

**BAL HARBOUR VILLAGE COUNCIL MEETING MINUTES**  
**SPECIAL MEETING – SEPTEMBER 10, 2013**

A Special Meeting of the Bal Harbour Village Council was held on Tuesday, September 10, 2013, at the Bal Harbour Village Hall Council Chambers (655 – 96<sup>th</sup> Street, Bal Harbour, Florida).

**1. CALL TO ORDER/ROLL CALL:** The meeting was called to order at 7:02 p.m. by Mayor Rosenfield. The following were present:

Mayor Jean Rosenfield  
Assistant Mayor Joni D. Blachar  
Councilwoman Patricia Cohen  
Councilman Martin Packer1  
Councilman Jaime M. Sanz

Jay R. Smith, Interim Village Manager  
Ellisa L. Horvath, MMC, Village Clerk  
Richard J. Weiss, Village Attorney

**2. PLEDGE OF ALLEGIANCE:** The Pledge was led by the Council.

**3. DISCUSSION AND SELECTION OF VILLAGE MANAGER:** Mayor Rosenfield reviewed the following list of Village Manager semi-finalists: Jorge M. Gonzalez, David Hebert, Robert “Bob” Kellogg, Sharon Lynn, Micah Maxwell, and Roslyn Weisblum. She reviewed the interview process, which included public meet and greet receptions.

Mayor Rosenfield requested public input.

***Neil Alter - 9801 Collins Avenue***, spoke in favor of Jorge Gonzalez.

***Lynne Bloch-Mullen - 10150 Collins Avenue***, spoke in favor of Jorge Gonzalez.

***Dan Holder - 24 Bal Bay Drive***, spoke in favor of someone who was the best qualified, would be happy staying with the Village at the salary that could be afforded, did not do outside consulting, would be totally focused on the Village, and had the same kind of vision as the Council and residents.

The Council discussed the interview process and the highly qualified candidates.

Assistant Mayor Blachar distributed and reviewed news articles she just received, regarding Mr. Gonzalez, which had not been provided by Mr. Baenziger. She voiced concern with the articles, since Bal Harbour was trying to move forward with a good image. Councilman Packer noted that there was something written on every one of the candidates, because they were public officials, and comments made by people who didn't like them. He

didn't know if any of the comments were true, but thought it was out of order if any charges were being made that a person could not rebut. He spoke in favor of proceeding.

Assistant Mayor Blachar noted that the Baenziger firm had not provided these articles, but they were brought to her attention and she felt it was her job to share them with the Council. She clarified that she was not saying anything bad about Mr. Gonzalez, but discussed the employees under him who had been arrested, sent to prison, etc.

Councilman Packer discussed one of the candidates who worked for a Mayor that was arrested and questioned if that was a reflection on him. Assistant Mayor Blachar noted that candidate was David Hebert, who was an Assistant City Manager in Homestead.

Mayor Rosenfield noted that there had been negative statements about all of the candidates, including Sharon Lynn, who she thought was phenomenal. She spoke in favor of a more positive discussion.

Councilman Sanz clarified that he read the articles and researched the candidates.

Assistant Mayor Blachar clarified that she wanted to make the Council aware of the articles and how she felt. She clarified that David Hebert and his boss, along with other Councilmembers, had reported the Homestead Mayor to the Ethics Commission and the State Attorney's Office. She thought that spoke to Mr. Hebert's character. She reviewed the Miami Beach employees who had been arrested, sent to prison, etc., when Mr. Gonzalez was the Manager.

**Beth Berkowitz - 10160 Collins Avenue**, discussed the things reported about Bal Harbour recently, which weren't true, which she felt should be taken into consideration. She clarified that there were newspapers that wrote things to generate their interest. She thought that dirt could be found on everyone.

**Anamarie Kelly Stoppa - 77 Camden Drive**, thought it would have been nice to have the articles sooner.

Assistant Mayor Blachar spoke in favor of selecting David Hebert, based on his attendance at numerous meetings, his continued interest in the Village, glowing recommendations, etc. She reviewed the salaries for the candidates and discussed the salary that Mr. Gonzalez was accustomed to making (\$331,000.00), which the Village was not offering. She added that Mr. Gonzalez wanted to continue doing consulting work or at least finish his current obligations (depending on the contract negotiations), unless the Village's compensation package was different. Assistant Mayor Blachar thought that Mr. Gonzalez was too expensive and the Village needed someone that concentrated on the Village full time. She didn't think that Mr. Gonzalez could separate the two. She would like someone who devoted all of their time, at a cost the Village could afford, which is why she spoke in favor of Mr. Hebert.

Mayor Rosenfield noted that Mr. Gonzalez had said that his consulting work would not interfere with his daily work as manager. She discussed the articles and the tendency for some of the papers to be vindictive. She discussed a petition by Eduardo Garcia, who she didn't know, regarding Mr. Gonzalez.

Assistant Mayor Blachar clarified that she wasn't bringing up Mr. Gonzalez's character or anything negative about him. She just wanted to bring up the incidents of people who worked under him who were arrested and sentenced to prison.

Councilman Packer noted that all of the candidates knew what the salary was for the manager position when they applied.

The Council was provided with ballots for their selection of Village Manger. Councilman Packer called in his vote to Mrs. Horvath, which she marked on a ballot with his name.

The Council marked 1 for their first choice and 2 for their second choice.

