioners and litigation. She said that Attorney Whitfield explained how the City spent \$1 million dollars for outside counsel in previous years, but in the most recent year cut it back to about \$100,000. She noted that they were doing a lot of things in house and a lot of litigation. She added that Attorney Whitfield had three attorneys, a Para-legal and had legal interns supplementing the office. She explained that Attorney Whitfield reported to the elected body with a Mayor and Commission form of government. She noted that Hallandale Beach was about 4.5 square miles with Police and Fire and recently received a \$54 million dollar Park Bond. She added that there was a lot of land selling and swapping with a lot of construction and development. She mentioned the long term goal was 8 to 10 years. She explained that when Attorney Whitfield went to Hallandale Beach, the City was trying to reinvent itself to appeal to younger families. She explained that 34 years ago she was the subject of bar disciplinary action and was given a six month suspension following reinstatement. She noted that Attorney Whitfield had been working with municipalities since that time. She stated that she was not the subject of any allegations; however, she had put out a charge against one of her current Commissioners.

COMMISSIONER PEERMAN asked whether Attorney Whitfield was Commissioner gun shy.

MS. NARLOCH disagreed and said that there was nothing gun shy about her, and that she was tough as nails and did not back down. She explained that she wanted to

question further about the CRA, because she did not know if it functioned as well as it should have; therefore, she wanted to investigate that.

COMMISSIONER SIMONE asked why Attorney Whitfield wanted to leave Hallandale Beach.

CITY ATTORNEY STEINFELD noted that she lived in West Palm Beach and commuted, and Margate would be half way closer.

VICE MAYOR BRYAN asked whether all of the applicants contacted the City Attorney.

CITY ATTORNEY STEINFELD said that Attorney Jove, Attorney Pfeffer and Attorney Gonzales contacted him and Attorney Stokes contacted him through an intermediary. He noted that he knew most of these Attorneys. He added that Attorney Whitfield also contacted him.

COMMISSIONER TALERICO noted that many of the Attorneys were working in offices with big support groups; however, Margate did not have that luxury. He asked whether they understood that they would have to give up some of the support.

MS. NARLOCH said that she had prepared them and they all were aware of the City Attorney's position. She added that she prepped them for the CRA discussion, as well as the salary issue. She also prepared them with what the office looked like now and she noted that the City Attorney would be available to help people grasp the workload. She explained that she wanted the candidates to realize what they were going to be dealing with when coming here.

COMMISSIONER TALERICO asked whether they had watched an entire Commission meeting, and that maybe they should be required to attend at least two meetings.

CITY ATTORNEY STEINFELD clarified that this was not a bad Commission compared to some others.

MS. NARLOCH said that she informed the candidates that this was a good Commission that was about the City's business and doing right for the City. She noted that dynamics could change and candidates had to be ready for that.

COMMISSIONER TALERICO questioned whether there were any time constraints with candidates having other offers.

MS. NARLOCH agreed and explained that she asked to be kept updated if involved in other search processes, and that no one indicated other involvement and all wanted to come to Margate.

MAYOR RUZZANO asked about Simeon Brier.

COMMISSIONER SIMONE stated that Attorney Simeon Brier worked with Parkland Chamber of Commerce and Coral Springs Museum of Art as past President.

MS. NARLOCH said that she had not spoken with him; however, she said that she would look at his resume and provide feedback. She noted that today's discussion should be about all of the candidates and not just the candidates she discussed.

MAYOR RUZZANO noted that he went through the candidates and had it down to 10. He

wanted to continue to review the candidates.

COMMISSIONER TALERICO said that he was down to three; Gonzalez, Jove and Stokes.

VICE MAYOR BRYAN, COMMISSIONER SIMONE and MAYOR SIMONE stated that they all had Stokes on their list.

COMMISSIONER PEERMAN said that she had everyone with City Attorney experience on her list

MAYOR RUZZANO suggested weeding some candidates out.

COMMISSIONER PEERMAN asked whether the Commission could speak with the eight candidates before weeding the list.

MS. NARLOCH said that they could be interviewed.

COMMISSIONER TALERICO asked whether there was anybody the Commission did not want.

MAYOR RUZZANO stated that he did not like the Attorney that had the case against the City Attorney.

COMMISSIONER PEERMAN said that she liked that candidate, and she mentioned Attorney Stokes had prior problems with Commissioners.

MS. NARLOCH suggested having a consensus of the list.

A brief review and consensus was provided.

MS. NARLOCH clarified that the consensus provided four yes votes on three candidates; Douglas R. Gonzales, David Jove and James D. Stokes. She noted that there were three yes votes on Noel Pfeffer.

COMMISSIONER SIMONE mentioned Quentin Morgan.

MS. NARLOCH said that she spoke with Attorney Morgan; however, she did not include him as a candidate because she felt that he had been insulated regarding exposure in his private practice. She felt that someday he would make a good City Attorney; however, she was not comfortable with including him now.

