



City of Hallandale Beach
City Commission
400 S. Federal Highway
Hallandale Beach, FL 33009

Mayor Joy F. Cooper
Vice Mayor Keith S. London
Commissioner Michele Lazarow
Commissioner Anthony A. Sanders
Commissioner Anabelle Taub

Interim City Manager Jennifer Frastai
Interim City Attorney Andre McKenney
City Clerk Mario Bataille, CMC

Meeting Minutes

Thursday, December 1, 2016

6:30 PM

Commission Chambers

Joint Special Meeting

THIS MEETING IS A JOINT SPECIAL MEETING BETWEEN THE CITY OF HALLANDALE BEACH CITY COMMISSION AND HBCRA BOARD OF DIRECTORS

1. CALL TO ORDER

Vice Mayor London called the meeting to order at 6:32 PM.

2. ROLL CALL

Present: 4 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Absent: 1 - Commissioner Sanders

Interim City Attorney Mckenney and Interim City Manager Frastai were also present.

Vice Mayor London opened the floor to public participation.

Freddy Perera, legal counsel to City Manager Daniel Rosemond, introduced himself to the City Commission and the HBCRA Board of Directors.

Rodger Skipper spoke in support of the suspension of City Manager Rosemond.

Interim City Attorney Mckenney advised the City Commission to refrain from responding to Mr. Skipper's comments, as he is in active litigation with the City.

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, that the Protocol Manual Rules and Procedures be suspended for the entire duration of the meeting. The motion carried by the following vote:

Ayes: 3 - Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 1 - Mayor Cooper

Absent: 1 - Commissioner Sanders

Mayor Cooper shared her support to retain City Manager Rosemond, expressed her concern with respect to the Special Counsel, and asked City Clerk Bataille to disseminate a draft General Release that was referenced at the November 29, 2016 Special Meeting.

A motion was moved by Mayor Cooper to enter into negotiations with Special Counsel Gray Robinson to adopt the General Release draft as originally presented. The motion failed due to a lack of second.

Rob Raymond spoke in support of team collaboration amongst the members of the Commission.

Csaba Kulin congratulated Commissioners Lazarow and Taub for their election victory and spoke in support of change in administration.

Consensus: to change the City Commission City Manager Special Meeting/Workshop to commence at 6:00 PM starting in January 2017 and to schedule the HBCRA Board of Directors to commence immediately after the City Commission City Manager Special Meeting/Workshop.

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, to place a supplemental agenda item to discuss the Protocol Manual at the December 7, 2016 Regular Commission Meeting Agenda. The motion carried by the following vote:

Ayes: 4 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 0

Absent: 1 - Commissioner Sanders

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, to place a supplemental agenda item to discuss the Dixie Highway and Hallandale Beach Boulevard intersection and to direct staff to invite FDOT and Broward County Traffic Control to partake in the discussion at the December 7,

2016 Regular City Commission Meeting . The motion carried by the following vote:

Ayes: 3 - Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 1 - Mayor Cooper

Absent: 1 - Commissioner Sanders

A motion was moved by Mayor Cooper to place a supplemental agenda item to discuss hiring procedure, qualifications, and salary ranges for the City Attorney position at the December 7, 2016 Regular Commission Meeting. The motion failed due to a lack of second.

3. PLEDGE OF ALLEGIANCE**4. CITY BUSINESS**

- A. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH TAKING THE FIRST STEP TO REMOVE AND TO TERMINATE THE EMPLOYMENT OF CITY MANAGER DANIEL ROSEMOND PURSUANT TO CITY CHARTER; PROVIDING MR. ROSEMOND WITH THE OPPORTUNITY TO REQUEST A PUBLIC HEARING; AND SUSPENDING MR. ROSEMOND WITH PAY FOR A PERIOD NOT TO EXCEED FORTY-FIVE (45) DAYS PENDING FURTHER COMMISSION ACTION. (SPONSORED BY COMMISSIONER MICHELE LAZAROW)

City Clerk Bataille introduced the item.

Special Counsel Zelkowitz provided a brief overview of the item.

Interim City Attorney McKenney explained the various steps of the removal and termination process of the City Manager which is outlined in the City Charter.

Freddy Perera, legal counsel to City Manager Rosemond, provided an explanation for the various allegations made at the last Special Meeting with respect to travel reimbursement to the City for City Manager Rosemond's daughter and allegations regarding Segrera & Associates.

