



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

Thursday, February 25, 2016

6:00 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 2016-105 CITY ATTORNEY INTERVIEWS

RENEE NARLOCH, S. Renee Narloch and Associates, said that the Commission would be asking the same questions that were asked of the other candidates. She added that the schedule changed with Ms. Whitfield at 6:00 PM and Mr. Gonzales at 7:00 PM. She noted that the same format would be followed. She reminded the Commission that they could not ask any questions or follow up inquiries related to race, gender, color, age, religion, national origin, marital status, sexual orientation, disability and gender identity.

COMMISSIONER SIMONE questioned what would happen if the Commission felt that one of the candidates was not a good fit based on the interviews. She said she did not want to waste their time for a personal interview if there was no chance that the Commission wanted that person.

MS. NARLOCH replied that there were sometimes a connection with the one-on-one interviews, but did not do well in groups. She said that there were only five candidates being interviewed; therefore, she encouraged that the one-on-one interviews continue. She noted that the allotted time was 30 minutes; however, they did not have to use the 30 minutes.

COMMISSIONER SIMONE questioned what would happen if the Commission did not care for any of the five candidates, and whether they could go back in the pot to start the process over. She noted that time was running out and she wanted to make the best informed decision she could.

MS. NARLOCH agreed and stated that at the end, the Commission should be happy with the selected candidate as a Commission.

COMMISSIONER SIMONE asked what would happen if it was time for the City Attorney to leave and the Commission still did not have a candidate of choice. She asked whether the City Attorney could remain until someone was found.

CITY ATTORNEY EUGENE STEINFELD said that he could not. He stated that a firm would have to provide interim service, but he would make sure the City was covered.

MAYOR RUZZANO asked whether the Commission wanted to take a consensus to determine whether they wanted to weed out or meet the candidates.

COMMISSIONER PEERMAN said that she did not mind meeting them because some people did not do well in groups or in one-on-one.

VICE MAYOR BRYAN said that she broached the subject last night and felt that out of courtesy, the Commission should meet them. She said that they might react differently in the one-on-one and the Commission could learn additional information about them.

COMMISSIONER SIMONE mentioned the timeline and noted that there would be approximately 16 days from when the process ended to the candidate working with the City Attorney. She asked whether that was enough time.

MS. NARLOCH said that depended on the candidate. She noted that sometimes the candidate needed to provide a 30 day notice from where they were currently working, which was a professional courtesy. She did agree that it would be close.

CITY ATTORNEY STEINFELD assured that he would not leave the City in a lurch, and that if he would work longer if he had to.

COMMISSIONER TALERICO asked whether a unanimous decision was needed or if there could be a 4 to 1 or 3 to 2 vote.

CITY ATTORNEY STEINFELD noted that he was hired by a 3 to 2 vote.

- MS. WHITFIELD

Following City Commission introductions, the following questions were asked:

1. MAYOR RUZZANO asked Ms. Whitfield to please briefly summarize her background and experience as it related to the position of City Attorney for the City of Margate.

MS. WHITFIELD explained that she began her career in Municipal Law in 1987, with the City of West Palm Beach as Chief Litigator. She said that she also learned to do ordinances, resolutions, contract review with developers, labor employment and working with personnel. She stated that she rose to the position of Deputy City Attorney. She said that in 1991, the City had a change of Charter and went to Strong Mayor form of government. She noted that the first Strong Mayor terminated the City Attorney and named her as the Acting City Attorney. She stated that the Strong Mayor was an attorney, which made it difficult; therefore, she went back to being Deputy. Ms. Whitfield noted that she stayed until July 1992, when she left West Palm Beach and went on her own. She stated that she was in private practice for about 10 years doing municipal and criminal defense. She explained that in 2002, she joined a law firm and then took a City

Attorney position in Pahokee, which was a contract position. She said that she came to North Miami as a Deputy City Attorney in 2006, and became the City Attorney in five months. She noted that the North Miami staff of five did everything in the City except there was a separate CRA Council. She noted that she started an Internship Law Program there. She stated that she then went to the City of Hallandale Beach as City Attorney with a staff of two attorneys because of the outside council budget of over \$500,000. She said that she later went to the Commission to ask them to restore a position in the City Attorney's office to avoid having to use outside council, which decreased the outside council budget to \$150,000.