Mr. Weiss read the following results of the ballots:

Councilman Packer: First - Jorge M. Gonzalez; Second - Sharon Lynn  
Mayor Rosenfield: First - Jorge M. Gonzalez; Second - David Hebert  
Councilman Sanz: First – Jorge M. Gonzalez; Second – Sharon Lynn  
Assistant Mayor Blachar: First - David Hebert; Second - Roslyn Weisblum  
Councilwoman Cohen: First – Jorge M. Gonzalez; Second – David Hebert

Mr. Weiss reported that Jorge M. Gonzalez was chosen as the Village Manager.

Mr. Weiss suggested that the Council authorize Mr. Baenziger to negotiate a contract with Mr. Gonzalez. He preferred to stay out of the negotiations, since he would need to work with Mr. Gonzalez.

Councilman Sanz clarified that the maximum salary was \$180,000.00.

Assistant Mayor Blachar thought that the Village should have a second backup. Mr. Baenziger noted that would be Mr. Hebert, since he was the Council's second choice. Mr. Weiss agreed.

**A motion was offered by Mayor Rosenfield and seconded by Councilman Packer to have Mr. Baenziger negotiate a contract with Jorge Gonzalez, with a cap of \$180,000.00, and come back to Council for approval. Failing to come to an agreement with Mr. Gonzalez, Mr. Baenziger will move to David Hebert, with the same instructions.**

Mayor Rosenfield requested public input.

**Dan Holder - 24 Bal Bay Drive**, requested that outside consulting by the Village Manager not be allowed.

Councilwoman Cohen thought that should be negotiated. Mr. Weiss suggested that Mr. Baenziger be provided with some parameters for negotiations.

**Colin Baenziger – Colin Baenziger & Associates**, suggested that he put in the contract that Mr. Gonzalez would only undertake consulting projects, with the Council's approval.

Assistant Mayor Blachar wanted a full time Village Manager and spoke against allowing consulting work.

Councilman Packer had faith that Mr. Baenziger would be able to negotiate a contract with Mr. Gonzalez, but thought that the parameters of the contract should be available to the Council. He understood that Mr. Gonzalez was also a teacher. He requested that the Council be kept apprised of how the negotiations were going. Mayor Rosenfield also thought that Mr. Gonzalez was doing consulting work for the City of North Miami Beach.

***Darcee Siegel – 169 Camden Drive*** (City of North Miami Beach Attorney), was not aware of Mr. Gonzalez doing consulting work for the City of North Miami Beach.

Mr. Weiss requested that parameters be provided for the contract.

Mayor Rosenfield spoke against allowing outside consulting work, other than for Mr. Gonzalez to complete his existing consulting jobs.

Assistant Mayor Blachar spoke against allowing any consulting work or the completion of existing consulting contracts.

Mayor Rosenfield thought that the consensus was that the Village wanted a full time manager. She thought that it would be fair to allow Mr. Gonzalez to finish his existing consulting projects.

Councilman Sanz wanted to know what Mr. Gonzalez could and couldn't do, before moving on to the second choice.

Assistant Mayor Blachar requested that televising the meetings be on the next Council agenda.

***Dina Cellini - 211 Bal Cross Drive***, spoke in favor of leaving the option open for Mr. Gonzalez to do consulting work, with the Council's approval.

Assistant Mayor Blachar discussed the amount of consulting work that Mr. Gonzalez would have to do, to make up the difference in his salary.

Councilman Packer suggested that an evaluation at the end of one year be included in the contract.

Assistant Mayor Blachar pointed out that the Village decided not to hire the other Manager candidate (Steven Alexander), due to his consulting work.

***A motion was offered by Councilman Sanz and seconded by Councilwoman Cohen to direct Mr. Baenziger to negotiate a contract with Mr. Gonzalez (\$180,000.00 salary cap) and to allow Mr. Gonzalez to do consulting with prior approval of the Council. The motion carried (4-1), with Assistant Mayor Blachar voting no.***

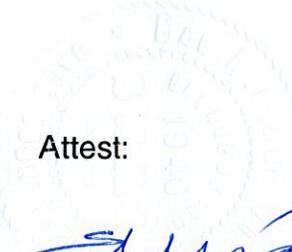
Mr. Baenziger will come back with a contract, once he has spoken with Mr. Gonzalez.

Mayor Rosenfield will contact Mr. Gonzalez, with the results of the vote.

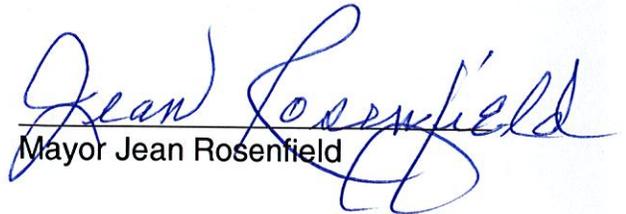
The original motion (shown on page 3) failed (2-3), with the roll call vote as follows: Assistant Mayor Blachar yes; Councilwoman Cohen no; Councilman Sanz no; Mayor Rosenfield yes; Councilman Packer no (via telephone).

**4. ADJOURN:** There being no further business, a motion was offered by Councilman Sanz and seconded by Councilwoman Cohen to adjourn. The motion carried (5-0) and the meeting was adjourned at 8:22 p.m.

Attest:



  
Ellisa L. Horvath, MMC, Village Clerk

  
Mayor Jean Rosenfield