City Manager Daniel Rosemond spoke in opposition to the various allegations made against him and proceeded to enumerate his qualifications and years of experience in the field of Public Administration and Community Development.

Interim City Attorney McKenney elaborated on the action to be taken which is to approve the Resolution if it is the pleasure of the Commission to initiate the removal of

City Manager Rosemond and to determine the suspension period not to exceed 45 days.

Enrique Betancourt spoke in opposition to the manner in which City Manager Rosemond reimbursed the City for his daughter's airfare.

Rob Raymond voiced his concerns with respect to Item 8B and spoke in support of fostering more economic development in the City.

Vice Mayor London recessed the meeting at 8:05 PM.

Vice Mayor London reconvened the meeting at 8:13 PM.

Responding to Rodger Skipper's questions, Interim City Attorney McKenney clarified if the City Manager was to be suspended, he would receive remuneration until the effective date of his termination. Interim City Attorney McKenney also clarified there are no City provisions that provide for the payment of attorneys fees.

Responding to Mayor Cooper's questions, Special Counsel Zelkowitz explained he has an engagement letter with the HBCRA in which he charges \$225 an hour for his time. The initial engagement as Special Counsel is to draft Resolutions, attend public meetings, and to possibly negotiate a severance agreement for \$225 an hour. If the matter results in litigation, however, a litigation budget would have to be established.

Special Counsel Zelkowitz mentioned the HBCRA also adheres to the City's Procurement Code.

Interim City Attorney McKenney read Section 23-8, subsection 2, Professional Services of the Procurement Code into the record.

Special Counsel Zelkowitz mentioned there's a replacement of Exhibit A, thereby changing the language. The changes were electronically distributed to Mayor Cooper and Commissioner Sanders.

Consensus: to incorporate the revised exhibit as part of the resolution's supporting documentation.

Attorney Perera made some final remarks with respect to working with the City to find an amicable resolution to the matter.

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, that this Resolution be approved. The motion carried by the following vote:

Ayes: 3 - Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 1 - Mayor Cooper

Absent: 1 - Commissioner Sanders

A motion was made by Director Lazarow, seconded by Director Taub, to remove Executive Director Rosemond from his official HBCRA capacity and to appoint Acting Executive Director Frastai as the Interim HBCRA Executive Director. The motion carried by the following vote:

Ayes: 4 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 0

Absent: 1 - Commissioner Sanders

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, to remove Executive Director Rosemond from his official HBCRA capacity and to appoint Jennifer Frastai as the Interim HBCRA Executive Director.

Acting City Manager Frastai requested the motion to include a "favored nation clause." In the event action is taken as Interim City Manager in which the Commission may be in disagreement with, Acting City Manager Frastai will resume her role as Deputy City Manager.

Acting City Manager Frastai also recommended the City Commission postpone any major policy decision until the permanent City Manager is hired.

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, to appoint Acting City Manager Jennifer Frastai as the Interim City Manager and to include a Favored Nation Clause as part of the appointment. The motion carried by the following vote:

Ayes: 4 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 0

Absent: 1 - Commissioner Sanders

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, to appoint Acting City Attorney Andre McKenney as the Interim City Attorney and to include a Favored Nation Clause as part of the appointment. The motion carried by the following vote:

Ayes: 4 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 0

Absent: 1 - Commissioner Sanders

Vice Mayor London adjourned the Joint meeting at 8:50 PM.

Vice Mayor London reconvened the Special Meeting at 9:00 PM.

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, to adjourn the Joint Meeting and to reconvene the Regular City Commission. The motion failed by the following vote:

Ayes: 4 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 0

Absent: 1 - Commissioner Sanders

Vice Mayor London elaborated on his suggestions as it relates to the hiring procedure and minimum qualifications for the prospective City Manager and City Attorney positions.

Csaba Kulin provided provided historical reference with respect to the hiring practice of the previous City Managers.

Mayor Cooper requested staff research the recruitment and hiring process of the last national City Manager search the City conducted.

The Commission conceded to direct staff to bring forth a discussion item on the recruitment and hiring procedure for the City Manager and City Attorney positions for City Commission consideration at the December 7, 2016.

5. ADJOURN

There being no further business, Vice Mayor London adjourned the meeting at 9:44 PM.