



**CITY OF COOPER CITY
CITY COMMISSION**

**COMMISSION SPECIAL BUDGET MEETING MINUTES
WEDNESDAY
SEPTEMBER 4, 2019 at 6:30 PM**

1. Pledge of Allegiance

Mayor Ross opened the meeting at 6:30 PM and led the assembly in the pledge

2. Roll Call

Present were Commissioners Pulcini, Meltzer, Green, Curran and Mayor Ross.

3. Public Comments (each member of the public is allowed to speak for four (4) minutes)

David Nall asked that the votes from the City Manager meeting be made public. He spoke on his thoughts on the candidates. Mr. Moore was qualified but had an issue with a lawsuit. Mr. Raducci was very qualified but his arrogance blew him away. Mr. Jones has leadership but is lacking in Finance. Mr. Mason is his choice. He also stated that his comments that he is in full support of Mr. Jones were inaccurate. He said if the Commission hires Mr. Jones, it is up to Mr. Jones as how it will go.

Josef Shlomi, 11360 Lake Shore Dr, 27-year resident, neighbor of Mr. Jones spoke on his support of Mr. Jones.

Paul Higdon, 11310 Lake Shore Dr, spoke in support of Tom Jones.

Mayor Ross spoke on Hurricane Dorian and how happy he is we didn't experience any harmful weather. He also thanked Interim City Manager Sims for her handling of the personnel issues and keeping the Commission updated.

Mayor Ross also advised that he did not reveal the names of votes casted at the previous meeting and he will read those into the record tonight.

First Round

Commissioner Curran – Thomas Jones
Commissioner Meltzer – Brian Raducci
Commissioner Pulcini - Brian Raducci
Commissioner Green – Thomas Jones
Mayor Ross – Michael Moore

Second Round

Commissioner Curran – Thomas Jones
Commissioner Meltzer – Brian Raducci
Commissioner Pulcini – Thomas Jones
Commissioner Green – Michael Moore
Mayor Ross – Mark Mason

Third Round Rank 1st and 2nd

Commissioner Curran – 1 st - Thomas Jones	2 nd – Brian Raducci
Commissioner Meltzer – 1 st - Brian Raducci	2 nd – Mark Mason
Commissioner Pulcini – 1 st – Brian Raducci	2 nd - Thomas Jones
Commissioner Green – 1 st Thomas Jones	2 nd - Michael Moore
Mayor Ross – 1 st Michael Moore	2 nd - Mark Mason

Fourth Round

Commissioner Curran – Thomas Jones
Commissioner Meltzer – Brian Raducci
Commissioner Pulcini – Thomas Jones
Commissioner Green – Thomas Jones
Mayor Ross – Brian Raducci

4. Resolution 19-9-7

a. City Attorney Horowitz read " RESOLUTION OF THE CITY COMMISSION OF COOPER CITY, FLORIDA, APPOINTING THOMAS JONES AS THE COOPER CITY CITY MANAGER, IN ACCORDANCE WITH SECTION 4.01(1)(A) OF THE CITY CHARTER; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. by title"

Commissioner Green thanked all the candidates who interviewed. He said that precedent was established by the last City Manager so we followed process and we hired an independent company and threw process of elimination we had four finalist. Mr. Jones received three votes. The resolution was passed unanimously. He advised we need a permanent city manager for all that have a stake in this community. He believes Mr. Jones will serve in that capacity. It's also been brought to attention that he had a previous relationship with Mr. Jones, he has known him for a year but no interaction to him prior to him transferring to South Florida. He also advised he reached out to the City Attorney to have an opinion from the ethics commission to assure everything he is doing is above board.

Commissioner Meltzer thanked the Mayor for making the ballots public as it got passed him on Friday night as well. He advised he met with Mr. Jones and he is his kind of guy. He voted for Mr. Raducci because the city needs someone with a strong finance background he also has concerns with the lack of municipal experience from Mr. Jones. He will not be supporting the Resolution tonight.

Commissioner Pulcini said initially his first two picks were Raducci and Mason he voted for Mr. Jones ultimately because he believes he is a great guy to lead the City. He believes he can be everyone's friend. He said any City Manager needs to be able to work with everyone. He believes the person we hire needs a 5 all vote. He believes Mr. Jones could be a strong leader but he needs the support of the Commission.

Mayor Ross said not once did he vote for Mr. Jones due to the lack of municipal experience. He met with Mr. Jones for a second time and he is very thoughtful and thought provoking. The difficulty is when faced with a Mark Mason or Michael Moore he falls short. The other items of concern where Mr. Jones's applying at several other cities. There were 3 other cities that said no for the lack of municipal experience. He said Cooper City could not afford to train on the job. He asked the City Attorney if the ethics opinion has been received.

City Attorney Horowitz he said that the ethics opinion was perused; the opinion is in draft and provides him 100% clearance to vote with no conflict. The opinion however is a staff opinion only. It goes before the ethics committee later this month. It will not be a final opinion until stamped by the Chair of the Ethics Commission.

Mayor Ross said he does not believe today is his time.

MOTION: To approve Resolution 19-9-7. **Moved by Commissioner Curran. Seconded by Commissioner Green. Commissioners Pulcini, Meltzer and Mayor Ross, No. Commissioners Green and Curran, Yes. Motion failed.**

City Attorney Horowitz spoke on the next direction of the commission. This Commission controls the process. The Commission can hire another firm or continue in house.

Commissioner Pulcini asked about the warranty from the Slavin contract.

City Attorney Horowitz said if the Commission wanted to try and enforce the guarantee his office can persue that but he did abandon the contract.

Mayor Ross asked how much we paid Mr. Slavin.

Mrs. Sims said about \$16,000.

Mayor Ross made a motion that he not receive any other payment as request in his termination letter.

MOTION: Do not pay anything further to Slavin Consultants. **Moved by Mayor Ross. Seconded by Commissioner Meltzer. All aye on roll call vote. Motion passed.**

Commissioner Meltzer asked how we proceed with the other candidates.

City Attorney Horowitz advised the option is up to the Commission.

Commissioner Curran asked if we need to reopen to everyone.

City Attorney Horowitz advised it is at the Commissions will.

Commissioner Meltzer said he moved forward with the previous 3 candidates.

Commissioner Pulcini wants to precede with new candidates, as the Commission did not agree before.

Commissioner Meltzer asked how do we proceed as he did like hiring an agency to remove bias. But that did not help us after all.

Mayor Ross believes we can do it in house, the candidates received were in house he does not see where we benefit from a head hunter. He wants to open the position again and the Clerk can advertisement it in the all local/state/national agencies.

Commissioner Curran asked if we hire Mr. Jones and it did not work out in a year what is the payout.

City Attorney Horowitz advised that offer would be subject to contract negotiations.

Commissioner Curran said that it's been 8 months and we have department heads leaving, BSO swirling out of control, optimist program swirling out of control. This city needs a City Manager and needs it now. It is important to know the five of us cannot run the city. He said he would of supported any 3 vote to get the City back on track. He understands some expect Finance ability but we have a great Finance Department. He agreed with Commissioner Pulcini and he asked the Commission to reconsider and think what is best for the residents, employees and the City.

Commissioner Meltzer said all five Commissioners do have different visions of a City Manager and that's what led them to this impasse.

Commissioner Green stated if Mr. Raducci did receive three votes he was ready to be the fourth. He said we have talked about process and transparency and for us to consider to go back out and start this over again we are doing the residents a disservice. A resident made a comment to think outside the box. This is outside the box and I hear it is not that some anticipated but it just may be the right decision and what he is hearing is the majority does not feel that way. He believes it is a mockery of this process to start again we cannot guarantee a 5-0 vote on the next round. He said the charter says it needs to be a 4-1 vote, give the individual an opportunity to do the job. He wants to stop holding up the process so staff can have stability.

Commissioner Pulcini asked if we could contact Mr. Raducci and see if he is interested.

Commissioner Meltzer said if we had a candidate that received three votes Commissioners Curran and Green said they would support that decision so we should contact Mr. Raducci.

Commissioners Green and Curran advised that was on Friday, not moving forward.

Mayor Ross said Mr. Raducci said he wanted five votes.

Commissioner Pulcini said a City Manager should have full support.

Commissioner Meltzer said he told Mr. Jones if the vote went 4-1 and he was the descending vote he would have his full support as City Manager.