MAYOR RUZZANO said that it sounded like Attorney Morgan was promoting his firm, rather than himself. He asked about Attorney Brier.

COMMISSIONER SIMONE reiterated that Attorney Simeon Brier worked with Parkland Chamber of Commerce and Coral Springs Museum of Art as past President.

COMMISSIONER PEERMAN said that it was not clear exactly what he had done, and read that he had experience working with business owners and CEOs, working with municipalities and elected officials in a broad array of issues. She asked whether Ms. Narloch had spoken with him.

MS. NARLOCH said that she did not interview the candidate; however, she spoke with

him on the phone. She felt that he did not get deep enough into the municipal matters, and that his current role was more corporate representation.

VICE MAYOR BRYAN questioned Vincent Brown from Opa-Locka.

COMMISSIONER TALERICO asked about any learning curve for the City Attorney entering into the new position. He also asked whether once someone worked a while with the City Attorney, prior to his leaving, it could be determined if that person was the right choice.

CITY ATTORNEY STEINFELD said that it depended on the individual. He explained that it was very difficult to determine whether someone was the right choice. He stated that after a little while, it could be determined whether the candidate was a Municipal Attorney; however, every City did things differently. He explained that what might be second nature to him might be totally alien to another City Attorney. He noted that it would take them more time on an issue than it would take him, but that if the individual knew Municipal Law, it should not take long if they were a Municipal Attorney.

COMMISSIONER PEERMAN asked whether the City Attorney had any favorites.

CITY ATTORNEY STEINFELD stated that he talked and worked with Jove, Pfeffer and Gonzales and felt they would fit very well with the City.

MS. NARLOCH explained that she looked at Vincent Brown's resume and while he was with the County Attorney's office in Miami-Dade, he was focused primarily on housing with Dade County Housing and Urban Development. She added that he served in a variety of capacities as Attorney for Nuisance Abatement Board and Hearing Officer of the Traffic Light Safety Program. She noted that those were specialized programs. She stated that he was only in Opa-Locka for less than a year and served on his own Law Firm Since 1996, which mostly dealt with corporate and real estate transactions.

MS. NARLOCH explained that she was impressed with Cindy Kim's career; however, she felt that there were areas where Attorney Kim focused on investigations and enforcement, as well as compliance. She stated that though Attorney Kim was a good Attorney, she did not see the flavor she was looking for as far as City Attorney and municipal government.

MAYOR RUZZANO said that he would like to interview Attorney Brier.

COMMISSIONER PEERMAN felt that he still needed experience in government, and she wanted someone who knew the law to represent the City and the Commission.

COMMISSIONER SIMONE noted that Ms. Narloch did not feel he was one of the better choices; therefore, she removed him from her list.

MS. NARLOCH noted that there were currently five candidates that had at least three yes votes, with four other candidates who were Bosch, Glassman, Steelman and Whitfield.

MS. NARLOCH suggested that the Commission speak to the candidates when interviewing. She said that when interviewing, they would not only find their City Attorney, but they would also learn a lot about the candidates. She noted that the candidates to be interviewed were now Brier, Glassman, Gonzales, Jove, Pfeffer, Stokes and Whitfield.

MAYOR RUZZANO said that he liked Attorney Stokes.

COMMISSIONER SIMONE agreed with Attorney Stokes.

COMMISSIONER PEERMAN said that her only issue with Attorney Stokes was the police mentality.

MAYOR RUZZANO said that Attorney Stokes' degree was impressive. He added that Attorney Stokes received Board Certification.

MS. NARLOCH stated that there were great candidates here; however, if the Commission could not find one they liked, she would continue to obtain more candidates. She explained that she would schedule interviews as a group at a public meeting while bringing candidates to the table. She noted that they would be asked a standard set of questions, which would determine what they know about Municipal Law. She said that after the interviews, the candidates would have 1 on 1 time with each Commissioner for approximately 30 minutes, at which time the Commission could ask questions, with the exception of things that the Commission was not able to ask. She noted that the Commissioners could follow up with anything that came up from the group interview. She said that the Commission would meet with her following the group to debrief and figure out who the top candidates were. She noted that she would bring the Commission reference comments to assist with narrowing the list down and make a decision moving forward. She said that there would then be a second round of interviews.

COMMISSIONER PEERMAN asked whether the meeting could be a stand-alone meeting, rather than having it before a Commission meeting.

MS. NARLOCH agreed.

MAYOR RUZZANO asked how long the group meeting would be.

MS. NARLOCH estimated that it would be a little over an hour as a group

VICE MAYOR BRYAN explained that with the School Board, they were provided standard questions; however, as a group they were provided with one question they could ask.

MS. NARLOCH stated that she would work with Human Resources for a standard set of questions, but all the Commissioners had to ask the same questions to all of the candidates for a good comparison.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:59 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo


Joseph J. Kavanagh, City Clerk

Date: 4/20/16