2. COMMISSIONER PEERMAN asked Ms. Whitfield to describe her management and leadership style.

MS. WHITFIELD stated that she liked to be a teacher with an open door policy for her staff. She added that she encouraged her staff to know other attorneys in the municipal arena, which she felt was a testament to the type of management and leadership style she had.

3. COMMISSIONER SIMONE asked that Ms. Whitfield describe her experience in Land Use Law, Code Enforcement, Utilities, Community Redevelopment Agencies, Sunshine and Open Records Law and Employment Law.

MS. WHITFIELD stated that she was to respond to the Personnel Department in West Palm Beach; therefore, she was involved in pre-determination hearings, disciplinary actions and advised the Director on many issues. She said that she also worked with Human Resources in North Miami on employment issues and handled the Equal Opportunities Complaints (EOC) and held hearings. She said that she was currently helping the Deputy learn more about labor to be able to handle arbitrations. She noted that she currently did not do a lot of labor negotiations because of conflicts.

MS. WHITFIELD explained that she performed the training for the new Commissioners and for the Commission on Ethics. She said that she did training every month at both the Broward Ethics Code and the State Ethics Code. She noted that with the State, Sunshine had to be included with open records. She explained that open records requests had been decentralized. She noted that she was friends with Pat Gleason of Tallahassee, who always assisted her with any questions.

MS. WHITFIELD stated that she did not handle the CRA because it was a very specialized area that the Office of the Inspector General (OIG) looked at for management. She felt that there were sometimes conflicts between what the City and CRA were doing; therefore, she did not think both hats should be worn. She noted that she was familiar with the CRA.

MS. WHITFIELD explained that her office was involved with utilities and that Hallandale Beach just went to owner only accounts. She said that was changed because owners could not be held responsible for tenant water bills. She stated that in some cases liens were attached to the property. She noted that the City was currently looking into impact fees for utilities with regard to needing any adjustments.

MS. WHITFIELD explained that she dealt with Code Enforcement for years. She said that there was an Amnesty Program in North Miami for paying on fines, which she was very involved in. She mentioned rewriting the Code and that there were some changes made regarding citations. She noted that at times, she presented cases to the Special Magistrate. She explained the circumstances regarding a foreclosure filed against a strip

mall that owed the City \$600,000, which the CRA tried to buy. She noted that the Judge ordered remediation and the case was mitigated down to 10 percent. She explained that an agreement was met stating that the property would be demolished and sodded to be put into compliance, 20 percent of the amount owed was deposited into a trust account to the City and a demolition permit must be filed. She noted that if the property was not demolished within 10 days, they would owe the City another 5 percent, with the other 5 percent paid to the City after day 26. She noted that the City would have the final judgment after day 41.

MS. WHITFIELD stated that the City had just gone with a Land Based Code. She noted that she worked with the Treasure Coast Planning Council on the Code, which created a lot of work for her office. She noted that she had to deal with vested rights issues. She said that with all of the development, she could not help but be involved with Land Use. She mentioned doing a lot of easement work regarding Gulfstream. She stated that she was also used to working with Development Attorneys and understood her place as the City Attorney, and that it was the City Manager's job to negotiate. She said that it was her job to make sure everything was legal, binding and defensible while covering the City.

4. COMMISSIONER TALERICO asked how Ms. Whitfield kept abreast of current legal issues facing public agencies.

MS. WHITFIELD said that she read a lot from Florida Law weekly and kept up to date on what cases were being worked on. She added that she attended seminars and that the Florida Municipal Attorney's Association (FMAA) provided a report periodically involving municipalities, City and County government organizations and the Florida Bar Association. She noted that she also had a good network of City Attorneys who she conferred with.

5. VICE MAYOR BRYAN asked what an ideal City Attorney's office for a City the size of Margate would look like if Ms. Whitfield could put it together, and which matters would be handled inside versus using outside counsel.