Mayor Ross said he feels the same as Commissioner Meltzer; he would support him if he were the descending vote as well. He said he asked a long time ago how about having an Assistant City Manager and he was not supported. He does believe we can not afford to train on the job and he can not settle. He needs to give the position to a qualified individual. He has no issue in seeing if the other four candidates are still interested. Mrs. Sims is doing a great job but she has indicated she wants out. We have a choose to reopen, go back to the three, or hire a new interim. He stated that Commissioner Curran will be leaving soon so they are looking to him to have faith in the other Commissioners.

Commissioner Meltzer said yes it's a matter do we want to spend the money, and at this point he doesn't want to. He would like to keep it in house. He also is fearful that they will not agree on a City Manager.

Commissioner Pulcini said it seems we have a split Commission.

Commissioner Green said Commissioner Curran had said initially at the end of the day we had two candidates narrowed down and, he is not in favor of going back out. The charter is clear that the City Manager needs to be hired by four votes. Collectively we can get four with and the individual that tied with Mr. Jones. The decision needs to be made. He hears what Mr. Pulcini has to say with a 5-0 vote but we have a diversity of opinions. We need to continue to press forward and move forward.

Commissioner Curran asked if it would do any good to have a talk about a one-year contract with Mr. Jones. He said we all look to the mayor to be a leader. He said Commissioner Meltzer said he has a vision. He said Mayor your employees need you to put stability in the city. He said we have 109 employees looking for direction and 3300 who voted you in to make the hard decisions. He does not believe going back out to find candidates will be fruitful.

Commissioner Meltzer said regarding Kathryn Sims she came on 6 months ago at a difficult time and always been a constant professional. We have a lingering contract with BSO that needs to be addressed.

Mayor Ross said the contract issues are not on Kathryn but rather BSO.

Commissioner Meltzer answered no it's not on Kathryn. He believes its time for Kathryn to go back to her previous role. He made a motion to hire Patrick Lynn as Interim City Manager.

Commissioner Meltzer spoke on Mr. Lynn. He said he expressed an interested in the position he's a 26 year resident he has 35 years in public administration, 10 of which as a Police Chief in the town of Davie. He led a staff of 300 plus in Pembroke Pines. 199 sworn and 67 civilian in Davie and a 45 million dollar budget. He is what we need to move further quicker.

Mayor Ross said there is a difference between Pat Lynn and Tom Jones. Tom Jones is looking for longevity. Taking a chance is not what the Mayor is looking to do to Mr. Jones. Pat Lynn has municipal experience. He is familiar with the neighboring cities. He also thanked Kathryn when she was thrown in to many situations for her constant work ethic. Kathryn did finally get BSO to answer the question about vacancies. Therefore, he asked why are we paying more to get less back. It does not make financial sense. Let's cut vacancies and save money. One deputy on the average is \$145,000 so cutting two would save 290,000. He appreciates that information that Kathryn received.

Commissioner Curran said he doesn't know Mr. Lynn. He has never spoken to him. He said the issue between Commissioner Green knowing Tom Jones, could be the same issue that some know Mr. Lynn. He said he is

unsure of how we got to this point. He believes this is an insult to Mrs. Sims. He said he does not support this.

Commissioner Green said it's very disappointing to hear an motion to hire an interim City Manager who never expressed interest to be City Manager. We hired him to be a consultant and out of nowhere, we are making a motion to hire an individual who came from nowhere. This is not transparent. He said he heard rumors that this will take place. He said he has not had any contact with Mr. Lynn about this position. He said we went through a process and narrowed it down to two people. We directed the City Attorney to draft a Resolution and know there is a Motion to hire Mr. Lynn. He said he spoke to Mr. Lynn once when he was hired as the BSO contract consultant. He will not be supporting this.

Commissioner Pulcini had one conversation with Mr. Lynn when he applied for the consultant position and they talked public safety. He sat on the PSAB with him and he was not very talkative so he cannot say he knows him. He said he did not know Mr. Jones and thought he would be a great City Manager. He said maybe Mr. Lynn could help find a permanent City Manager. He asked the Commission to compromise.

Commissioner Curran said he did not go through the process.

Commissioner Pulcini said there is no process for hiring an interim.

Commissioner Curran said the impact is on the residents and the employees.

Commissioner Pulcini said before he was Commissioner he sent an email to the Commission to not extend the previous City Manager. He said now we are a Commission that cannot compromise. He asked the Commission to compromise

Commissioner Curran said the previous City Managers contract extension was due to waiting for the next Commission members and have him in that time work on the BSO contract. He said he was trying to avoid having no City Manager in place.

Mayor Ross said Commissioner Curran wrote the check that the commission had to cash. It does not matter what happened we are here now and Kathryn has done a great job. She has done her time professionally and she should be rewarded of going back to what she does great as Clerk. Pat Lynn is a professional and is a good choice. Commissioner Pulcini is right there is no process for any interim. He is not saying Mr. Lynn is the answer to it all but it is a step in the right direction. Someone to face challenges from bucket trucks to optimist. He has been involved and will take off running. He said we need a change in the right direction.

Commissioner Curran said Mr. Lynn was hired to take BSO off Mrs. Sims's plate so she could run the City. He also asked why Pat Lynn was let go from Davie.

Mayor Ross does not know.

Commissioner Meltzer answered he retired.

Commissioner Curran said we are telling Mrs. Sims we do not need your help.

Commissioner Meltzer said we do need her help as city clerk and risk manager. She has been a constant professional and he has grown to know her and she has done a great job. Additionally it's time to consider compensating her for the last 8 months.

Commissioner Pulcini asked the Commission to compromise and work together as a team.

Commissioner Curran said it's the process that is an issue.

Mayor Ross said he never voted for Mr. Jones and he has stayed consistent.

MOTION: To hire Patrick Lynn as Interim City Manager. **Moved by Commissioner Meltzer. Seconded by Mayor Ross. Commissioners Pulcini, Meltzer and Mayor Ross, Yes. Commissioners Green and Curran, No. Motion passed**

City Attorney Horowitz will work with Mr. Lynn on contract terms.

Mayor Ross said we can still look for a City Manager.

Commissioner Pulcini asked if Pat Lynn could help in the search.

Mayor Ross said he does not know if Mr. Lynn he will be applying for permanent City Manager.

Mayor Ross asked if the Commission would like to search using a firm or in house.

Consensus was reached to do the City Manager efforts in house.

Commissioner Green asked if the City Attorney would bring back a contract

City Attorney Horowitz said he will prepare a contract but the Commission will need to negotiate business terms or direct administrative staff to do that.

5. FY20 Revised Proposed Budget Presentation

Commissioner Meltzer asked if we should wait until the new City Managers aboard.

Mayor Ross advised he has not been signed to a contract yet.

Kathryn advised these are proposed changes they are not final numbers. They will be included in the budget later this month for final approval. BSO numbers are preliminary.

Mrs. Walker presented the following changes based on the Commission workshops.

Fire assessment was set at the rollback rate.

CDBG grant additional \$5000 added in.

EMS Transport program taken out to be cautious as it is not guaranteed.

The Optimist contract fee of additional \$150,000 added in.

Building services fund was increased due to the proposed rate increase.

Road and bridge fund – Adjusted transfers in and out. The Water and Sewer contribution to the General Fund was removed.

Removed Merit and COLA.

Eliminated one position \$35,000.

FICA healthcare renewal rates came in at \$121,000 savings.

Reduction in cell phone stipend.

City commission

\$3,000 per commission

Removed Florida League of Mayors Membership

Removed SSID

Administration

Marketing firm removed.

Quarterly Newsletter Funding and Postage removed.

Removed Florida Benchmarking membership.

City clerk

Removed excel training and workplace safety.

Removed SSID funding.

Finance

Changed Travel local
Removed medical dues for new hires,
Duplicate funding removed

Boards and Committees

Reduced funding by 50%.

Non-departmental –

Removed duplicates.
Removed funding for small events.
Decreased school assistance expense by \$25,000
Decreased donations by \$31,000

Growth Management

Removed contractor for CDBG Grant.

Property and Maintenance

Removed SSID funding.

Public Works

Reduced the supplies irrigation line by \$1600

Police and Fire

Based on contract negotiations, Police is proposed to go down by \$792,000.
Added two crossing guards at \$22,000.

Fire

Reduction in rent and payment for radios.

Recreation

Sports officials' fee paid to Optimist.
Removed some capital items

General fund CIP

Removed card access citywide.
Removed replacement of fences.

Police Compensation Fund

Reduced Contingency.

Water and sewer utility fund

In Water Distribution removed funding for a truck.
Wastewater Transmission removed funding for truck and portable generator.

Customer Service Department

Decreased registration and education based on historical rates.
Removed SSID Funding

Water and Wastewater Administration

Adjusted insurance liability
Removed reroof of water plant.
Deferred the replacement of lift station 46.

Commissioner Pulcini said this is not an ideal budget but Sherry you made a miracle. Next year we will not take the same route but Mrs. Walker did a great job. He also asked Captain Cates if he agree to the savings for Police.

Captain Cates we are still in negotiations but he would like to be involved on where cuts will be.

Commissioner Pulcini said in regard to personnel we will rely on your expertise.

Commissioner Meltzer asked would it be possible to provide a detail of proposed BSO cuts. He also does not believe it's a good idea to cut the newsletter. He asked if the chamber of commerce was reduced.

Mrs. Sims said it was done.

Commissioner Meltzer asked Mr. Bailey the funding for the trucks is that something you can live without

Mr. Bailey answered we can go another year.

Commissioner Meltzer also asked about the generator.

Mr. Bailry answered it would be new so the intent is to operate lift stations when the power goes out. We have one and we can go another year. The roof has a persistent leak but it will do.

Commissioner Green asked about lift station 46.

Mr. Bailey answered it's about 40 years old about he can probably make it last another year.

Commissioner Green asked if the \$200,000 is to keep it running.

Mr. Bailey said that is for rehabilitation.

Commissioner Curran asked if BSO makes more cuts can we go back and add projects back in on the City side.

Mrs. Sims answered yes.

Commissioner Curran said he has issues with cutting needs such as the roof replacement or the lift station. He said that BSO needs to make cuts as we did. He said that if funding becomes available we want to see a priority list. He doesn't want the card access to be forgotten and he wants the weight room to be taken care of and it can be a revenue generator. He thanked everyone who worked on the budget.

Mayor Ross asked about the drill injector.

Mr. Bailey said the bids are on the streets but he said the City does not have a choice its state mandated.

Mayor Ross congratulated Ted Fowler as he is going to Broward County and leaving the City.

Mayor Ross asked Sherry to include that in the budget. He also asked about the Bucket Truck.

Mrs. Yoezle said after exploring benefits of leasing that information is coming to the Commission.

Mayor Ross said Chief was right he does not get involved in personnel but he has concerns on vacancies, paying more and receiving less. He said he has not heard anything from Fire or Police on ways to cut the budget.

Chief Caruso said those talks are at happening at negotiations.

Mrs. Sims advised BSO is aware of what the City can pay.

Commissioner Pulcini asked if he could be a participant in the budget process. He would like a motion to have the Commission agree that he can participate.

City Attorney Horowitz answered it is a public record even in draft.

Commissioner Pulcini wants to be a participant in the process to see how it is generated.

City Attorney Horowitz said staff needs flexibility to do job. There may be only logistical challenges with schedules. Seeing the records is no issues. Any Commissioner can sit with the City Manager and review the budget.

Commissioner Meltzer asked about Stirling Road formally in the budget.

Mrs. Yoeszle answered it was on a list of projects not in the budget.

Commissioner Meltzer asked when Stirling Road will be resurfaced.

Mrs. Yoeszle said she believes we are perusing MPO.

Mr. Wood said we need to initiate Stirling Road as a project.

Commissioner Pulcini asked when last year.

Mr. Wood said the six projects were approved when Mr. Loucks was here.

Commissioner Pulcini wants direction to initiate Stirling road is a priority.

Commissioner Green said the Commission had to submit projects a year in advance and there is no guarantee.

Mrs. Sims said we could change projects after the MPO is staffed.

Commissioner Curran asked if we could update the list.

Mrs. Sims answered yes.

Commissioner Curran wants to look at review those projects. He asked if Stirling Road is more crucial than the other projects.

Commissioner Pulcini said that connectivity streets will be priority.

Mayor Ross said he does not believe Cooper City will receive priority. It may be a priority to us but compared to Ft Lauderdale we are small.
Mayor Ross said it's a 30 year program

Commissioner Pulcini said checks to be cut in 2020.

Mayor Ross said we will do our share and maybe we will get fortunate.

Commissioner Meltzer asked to make Stirling Road a priority.

Denise in conjunction with resurfacing Stirling we need drainage work and it will increase costs.

Commissioner Meltzer said we need to look at costs because it needs addressed soon.

Commissioner Curran asked how long of a road are we speaking of.

Mrs. Yoezle answered from Flamingo to Palm in both directions. Both sides.

6. Commission Discussion

7. Additional Public Comments (each member of the public is allowed to speak for an additional two (2) minutes)

Ryan Shrouder gave a recommendation of giving HR guidelines to include in the Interim City Manager contract. Delays may come into place if base perimeters are not issued.

Commissioner Meltzer made a motion as the following:

1. Interim Manager Lynn start immediately
2. Full time employee with similar benefits as employees
3. Starting pay will be same rate as Mrs. Sims.

Seconded by Mayor Ross.

Commissioner Curran said he may already have health benefits and he should not make what Kathryn did as she wore many hats. Let's look at the fair market value of an interim city manager.

Mrs. Sims advised she can ask other cities what they pay Interim City Managers but it will probably be based on what the City Manager was making.

Mayor Ross said the pay range could be between \$96,000 to \$135,000.

City Attorney Horowitz advised Mr. Lynn would not start until the contract is approved. The document we be prepared assuming he can coordinate with Mr. Lynn and his council.

Consensus was reached to agree to Interim Manager Lynn starting immediately he would be a Full time employee with similar benefits as employees. Salary range from \$96,000 to \$135,000.

Commissioner Meltzer wants to add an item to the next agenda compensating Mrs. Sims for her time served as Interim City Manager.

Commissioner Curran said he would like to change Mrs. Sims title to City Clerk/Assistant City Manager.

MOTION: Interim Manager Lynn will start immediately he would be a Full time employee with similar benefits as employees. Salary range from \$96,000 to \$135,000. **Moved By Commissioner Meltzer. Seconded by**

Mayor Ross. Commissioners Pulcini, Meltzer and Mayor Ross, Yes. Commissioners Green and Curran, No. Motion passed.

MOTION: Add Assistant City Manager to Kathryn's current title. **Moved by Commissioner Curran. Seconded by Mayor Ross. No vote called.**

Commissioner Green said if we proceed in that way it takes away from process. It leaves no opportunity for anyone to apply. As he applauds Mrs. Sims in a job well done. He does believe this should be done by a process.

Commissioner Meltzer asked to add this item to a future agenda.

Commissioner Pulcini said he asked to add this prior and he was told the next City Manager would make that decision.

Mayor Ross said he believes the Charter states only the City Manager can issue the position of Assistant City Manager. He asked Mr. Horowitz if as acting she could make the position.

City Attorney Horowitz said she has full authority as City Manager.

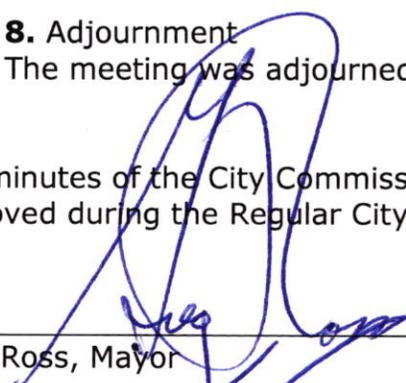
Mayor Ross said Mrs. Sims could create the position with the Commission support.

David Nall , said he agrees that Stirling Road is horrible. He also said the first half of this meeting was a political show because nothing has changed in 15 years. We would not be discussing this if Bruce Loucks were not fired in April. He did not lead this city he was kept because there was an agenda to keep him. He also spoke on the BSO contract and the delay.

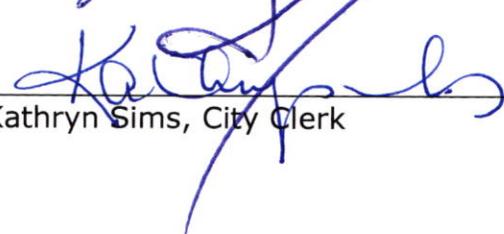
8. Adjournment

The meeting was adjourned at 9:01 PM.

The minutes of the City Commission Special Meeting of September 4, 2019 were approved during the Regular City Commission Meeting of November 5, 2019.



Greg Ross, Mayor



Kathryn Sims, City Clerk

NOTICE: This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 954-434-4300 ext. 220, not later than two days prior to such proceeding. One or more members of the City of Cooper City Advisory Boards may be in attendance and may participate at the meeting. Anyone wishing to appeal any decision made by the Cooper City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Agenda items may be viewed online at www.coopercityfl.org or at the Office of the City Clerk, City of Cooper City, 9090 SW 50 Place, Cooper City, Florida, 33328, 954-434-4300.