



SPECIAL CITY COMMISSION MEETING MINUTES

Tuesday, August 24, 2021

7:30 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Mayor Bill Ganz at 7:30 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

Present: 5 - Commissioner Todd Drosky
Commissioner Michael Hudak
Commissioner Bernie Parness - via Zoom
Vice Mayor Ben Preston
Mayor Bill Ganz - via Zoom

Also Present: 3 - City Manager David Santucci
City Attorney Anthony Soroka
Assistant City Clerk Heather Montemayor

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

There was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF CITY COMMISSION AGENDA

August 24, 2021

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve the agenda as submitted. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Parness, Vice Mayor Preston and Mayor Ganz

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

- 1. Resolution 2021/130 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a settlement in the litigation styled *City of Deerfield Beach vs. Kristina S. Clothier, et. al. and City of Deerfield Beach vs. Kristina S. Clothier*; providing for the purchase of certain beach lots; authorizing execution of documents necessary to effectuate the settlement; providing for implementation and an effective date.**

The Resolution was read by title only.

Commissioner Parness arrived via Zoom at 7:32 p.m.

Anthony Soroka, City Attorney, outlined the settlement terms: removal of the RV on the two (2) private beach lots owned by Ms. Clothier; payment from the City to Ms. Clothier in an amount of \$485,000; City acquisition of said lots, which equal just over a ½ acre of beach; provides the City the right to inspect prior to closing the purchase transaction, so an environmental inspection can be

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

conducted; provides for a mutual general release of both parties; and indemnification for the City with respect to the RV. Further, he said a \$300,000 payment will be provided at closing, which is tentatively scheduled for September 30th, and the remaining balance of \$185,000 will be provided by November 1, 2022.

Mayor Ganz opened the public hearing; however, there was none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

MOTION was made by Commissioner Drosky, seconded by Commissioner Hudak, to approve Item 1, adopted Resolution 2021/130. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Parness, Vice Mayor Preston and Mayor Ganz

Nays: 0

In response to Mayor Ganz's question, Mr. Soroka replied that the environmental inspection can be scheduled as soon as possible, and closing is tentatively scheduled for September 30th, whereby, documents have already been sent to the proposed closing agent; therefore, everything should be finalized within 4 - 5 weeks.

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY - No Report.

CITY MANAGER

Hybrid Meetings - David Santucci, City Manager, advised the Commission that the hybrid meeting request will expire on September 2nd and asked if they wished to extend it for another 30 days.

Mayor Ganz opened the public hearing; however, there was none to speak and the public hearing was closed.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Preston, to extend hybrid meetings for another 30 days. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Parness, Vice Mayor Preston and Mayor Ganz

Nays: 0

CITY COMMISSION BUSINESS**2. Discussion and potential action regarding the City Manager's Evaluation.**

Anthony Soroka, City Attorney, said the City's contract with the City Manager provides for an annual performance evaluation, which were completed by the Commission and submitted to the Clerk's Office. Further, he explained that as part of the evaluation procedure, the Commission must orally discuss their evaluations and compensation adjustments.

Commissioner Hudak said overall he is pleased with the City Manager's performance over the past year, as his leadership during COVID has been outstanding; however, there are some areas that he would like to see improvements. He said when issues are brought to the City Manager's attention, they are handled in a timely manner, but the elected officials and/or residents should not always be pointing these issues out; whereas, a proactive approach must be taken. Further, Commissioner Hudak said in the last year, the City lost a Parks and Recreation Director and an Assistant City Manager, neither of which were here for an

CITY COMMISSION BUSINESS - CONTINUED

entire year. Although parks and recreation staff continued to push through and get the job done, strong leadership must be provided to enhance the City. Lastly, Commissioner Hudak said community relations must be improved to ensure that residents feel they are heard when issues arise, i.e. flooding issues in District 1; nevertheless, overall, the City Manager has done an excellent job.

Commissioner Drosky reiterated his issues from last year regarding the evaluation form as he cannot evaluate the City Manager on some of the criteria because he is not here day to day; nonetheless, the score is higher than last year, but some of the categories outlined in the form prevents an even higher score. Further, Commissioner Drosky said this was an unprecedented year with COVID, and the City Manager handled it well and was even able to provide a millage reduction in the upcoming year; however, there are areas of improvement. He asked that the City Manager delegate more, so his time can be spent on broader issues. Thereafter, he outlined ways tasks could possibly be delegated, i.e. electronic system that tracks complaints/requests. He said the elimination of the second city manager was unfortunate but applauded the City Manager for his realization of the situation. Commissioner Drosky said his goals for the City Manager moving forward include another decrease in the millage rate next year; revival of the artificial reef project; continue exploring P3 opportunities to help with city facilities, i.e. fire stations; and continued advancement of four corners redevelopment. He stated that last year his final score was 236.50, and this year 250.33, which is not high, but he again reiterated that certain categories cannot be adequately rated.