MS. WHITFIELD replied that at this point, that was a difficult question, because other than looking at the Charter, Code, Strategic Plan and knowing that the City was on the verge of redeveloping and reinventing itself. She stated that she would take the first 60 to 90 days would be her assessment, asking questions about the department, such as what the legal needs were. She said without additional information she felt she could not correctly answer the question. She noted that she was very impressed with how the City Attorney handled everything in Margate.

6. MAYOR RUZZANO questioned Ms. Whitfield's opinion of what the most critical liability issues facing agencies like Margate were.

MS. WHITFIELD felt that would be the Police and Fire Departments. She said that when dealing with construction pertaining to the redevelopment could be an issue. She said that she believed in being preventative.

7. COMMISSIONER PEERMAN asked Ms. Whitfield to explain her understanding of the relationship between the City Attorney and the City Commission, as well as between the City Attorney and the City Manager.

MS. WHITFIELD stated that the City Manager and City Attorney were all officers of the City Commission. She said that she currently worked with the City Manager on equal footing and should have the same goals to advance the policies and desires of the

governing body for the betterment of the residents. She stated that she worked well with the City Manager and had been doing this for a long time. She said that she worked for the body and provided legal opinions based on the law. She stated that she did not work for any individual Commissioner and did not get caught in the politics.

8. COMMISSIONER SIMONE questioned what Ms. Whitfield's preferred relationship was with department heads, and how she would establish and maintain that relationship.

MS. WHITFIELD explained that the Department Heads were part of her clientele. She felt it was important to have a working relationship with the Department Heads, because the City Attorney's Department was a service department offering services to other departments by giving legal advice. She explained that she always had a good relationship with the Department Heads, though they might not always like what she said. She said that she would meet with the Department Heads to determine their needs. She also felt that Department Heads should not be talking to lawyers if there was a chance of litigation, and that lawyers should talk to lawyers.

9. COMMISSIONER TALERICO said that as the City Attorney, Ms. Whitfield would likely be called to make recommendations to the Commission on issues that have strong political implications. She asked that she give an example of a recommendation that she made and to explain how it was handled.

MS. WHITFIELD said that at the CRA meeting last week, her City Manager asked for an opinion of what the Charter said with regard to having a 4 out of 5 vote for expelling a Commissioner for non-attendance. She noted that her City had an extensive Protocol Manual, which explained that the removal of a Commissioner could be requested after giving a warning about the behavior. She added that if in the City's Code, Commissioners could be punished for disorderly conduct, but a 4 out of 5 vote was required.

COMMISSIONER PEERMAN explained that had been changed in Tallahassee and that only a recall petition was now legitimate. She said that Margate's Charter stated that a Commission can ask a Commissioner to forfeit the office; however, Tallahassee now changed that so the only way to remove a Commissioner was through the recall petition.

COMMISSIONER TALERICO asked whether Ms. Whitfield was present at the meeting, and she responded that she was on her way home.

MS. WHITFIELD clarified that she reviewed the ordinance from 1927, and the Code, to resolve the issue.

10. VICE MAYOR BRYAN asked Ms. Whitfield to describe an ethical dilemma she faced in the public sector and how she resolved it. He also asked if Ms. Whitfield would approach the issue in the same way now.

MS. WHITFIELD stated that she tried to keep herself and her bosses out of ethical dilemmas. She mentioned a situation when Commissioners were talking to each other outside the Sunshine Law. She felt that the City Attorney should not be the Ethics Police, and that it was up to the Commission to police themselves. She said that she went to the Commissioner and offered a refresher regarding the Sunshine Law.

11. MAYOR RUZZANO questioned what Ms. Whitfield felt would be her biggest challenge, based on her understanding of the City Attorney job description.

MS. WHITFIELD felt that the biggest challenge would be to figure out what the City

needed and assessing the situation.

12. COMMISSIONER PEERMAN asked Ms. Whitfield to discuss her career aspirations and to tell the Commission why she was interested in the City Attorney position with the City of Margate.

MS. WHITFIELD explained that she was closer to the end of her career. She said that Margate was a City on the verge of change with a lot of opportunities for development. She felt that it would be exciting to join Margate at this time because of all that was happening. She spoke about what she did in Hallandale, such as having 18 parks, the successful education campaign, \$58 million dollar bond passed and the new Fire Station. She felt that she made contributions and left a mark at Hallandale, which she would like to do in Margate.

