

MINUTES OF WORKSHOP
DANIA BEACH CITY COMMISSION
CITY MANAGER INTERVIEWS
WEDNESDAY, FEBRUARY 13, 2019 – 9:45 A.M.

1. Call to Order/Roll Call

Mayor Lewellen called the meeting to order at 9:54 a.m.

Present:

Mayor:	Lori Lewellen
Vice-Mayor:	Lauren Odman
Commissioners:	Chickie Brandimarte Bill Harris Tamara James
City Attorney:	Thomas J. Ansbro
City Clerk:	Thomas Schneider

Renee Narloch, of the search firm S. Renee Narloch & Associates, gave an overview of the selection process to date and discussed the procedures for today's interview. She noted two candidates selected by the Commission to be interviewed removed themselves from the process, leaving Ana Garcia, former City Manager of the City of North Miami Beach. She also noted some Commissioners had one-on-one interviews with Ms. Garcia on February 5th at City Hall.

Commissioner Brandimarte noted she is not comfortable with this meeting and objected to there being only one candidate, as it makes it a one-person race. She also noted she asked Ms. Narloch to poll the other Commissioners as to whether they would feel comfortable with this and also asked her to take someone else to put in this race to run as a second candidate. This is not candidates' questions; it is a one-horse race, and she has no questions and may leave the meeting. She wants the candidate to win fairly; this is not a win and feels it is a farce. Our residents would feel the same way if this meeting had been held at 5:00 p.m. She added candidates have an "s" on the end and even two candidates would have been fine.

Ms. Narloch responded she appreciates this is not the ideal situation. The last directive she received from the Commission was to move certain candidates forward; those other candidates dropped out and/or got jobs elsewhere. If the Commission wants to give her a different direction today, she would be glad to do that. She noted Ms. Garcia has competed for this job; we have had over 75 applicants for this job and she had to compete on paper with other candidates and with Ms. Narloch herself in preliminary interviews. She wants to be fair to our candidate and does not want Commissioner Brandimarte to feel Ms. Garcia is not qualified or not deserving to be interviewed.

Commissioner Brandimarte noted she suggested someone else to Ms. Narloch and asked her to poll the Commission on it.

Ms. Narloch responded she did not understand Commissioner Brandimarte was giving her a directive to poll the Commission on that and she did not.

Commissioner James noted she has received several messages asking why this meeting is not being broadcast live. She felt it should be live since there is only one candidate.

The Commission consensus was to broadcast the meeting live.

Mayor Lewellen explained it is important that we go forward today, but she did ask Ms. Narloch if there are any other candidates we perhaps overlooked who would be qualified and we should be considering. She said Ms. Narloch indicated the majority of applicants had already taken other jobs. She agreed it would be ideal to have more people here, but we are in the situation we are in. We need to move forward with this; we can address anything more, if needed, when we are finished.

2. Interviews

Ana Garcia, former City Manager of the City of North Miami Beach, provided an overview of her work experience and explained how her background prepared her for this position. She described her leadership and management style, and experience with economic development and redevelopment, budgeting and financial management, strategic planning and visioning, capital improvements and prioritization of projects, coastal management, and affordable housing. She addressed what we would learn about her if a cross-section of citizens were contacted, her views on employee unions and outsourcing, how she would establish credibility and build trust with the elected officials, residents, and staff, her engagement with employees, and how she would encourage, motivate and develop staff, and promote morale within the organization. She also addressed the hiring of family members within the organization, the most difficult management decision she has had to make, and how the City Commission, City Manager, and staff should deal with increased demands for services with continuing fiscal constraints.

Ms. Garcia described the performance improvements she would make in managing workload and projects, the ideal relationship between the City Commission and City Manager, and the City Commission and staff, and cultivating a culture of trust. She addressed her departure from the City of North Miami Beach, team building within departments and within the Commission, and what she perceives to be the opportunities and challenges facing the City of Dania Beach now and in the future. She also described her approach to ethics in the workplace and why she could never compromise her ethics or principles, what she would expect to have accomplished as the new City Manager by the end of the first 90 days and first year, the passion she would bring to the job in order to continue the forward movement and her expectations of passion from the employees. She addressed how she would deal with employees who have not been invested in with needed resources and professional development, intergovernmental affairs with the CRA with public/private partnerships, with Broward County, and with the Housing Authority. She explained the importance of having knowledge of each department aside from information provided by department heads, and why she is interested in this position.