Commissioner Parness said he scored the City Manager very high because the City has been in crisis since he took this position and things have been handled extremely well. He explained that the City Manager takes direction from the Commission and follows through to assure things are getting done whether delegated or not. Commissioner Parness said there's always room for improvement, i.e. better communication, but Mr. Santucci has shown he is the right person for the job. Further, he stated that the City Manager came down with COVID and continued to work from home demonstrating his care for the City. Thereafter, he applauded the improvements to the baseball fields for the Little League Championship. Commissioner Parness said Mr. Santucci has earned his respect and he hopes he holds the City Manager position for a long time.

Vice Mayor Preston applauded Commissioner Hudak for bringing forth the evaluation process but agreed with Commissioner Drosky that many of the categories are subjective, making it impossible to evaluate the City Manager. Further, he stated that the City Manager has grown in this role. When the City needed a leader, Mr. Santucci stepped up and has continued to show why he is the best person for this position as he continues to get better; nevertheless, there are always areas of improvement. He said more attention to detail is needed and suggested additional administrative training, so our administration can grow. Furthermore, staff buy-in must be established to help with employee morale, as we do not want our employees coming in just to collect a paycheck. He also stated that he hopes the City Manager encourages the management team to bring forth their suggestions and ideas, as their buy-in is important as well. Vice Mayor Preston stated that he would also like to see a stronger initiative from the City Manager's Office to unite the districts and suggested that staff reach out to the community to see what's going on. Lastly, he applauded the City Manager for a job well done thus far and encouraged him to remain humble.

Mayor Ganz agreed with Commissioner Parness that Mr. Santucci has dealt with one crisis after another since he took this position, and although he has done well in some areas, some need improvement. Mayor Ganz said while this is a formal evaluation, he is continuously giving the City Manager feedback regarding his duties and responsibilities. Thereafter, he commented on a previous discussion with Mr. Santucci; whereas, he took the criticism and feedback very well and has been working on making improvements. Mr. Santucci has the enthusiasm, cooperation and willingness to adapt, which he scored high; however, this evaluation covers the entire year, not just the last few months. He said Mr. Santucci's strengths include his individual characteristics, as he represents the City very well; responsiveness to citizen requests, which he hopes will be delegated more; dedication to the community and citizens; forthcoming with the media to ensure everyone is informed; and his fairness in understanding the needs/concerns of the community. Furthermore, he said areas of improvement include citizen satisfaction with city services; encouraging directors to make decisions without a lot of involvement, which may help with communication, execute tasks and build morale. Mayor Ganz said his biggest concern is the inability to follow through when providing the Commission with proactive information.

CITY COMMISSION BUSINESS - CONTINUED

Continuing, Mayor Ganz commended Mr. Santucci on fiscal management due to COVID but stated that better communication should have been provided to the Commissioners and public, so everyone had a better understanding of where cuts were being made. Thereafter, the goals from last year were outlined: budget efficiencies, improved communication, improve checks/balances, and city maintenance and upkeep. He stated that budget efficiencies have been improved, as well as the checks/balances; however, city maintenance and upkeep has diminished, and communication has regressed. Mayor Ganz reiterated that he has seen improvements since their conversation, and looks forward to seeing additional improvements; however, his overall review is barely average at 414. He listed the goals for this upcoming year: proactive policy/decision making when it comes to tackling the needs of the City; overall city maintenance; upcoming projects, i.e. Center for Active Aging, Tigner Center, City Hall, etc. need to be carried out; re-evaluation of the offshore reef; and communication. Lastly, Mayor Ganz said the City has an excellent person in this position who is excelling in many areas but has work to do in other areas; nevertheless, he looks forward to seeing Mr. Santucci grow.