COMMISSIONER SIMONE asked how many years Ms. Whitfield expected to be with Margate.

MS. WHITFIELD said that she did not plan on stopping work before age 70 and would remain as long as the City would have her. She commended the City Attorney for being there so long and said that it spoke very highly of the City.

13. COMMISSIONER SIMONE asked whether there was anything else Ms. Whitfield would like to add or ask.

MS. WHITFIELD asked what the Commissioners were looking for in their next City Attorney.

MAYOR RUZZANO noted that the City Attorney knew how to find an answer quickly and was a great asset with regard to knowing the Charter.

COMMISSIONER PEERMAN said that she depended on the City Attorney a lot. She felt strongly that she could be told no; however, she wanted to be told how to get to yes if possible. She stated that the City Attorney had the Commissioners back and worked in the best interest of the City.

COMMISSIONER SIMONE said that she was looking for someone who was straight forward, was not afraid to take on challenges, give a legal opinion, stand by their opinion and speak and talk in English and not in legal jargon.

COMMISSIONER TALERICO said that he wanted someone who had the best interest of the City and was not going to back down. He wanted someone who would stand their ground and would not be intimidated by the public at meetings.

VICE MAYOR BRYAN wanted someone with knowledge, experience, spunk and relatable to the Commission and public.

MS. WHITFIELD asked about term limits.

COMMISSIONER PEERMAN explained that 2012, started the three, four year terms for those who were elected in 2012. She said that 2014, started the term limits of three, four year terms in 2014.

COMMISSIONER PEERMAN asked whether Ms. Whitfield liked to argue.

MS. WHITFIELD asked who she would be arguing with. She said she did not like to argue with bosses, but she would. She said that she did not mind a spirited discussion, but she would try to show her reasoning with evidence to back it up. She said that her job was to try to legally reach the objective.

Following a brief recess, the meeting reconvened.

- MR. DOUGLAS R. GONZALES

Following City Commission introductions, the following questions were asked:

1. COMMISSIONER PEERMAN asked Mr. Gonzales to please briefly summarize his background and experience as it related to the position of City Attorney for the City of Margate.

MR. GONZALES said that he had a mixture in his career and been in both the private and public sector. He explained that in the public sector, he was an Assistant City Attorney 22 years ago for Plantation. He said that he worked for an outside law firm that served as the City Attorney. He noted that was when he found that he wanted to do Municipal Law, because he would deal with a lot of people and was not dealing with estate planning or finance types of situations only. He said that he remained there a year and a half before going to work for the City of Hollywood. Mr. Gonzales noted that he also worked at a private firm that did a lot of bankruptcy work at the same time. He stated that he focused on the Hollywood Assistant City Attorney position. He said that he began as Municipal Prosecutor and worked into the Assistant City Attorney position trying personal injury type cases and civil rights cases. He added that while at Hollywood, the City Attorney decided he would open his own office, which he invited me to join. He explained that he did join the City Attorney, which became a valuable experience. Mr. Gonzales explained that he ultimately became the City Attorney for the City of Miramar, which was similar to Margate at the time; however, had grown tremendously since then. He noted that a Town Center was developed that had a Cultural Arts Center and a \$6 million dollar Police Department. He said that there were also schools, such as Broward College and Nova Southeastern, as well as having the Broward County Public Library. He added that there were also private residential developments. Mr. Gonzales explained that the City Center of Margate was the type of development that would help him help the City to achieve its goals as both the CRA and City Commission. He said that those three positions comprised 20 to 25 years of his experience, with the other five years in the private sector as a Trial Attorney. He felt that he became a master of a little bit of everything, but did not know everything about anything. He said that he did become expert at some things, such as becoming Police Legal Advisor for the last four years. He noted that he gave seminars to the Commission to use for their Ethics hours. He felt that all those things helped him to prepare for being an in-house attorney, which was quite different than being outside council.