Vice-Mayor Odman asked about holding a special meeting to have a vote if there is consensus to do so.

City Attorney Ansbro explained the two different ways to do this pursuant to the Charter if the Commission desires to do an employment contract. He advised the Commission could begin negotiations now on a contract as long as public notice is published five days before a public hearing on the contract is set. Typically, in the past, after discussion of what the Commission would like to see in a contract, they have delegated to the Mayor, who works with the City Attorney, to come up with a contract. Once a candidate agrees to the terms, then a date for the public hearing would be set.

Vice-Mayor Odman questioned whether the Commission wanted to do a special meeting to get the process started sooner or wait until the next Commission meeting on February 26.

Mayor Lewellen felt we first need to determine if there is a consensus to move it forward.

Commissioner Harris noted he is comfortable moving the process forward with a contract to hire Ms. Garcia.

Commissioner James asked about having a discussion of any concerns the Commissioners might have. She thinks Ms. Garcia fits a style that would induce change in the City that could be great or could be worrisome. With anyone hired, there will be a period of transition and it may be uncomfortable. She feels 90 days is not long enough to evaluate anyone; it will take 6-10 months to see if it is going the way we want it to go. She wants some sort of safety net; her opinion is that the contract should not be guaranteed until a certain time if certain things are not met. There will be a change in leadership here that will trickle down to every employee.

City Attorney Ansbro explained it is not unusual for a Commission to appoint a City Manager by resolution without a contract if the applicant is willing to do it. If you have a contract, the maximum term is three years. You could negotiate a contract for a year and renew it, but not beyond a 3-year term.

Commissioner James said she does not want to do just a resolution because there is no security for the candidate, and felt no candidate would take a one-year contract. She questioned putting certain stipulations in a contract.

Mayor Lewellen asked if the Charter would impact the Commission's ability to do something if something major happened.

City Attorney Ansbro responded the contract would control and he reviewed what the Charter prescribes for the contract.

Commissioner Brandimarte commented the candidate would not settle for anything less than a three-year contract in order to protect herself because she knows the Commission will change in two years.

Mayor Lewellen felt the Commission should discuss their likes or dislikes about Ms. Garcia.

Commissioner James noted as a Commission, if we choose to move forward with her, we have to buy into this system, even if it is uncomfortable and unorthodox from what we have previously experienced. She added she has done due diligence on Ms. Garcia.

Commissioner Harris said after his one-on-one and phone interview, he feels comfortable with working with her and seeing what she can do. He felt this is the right person at the right time to make the move.

Commissioner Brandimarte noted this would be an aggressive change; she likes what Ms. Garcia wants to do but does not think her aggressiveness will go over well with our employees.

Vice-Mayor Odman commented she loves this tough candidate, how unapologetic and smart she is, and her forethought. She is tough and has high expectations; these are what the Commission, City and employees need. She did have concern for our employees in regard to the privatization Ms. Garcia had done, but during her one-on-one with her, she addressed this extensively. She was honest about the decisions she had made and did not back pedal. The one quality she would pick in a leader is that unapologetic honesty and she hopes the Commission moves forward with Ms. Garcia.

Commissioner Harris commented it is how you internalize and view change whether it is a positive or negative thing. He likes her grit and tenacity, and is perfectly comfortable with developing a contract.

Mayor Lewellen said she appreciates the point Commissioner James made about change. No one really likes change; the Commission is a testament to change being hard. We will still see that, not with just City staff, but also with residents and the City Commission, no matter who the candidate is. She would use the word assertive for Ms. Garcia, which is a good quality in a leader. That she is willing to meet with people, listen to them, and observe is a way to soften those changes. This is helpful in making the transition easier. She likes her enthusiasm and likes that she prepared a paper document for each Commissioner; this tells her that Ms. Garcia is really interested and wants the job. Also, the fact that she has been taking her own personal time to visit the City, watch our meetings, and see the things that are going on, is someone who is thinking ahead and wants to be part of our City. She is enthusiastic, wants to do things and has a vision. Mayor Lewellen noted she is disappointed there are not more candidates and asked Ms. Narloch if there is someone else who we need to interview before making a decision.