David Santucci, City Manager, thanked the Commission for their honest feedback as it will help with his personal growth. Further, Mr. Santucci said he strives to have positive relations with key organizations, non-profit, etc. In response to Commissioner Hudak's comment regarding community relations, he stated that the planning, designing and building of the stormwater infrastructure should resolve the flooding issue. In response to Commissioner Drosky and Vice Mayor Preston's concern regarding the evaluation, he suggested working with them both on re-evaluating some of the categories as he does not want his score to be a reflection of the form itself and wants the Commission to provide an assessment based on the knowledge they have. Mr. Santucci said the fiscal responsibility of the City is important to him, so he appreciates the acknowledgement and efforts; nevertheless, the General Fund is about average to where it was in 2019 and over time the millage rate has been reduced which is important for the residents.

Continuing, Mr. Santucci said moving forward he will try and delegate more, so he can concentrate on the bigger picture. Currently, staff is working on the implementation of an electronic customer relationship management system that will enable staff to track and respond better to citizen and elected officials' complaints/requests. In response to Commissioner Drosky's comment, he advised that public safety facilities and zoning changes will be outlined in the public safety master plan. Further, he thanked Commissioner Parness for his accolades. Additionally, he explained that leadership development for the executive team was planned for June but had to be rescheduled for September, which will help develop relationships and provide better communication. The strategic plan was also pushed back; however, even with limited resources it has been a priority of his to resume with the plan, as it will be the guiding document for this organization over the next five (5) years. Mr. Santucci said COVID has brought forth many obstacles for staff in both their professional and personal life, but we must move forward with the initiatives of the City as they are crucial to the success of the organization. He said he is a very humble person but the successes that the Commission sees in him are the successes of staff and the organization.

Moreover, Mr. Santucci said improvements needed in the City are one of his top priorities now and into the budget year, whereby, staff development will provide new perspectives on ways to implement innovative solutions on how to improve the look of the City and maintain and manage it. In regard to communication, he suggested a sit down with each of them to discuss strategies on how communication can be better. Thereafter, he provided a brief overview on how he revamped the Commissioners weekly report, so that information can be provided timely and stated that better reporting mechanisms may be needed, so information can be data driven. He commented on his excitement regarding the capital improvement program being implemented and hopes that the various capital projects outlined in this year's budget will be brought forward. Lastly, Mr. Santucci thanked the Commission again for their honest feedback.

Commissioner Hudak stated that he believes an increase is warranted but would like his colleagues' feedback.

Mayor Ganz said increases for this position cannot be looked at as the other positions within this organization; however, if an increase is granted it must be based on where the position is moving salary wise compared to other cities. He opined that there should be no increase this year, and it should remain status quo; nonetheless, he likes that the Commission can grant an increase at certain points in time, as it

CITY COMMISSION BUSINESS - CONTINUED

has not been done in the past. Further, he stated that an increase should not be given every year, as it is already a high salaried position, comparable to other cities, and the reward is the position itself. Mayor Ganz reiterated that an increase should not be given this year.

Vice Mayor Preston stated that during the hiring process for this position, he recommended that the salary start at the lower end of the scale because Mr. Santucci was not seasoned, but he was out voted. Although he has seen growth and improvement in Mr. Santucci's development, he agreed with Mayor Ganz that an increase should not be given at this time as more work needs to be done; nevertheless, as more improvements and growth are made an increase can be granted at that time.

Commissioner Drosky advised that during the initial hiring of the City Manager, Mr. Santucci was not his top choice, but he has been pleased with the decision that was made. Furthermore, when the Commission was deciding his salary, he voted on the higher end because he felt that compensation was warranted to give him the opportunity to succeed. He agreed with Mayor Ganz that we must stay competitive with other cities, but he is unsure where those salaries reside; therefore, he cannot make a decision as he does not have the informative data and suggested that it be brought forward.

Vice Mayor Preston said the information would not be a factor for him as it should be based on whether he is doing a good job and deserves the increase.

Commissioner Parness said overall he feels Mr. Santucci has done a good job but improvements are needed; however, it shouldn't hold back the Commission from giving him an increase. Thereafter, he commented on discussions regarding employee morale. He stated that Mr. Santucci has a great deal of responsibility, and although he doesn't have a number, he feels a small increase is warranted and he would vote for it. Lastly, he reiterated that improvements are needed, but we all need to improve in one way or another; nevertheless, Mr. Santucci has put forth the effort and it should be rewarded.