2. COMMISSIONER SIMONE asked Mr. Gonzales to describe his management and leadership style.

MR. GONZALES felt that the most important thing for a City Attorney was to understand that they do not own the work they did, but did the work as a public servant and to assist the client, which was the Commission. He said that when the Commission came to him with things they wanted to do, he would provide options on how to achieve that. He noted that the City Attorney did not look for any accolades, and that as long as the Commission was successful, he was successful. He stated that the job was to assist the client and always be professional and reliable, while learning to prioritize and

communicate. He felt that communication was the key, and that he was a strong communicator.

3. COMMISSIONER TALERICO asked Mr. Gonzales to describe his experience in Land Use Law, Code Enforcement, Utilities, Community Redevelopment Agencies, Sunshine and Open Records Law and Employment Law.

MR. GONZALES explained that he was in the process at the law firm of rewriting Miramar's Land Use ordinances, which gave him a lot of experience the past couple of years. He noted that it was not finalized and was an ongoing project. He said that he was responsible for supervising the Land Use Attorneys at the firm to make sure they were achieving the goals of the Commission. He said that he was the supervising Attorney, as well as the recognized City Attorney for purposes of daily interaction with Weiss-Serota. He added that it was his responsibility to make sure the Land Use Code was followed, and to answer questions at Commission meetings. He added that it was his responsibility to make sure the Land Use Code was followed, and to answer questions at Commission meetings.

MR. GONZALES said that he spent a vast majority of his 26 year career doing Code Enforcement. He stated that he wrote numerous Code Enforcement Codes with the most recent in Cooper City where a Special Magistrate was instituted. He said that Code Enforcement was particularly important for older established communities, because people could not afford or understand that they need to comply with Codes. He noted that he also sat as Special Magistrate and prosecuted cases on behalf of Cities. He stated that he advised City Boards as well. He noted that he met Mr. Steinfeld at a Code Enforcement proceeding where he appeared before him several times.

MR. GONZALES stated that he was responsible for all Code changes and wrote most of the Code changes in other Cities. He said that he was very familiar with utilities, and that his underlying degree from the University of Florida was in Finance with a minor in accounting.

MR. GONZALES stated that he did not have much experience with the CRA. He said that there was a CRA in Hollywood; however, there was not one in Miramar yet. He stated that he was familiar with Margate's program and its adoption in 1996, and that the Commission served on the board. He understood that there were various issues related to the CRA that the new City Attorney should sit through the meetings to guide the Commission so the CRA would proceed as they wanted it to.

MR. GONZALES felt that it was very important to have refreshers, even though everyone knew the Sunshine and Public Records Law. He said that possible seminars for the Ethics hours could be done. He said that it was important to do some seminars if the Commission was willing to devote some time for that. He stated that he gained an expertise while preparing seminars over the last four years and was very familiar with the law and what happened when violated. He added that he was willing to tell the Commission that they should not do something or that he did not recommend they do something. He said that he would also inform them of what would happen if they did violate the law.

MR. GONZALES stated that he was the Supervisor in Miramar for all of the various departments at Weiss-Serota. He said that he took a keen interest in Employment Law and read some of the primary handbooks while becoming familiar with the cases. He felt that it was very integral and important part of the City that had a lot of City employees. He added that he had sat in on Collective Bargaining, and was also familiar with the rules of

Collective Bargaining.

4. VICE MAYOR BRYAN asked how Mr. Gonzales kept abreast of current legal issues facing public agencies.

MR. GONZALES stated that the way to keep current was to never lose the desire to read and research. He said that the only way to communicate and advise the Commission was to know the law. He stated that he prided himself on his research abilities and would communicate any changes to the law that occurred to the Commission on any matter whether collectively or individual. He added that there were some changes that were from last minute legislature and someone might not be aware of. He said that he was a large part of Municipal Lawyers and part of Municode.

5. MAYOR RUZZANO asked what an ideal City Attorney's office for a City the size and complexity of Margate would look like if Mr. Gonzales could put it together, and which matters would be handled inside versus using outside counsel.

MR. GONZALES said that to truly answer the question, he felt that he would have needed to be here and operated in Margate for a while. He stated that with a population of over 53,000, he felt that the ideal office was one where the new City Attorney came in and determined how much the person could do for the City to save dollars in outside counsel. He stated that he had varied experience as Municipal Prosecutor who tried cases and knew his way around Employment Law. He said that he would like to sit with the exiting City Attorney to learn the ropes and how he was doing things, as well as learning the office. He said that following that, he could make recommendations. He noted that there might always be a need for some outside counsel, such as with litigation. He said that the Code provided that the Commission had to approve of all counsel, including Assistant Attorneys; therefore, if he needed assistance, he would approach the Commission.

6. COMMISSIONER PEERMAN questioned Mr. Gonzales' opinion of what the most critical liability issues facing agencies like Margate were.

MR. GONZALES replied that it was Sunshine Law and Public Records Law. He stated that those two laws did not rely on intent. He clarified that it did not matter whether someone intended to violate them, the pure violation created a great responsibility for the City because it was an embarrassment. He stated that it would become public knowledge and the City could be ordered to pay Attorney's fees. He said that there was previously an attorney working with a non-attorney who was going to all Cities making public records requests that they never intended to get the information from, but just wanted to sue the City. He stated that they would sue the City and settle for outrageous sums. He explained that eventually it was determined that it was not the reason for the Public Records Law and they were shut down. He felt that was an area where the City needed to stay abreast of what was happening and although the constant reminders may get old, they were to remind everyone that this was the area where the City could get into trouble.

7. COMMISSIONER SIMONE asked Mr. Gonzales to explain his understanding of the relationship between the City Attorney and the City Commission, as well as between the City Attorney and the City Manager.

MR. GONZALES explained that according to the Code, the Commission appointed the City Manager, who hired everyone else in the City with the exception of the City Attorney and City Clerk. He said that the Commission could ask the City Manager for a policy or procedure to be put on a Commission meeting. He stated that the City Manager could

then have that accomplished with his Staff and go to the City Attorney to make sure that it was legal and done properly with no loopholes. He said that the City Manager could also ask the City Attorney to draft the policy or procedure or the Commission could ask the City Attorney. He noted that currently a hot topic was Animal Code issues; however, it used to be Sexual Violator Ordinance, which he wrote the first procedures for in Broward County. He stated that he would work hand and hand with the City Manager to serve the Commission properly.

8. COMMISSIONER TALERICO questioned what Mr. Gonzales' preferred relationship was with department heads, and how he would establish and maintain that relationship.

MR. GONZALES said that one of the best things about being the City Attorney was that you could build relationships with people with various backgrounds. He stated that he enjoyed answering the phone and answering questions for various staff. He noted that in Margate, the City Manager allowed staff to contact the City Attorney and work hand and hand accomplishing the goals of the City. He stated that was the most rewarding part of being in public service, because though he was serving the Commission he was also serving the public. He felt that the City Manager and all of his departments function in conjunction with the City Attorney. He added that the City Attorney must work with the various departments, and have knowledge about everything so he could advise. He stated that at the end of the day, everyone was serving the Commission who served the community.

9. VICE MAYOR BRYAN said that as the City Attorney, Mr. Gonzales would likely be called to make recommendations to the Commission on issues that have strong political implications. She asked that he give an example of a recommendation that he made and to explain how it was handled.

MR. GONZALES replied that there recently was an issue with regard to drilling in the Everglades, which was located to the west of the City limits of Miramar and eight miles northwest of Weston, and could possibly affect all Cities with regard to water supplies in the County. He stated that scripts were provided for the Mayor, research was done, documentation was filed with the Department of Environmental Protection and objections and concerns were voiced. He noted that it was an ongoing project and the result had not been finalized yet. He explained that the entity that wanted to do the drilling did not get it done as quickly and cheaply as they wanted to and would have to take into consideration all of the City's concerns in Broward County.

10. MAYOR RUZZANO asked Mr. Gonzales to describe an ethical dilemma he faced in the public sector and how he resolved it. He also asked if Mr. Gonzales would approach the issue in the same way now.

MR. GONZALES said that his answer would be the Sexual Violator Ordinance that he drafted. He explained that it started in Miami Beach, where a very strict ordinance was drafted that went well beyond what the State Law provided. He said that it immediately became a political issue because Miami Beach's extended limitation on what a Sexual Predators and Sexual Violators could live meant that none could live in the City limits and had to leave the City. He said that the issue became was this a Not In My Backyard situation or was there a legitimate public concern as to why the City was so adamant about that. He explained that because Cities began to think that the Sexual Predators and Violators would be coming to their City. He said that Cities then believed they needed to enact an ordinance as well. He noted that it became a conflict for him personally because people needed a place to live. He said that the City needed to be fair and provide for people and make it safe for everybody. He stated that the political and

personal question for him was what was really trying to be accomplished. He noted that it was resolved at the 3rd District Court of Appeal and took a Miami ordinance that followed the Weston ordinance and upheld it as legally valid. He added that he went to court on his Weston ordinance and the Judge told him to resolve the issue because he did not like what the Cities were doing and felt they would lose. He noted that he would do that again, because if Margate approached him and said they needed to enact the measure, it was not for him to say why or to make a recommendation not to do it.

11. COMMISSIONER PEERMAN questioned what Mr. Gonzales felt would be his biggest challenge, based on his understanding of the City Attorney job description.

MR. GONZALES stated that the biggest challenge would be social media and blogging. He said that everyone was watching what everyone did and everyone needed to be careful what they put in writing. He added that everyone must be careful of what they said in public. He agreed with being careful; however, he felt it was one of the most difficult aspects of the job. He added that another big challenge was the Commission, because of cell phones and wanting the answer right away. He said that he was reachable 24/7, and felt the challenge was not to say that I need to go to the office to look up the answer, rather than being able to answer immediately. He stated that the challenge would be to convince the Commission that it was sometimes in their best interest to not act that quickly, and to allow time to thoroughly research issues.

12. COMMISSIONER SIMONE asked Mr. Gonzales to discuss his career aspirations and to tell the Commission why he was interested in the City Attorney position with the City of Margate.

MR. GONZALES replied that he always enjoyed the public sector more than the private sector. He liked working and having lunch with Department Heads and Elected Officials and other staff. He said that he liked learning what was happening daily in the departments. He felt that it was a natural progression for him to now be an in-house attorney and he would like to end his career here.

13. COMMISSIONER TALERICO asked whether there was anything else Mr. Gonzales would like to add or ask.

MR. GONZALES said that he worked with the current City Attorney through the years and had great respect for him. He thanked Ms. Narloch for everything she did to make the process smooth and quick. He said that he appreciated the Commission putting him on the list and giving him time tonight to speak with them and provide a little about himself. He noted that his family was the second family in Hollywood; therefore, he had roots in the Broward County community. He stated that his Grandfather was Mayor of Hollywood for years.

COMMISSIONER PEERMAN asked whether Mr. Gonzales liked to argue.

MR. GONZALES replied that he was a Trial Lawyer for 13 years and he loved to argue.

VICE MAYOR BRYAN asked how Mr. Gonzales would grade the process.

MR. GONZALES said that from a candidate's perspective, he had been kept informed. He said that whenever there was an anticipated change to scheduling or time, they were informed early to be able to accommodate the change. He stated that he would rate this process as one of the most pleasant searches he had been involved in.

THE MEETING CONTINUED WITH THE COMMISSION'S RECAP.

MS. NARLOCH said that she would provide a schedule tomorrow pertaining to the one-on-one meetings.

VICE MAYOR BRYAN asked whether anybody dropped out.

MAYOR RUZZANO asked whether Ms. Narloch was going to make any recommendations at the next Workshop.

MS. NARLOCH said that she would not make recommendations.

CITY ATTORNEY STEINFELD said that he had no recommendations and that it was not his job to recommend.

MS. NARLOCH said that she would facilitate the Workshop and that it would not be easy.

COMMISSIONER PEERMAN felt it was a good thing that it was not going to be easy.

MAYOR RUZZANO asked what the ultimate goal of the Workshop meeting was.

MS. NARLOCH said that it was to narrow down the list and decide who to move forward with. She noted that the Commission would have reference comments from her to support candidates and provide additional information. She said that at the Workshop, a determination would be made as to how comfortable the Commission was what decision would be made on Wednesday. She stated that they would review the rating sheets for each candidate, as well as the ranking sheet.

MAYOR RUZZANO asked about how salary was negotiated.

MS. NARLOCH said that would be determined when the candidates were known and some parameters were formed.

COMMISSIONER PEERMAN asked whether Ms. Narloch would provide local area starting salaries.

MS. NARLOCH said that she would provide that information at the Workshop. She added that Human Resources had a salary survey. She noted that she would also share with the Commission what she learned about the candidate's salary history and expectations were.

COMMISSIONER PEERMAN asked about perks, such as the Law Library.

CITY ATTORNEY STEINFELD said that the City paid for the Law Library.

COMMISSIONER PEERMAN agreed that the City paid for the Law Library for the current City Attorney; however, she wanted to know if there were perks that were included.

CITY ATTORNEY STEINFELD said that was part of the Budget. He stated that the candidates responded that they had to see the office to determine what they had to do. He said that they would take the office as it was now, but then would need time to analyze what needs to be done.

COMMISSIONER PEERMAN said that she was referring to salary negotiations and perks that the City had to offer, such as the Florida Retirement System (FRS), which she felt was a perk. She said that she wanted to know what was being used to negotiate.

CITY ATTORNEY STEINFELD said that there would be many things, such as vehicles, vacation time and comp time. He noted that there was a standard package that the Department Heads had, which he imagined would be the starting place. He stated that the perks could be discussed at the Workshop.

COMMISSIONER PEERMAN wanted to make sure that the Commission had an understanding of what would be negotiated.

MS. NARLOCH said that the negotiation process regarding benefits would be discussed at the Workshop. She noted that she also had no problem asking the candidates what they were looking for and what perks were important to them.

COMMISSIONER TALERICO asked if Ms. Narloch had any problems asking them what they wanted.

MS. NARLOCH said that she had no problem asking the candidates what they wanted.

COMMISSIONER TALERICO mentioned Attorney Steinfeld's Law Library.

CITY ATTORNEY STEINFELD said that the Law Library was the City's, and that most everything was done by the Internet now rather than books, because it was cheaper and quicker.

COMMISSIONER PEERMAN asked if the City Commission could review what the City was negotiating, prior to offering it to the candidate.

CITY ATTORNEY STEINFELD agreed and said that the Commission could designate a candidate and what they wanted to offer that candidate following the recommendations of the City Manager, City Attorney and Human Resources.

COMMISSIONER PEERMAN said that she did not want to lose a candidate because a perk was not included. She asked about outside employment and whether it was in the Charter or contract.

CITY ATTORNEY STEINFELD replied that it would be in the contract.

MAYOR RUZZANO asked Ms. Narloch to provide the Commission with a list of salaries and bonuses at the next Workshop.

MS. NARLOCH agreed.

MAYO RUZZANO noted that Ms. Narloch previously informed the Commission not to make phone calls, and he questioned whether they could do that now.

MS. NARLOCH said that she was checking references now on the candidates that were interviewed. She noted that she would have those reference comments by next Tuesday or Wednesday for review in preparation for the Wednesday meeting. She noted that there would be a list of references where she would indicate who she spoke to. She added that she was getting permission from each reference so that somebody else could call them; however, she asked that she be allowed to finish that. She stated that when a decision

was made regarding a candidate, she would do the background check, in addition to any background check the City performed.

COMMISSIONER PEERMAN asked whether background or reference information would be available to the Commission by Wednesday, which she was concerned was not enough time to discuss at Wednesday's meeting.

MS. NARLOCH said that she would try to get the information to the Commission by Tuesday.

COMMISSIONER PEERMAN stated that Ms. Narloch was going to provide references; however, she felt that as the Commissioner, she wanted to call the Commissioners to see how the candidates worked.

MS. NARLOCH suggested waiting until the Wednesday Workshop to see who was being focused on, because she did not want anybody to get in trouble where they were currently working.

VICE MAYOR BRYAN asked whether the information was public.

MS. NARLOCH agreed; however, she was not yet calling their direct bosses, until the Commission knows which candidate they wanted.

MAYOR RUZZANO thanked Ms. Narloch and Director of Human Resources Jackie Wehmeyer, for their assistance with the process.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:31 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo


Joseph J. Kavanagh, City Clerk

Date: 5/4/16