Ms. Narloch responded she checked the applicant pool and no one has applied since our last meeting. She does not believe we missed or overlooked anyone. If the Commission decides they must talk to additional candidates, it would require going out and doing another round. She felt to be fair to Ms. Garcia, she would not recommend holding her over until we do another round.

City Attorney Ansbro noted the Commission could not vote at today's meeting, but could express their preference.

The Commission consensus, with the exception of Commissioner Brandimarte, was to move forward with a contract with Ms. Garcia.

City Attorney Ansbro explained the Commission could individually contact him with elements they would like in the contract and he will incorporate them in a draft.

Commissioner James asked for samples of City Manager contracts.

Ms. Narloch noted she needs to know who the contract point person is for negotiations.

The Commission agreed City Attorney Ansbro would be contract point person.

Ms. Narloch also noted, moving forward, anything we do with a contract or negotiations is contingent on backgrounds clearing, which will happen as quickly as possible. She added, typically, she does not see a one-year contract; it takes two years for someone to get their feet on the ground. She addressed other elements of a typical contract, including performance (separation with cause) and separation without cause (severance pay), all of which are negotiable items. She added scheduled performance reviews are tied to this and should be part of the contract.

City Attorney Ansbro reviewed terms for termination with and without a contract.

Commissioner James wants the contract to provide for a 4/5 vote to let the City Manager go; otherwise, it can sway too easily.

Vice-Mayor Odman and Commissioner Harris agreed to a 4/5 vote without cause to terminate.

Mayor Lewellen noted she is unsure if she is comfortable with it and needs to look into it further.

City Attorney Ansbro said this tells him we are not ready to set a hearing until there is time to collect all of what the Commission wants to do to offer a contract with these terms.

Commissioner James asked for clarification of when we need a 4/5 vote to terminate a City Manager.

City Attorney Ansbro reviewed the Charter requirements when the appointment is made by resolution. Since we are dealing with a contract instead, he would put in the contract to terminate without cause would require a 4/5 vote.

Commissioner Brandimarte said we just went through that with Bob Baldwin; he had no contract and the only way to terminate him was with four votes.

Ms. Narloch noted she asked Ms. Garcia where she would like to be salary wise. She volunteered that she was at \$210,000 in North Miami Beach and would not go higher than that; she would go lower, but as close to \$200,000 as possible. Ms. Narloch recommended

establishing a range of \$180-200,000 so that the City Attorney knows a range in which he can move forward. She encouraged the Commission to establish a range in this discussion to move us along farther.

Vice Mayor Odman's range was \$190-200,000.

Mayor Lewellen's range was \$185-200,000.

Commissioner Harris' range was \$190-200,000, based on surveys of comparable sized cities in Broward County.

Commissioner James' range was \$190-\$200,000.

Commissioner Brandimarte's range was \$185-\$200,000.

City Attorney Ansbro noted the majority is in favor of the \$190-\$200,000 range, which is where the offer would start out. He asked if the Commission wished to have the Mayor as the point person with him or have him do it alone.

The Commission agreed City Attorney Ansbro would do it alone, with each Commissioner communicating with him.

Commissioner Harris asked if we could have a date certain for the contract.

City Attorney Ansbro responded that would not be possible until negotiations are concluded. According to the Charter, the contract can be executed after a public hearing is held, as long as there is five days' notice prior. He noted he had done several negotiated contracts and it takes about two weeks. The Commission could tentatively set it for February 26 and it could be advertised; if the contract is not done by then, it could be withdrawn.

The Commission agreed to put the contract on the February 26, 2019 Commission agenda.

City Attorney Ansbro noted he would include car allowance, cell phone allowance, vacation hours, personal leave and sick leave, which are standard items in a contract. Ms. Garcia may request more and we will know if she does.

Commissioner James thanked Ms. Narloch for all of the work she has done.

Ms. Narloch thanked everyone for working with her in this process.

Mayor Lewellen thanked Ms. Narloch for being available during this process; it is not a done deal yet and we may have more questions for her.

3. Adjournment

Mayor Lewellen adjourned the meeting at 12:14 p.m.

ATTEST:


THOMAS SCHNEIDER, CMC
CITY CLERK



CITY OF DANIA BEACH


LORI LEWELLEN
MAYOR

Approved: February 26, 2019