Commissioner Hudak said Mr. Santucci took a 10% pay cut when COVID started, which shows a great deal of leadership and believes that he has improved since first becoming the City Manager. Further, he stated that when the Commission was making their decision, data was provided from surrounding cities; nonetheless, he agreed that the data should be provided again because he believes this salary is at the lower end. Thereafter, he commented on the importance of taking care of our employees. Commissioner Hudak agreed that improvements must be made, but reiterated that Mr. Santucci has excelled in many areas and hasn't gotten an increase in a year and a half; therefore, he suggested that a cost of living adjustment be given, as he believes it is outlined in his contract, whereby, if a decision is not made it's automatically given.

Anthony Soroka, City Attorney, said there is a provision outlined in the City Manager's contract stating that if the Commission fails to perform an annual evaluation, which is being done at this moment, then he would be entitled to an annual increase based on the CPI or 3%, whichever is less.

Mayor Ganz said a salary increase for the City Manager has never been given in years' past, unless the Commission was trying to remove a person from the position. Further, he stated that individuals pushed for an evaluation to be provided every year, which he agreed with, but disagreed with an increase each year. Mayor Ganz said this position is paid a lot of money and it was purposely positioned in a range that provided competitiveness with surrounding areas. If individuals on this Commission wanted to grant an increase this evening, then they should have come prepared with the data. He advised that he did not come with informational data because he does not think an increase is warranted at this time; therefore, he stated that he would pass the gavel and make the motion that the evaluation has come forward and an increase should not be given.

Thereafter, the gavel was passed to Vice Mayor Preston and a motion was made by Mayor Ganz to not grant the City Manager an increase.

In response to Vice Mayor Preston's question, Mr. Soroka replied that as the Chair he cannot second the motion. Further, he advised that action does not need to be taken but if the Mayor wishes to make a motion it can move forward as such.

CITY COMMISSION BUSINESS - CONTINUED

Mayor Ganz said since the evaluation has been completed, he wants to assure that an automatic increase is not given. If no action is needed, then he will withdraw his motion.

Motion was made Commissioner Parness to provide an increase based on the CPI.

In response to Mayor Ganz's question, Mr. Soroka replied that the CPI is different each month, but he believes the latest is 5.4%; nevertheless, he suggested that the Commission come up with a number rather than referencing the CPI.

Motion was made by Commissioner Parness to grant the City Manager a 3% increase.

There was no second.

MOTION was made by Commissioner Drosky, seconded by Commissioner Parness, to give the City Manager a 2.5% increase. Roll Call:

Prior to roll call, Mayor Ganz opened the public hearing.

Peggy Noland, 325 SE 3rd Terrace, Deerfield Beach, spoke in opposition to an increase. She stated that the City has never paid a city manager with no city manager experience \$200,000. Further, she said the City is still facing hard times, and the Commission has no idea what the employees will receive; therefore, she suggested that this motion be denied. Thereafter, she commented on his tenure as the City Manager and stated that \$200,000 is a lot of money.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, spoke in opposition to an increase. Further, she said this was a big step for Mr. Santucci and although she has had very good experiences with him, she believes there is still room for growth. Thereafter, she asked if this can be looked at again in six (6) months, so the Commission has time to look at surrounding areas.

Mayor Ganz closed the public hearing.

In response to Ms. Clarke-Reed's question, Mr. Soroka replied that the contract contemplates consideration of salary adjustment at the time of performance evaluation; however, if the Commission wanted to reconsider in six (6) months, they could. Ultimately, it is Mr. Santucci's decision.

Mr. Santucci said he prefers to abide by the contract, whereby, if an increase is not warranted this year, it can be discussed again next year. Thereafter, he outlined his experience with the City: Purchasing Manager, Assistant to the City Manager, Assistant City Manager, Acting City Manager for six (6) months before becoming the official City Manager, which he has held for almost two (2) years.

Mayor Ganz said he respects everyone's opinion but stated that Mr. Santucci started out as a director, which is not an easy position. Further, the last city manager who served for many years was an assistant to the city manager and came up through Information Technology; therefore, he disagreed with Mr. Santucci not being qualified. Mayor Ganz said not only does his municipal government background make him a good person for this position, but his military service as well.

Vice Mayor Preston agreed; thereafter, he reiterated that he did not agree with starting him at \$200,000 as he did not feel that it was warranted because of his inexperience as a city manager and an increase should not be granted at this time.

Yeas: 2 - Commissioner Drosky and Commissioner Parness

Nays: 3 - Commissioner Hudak, Vice Mayor Preston and Mayor Ganz

Motion failed by 3-2 vote.

ADJOURNMENT

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston to adjourn the meeting at 8:54 p.m. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Parness, Vice Mayor Preston and Mayor Ganz

Nays: 0

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk