

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000 - Fax: (561) 243-3774

www.mydelraybeach.com



Minutes - Final

Friday, March 1, 2019

3:30 PM

Special Meeting at 3:30 PM

Delray Beach City Hall

City Commission

Mayor Shelly Petrolia

Vice Mayor Adam Frankel

Deputy Vice Mayor Shirley Ervin Johnson

Commissioner Bill Bathurst

Commissioner Ryan Boylston

Pursuant to Section 3.12 of the Charter of the City of Delray Beach, the Mayor has instructed me to announce a Special Meeting of the City Commission to be held for the following purposes:

At 3:30 p.m. Mayor Petrolia announced that the meeting would start in 15 minutes.

The City Attorney announced this Special meeting is being held according to Section 4.02 of the City of Delray Beach Charter. For the record, the City Attorney stated the reason the meeting began at 3:45 p.m. is to comply with the 72 hour notice and noted there is a quorum present with Vice Mayor Frankel appearing via Skype due to the extraordinary circumstances that have occurred. The City Commission concurred that this is permissible.

The roll call was taken by the City Clerk.

The following were in attendance:

Mayor Shelly Petrolia
Vice Mayor Adam Frankel (via Skype)
Deputy Vice Mayor Shirley Ervin Johnson
Commissioner Bill Bathurst
Commissioner Ryan Boylston

Others present were:

Mark R. Lauzier, City Manager
Lynn Gelin, City Attorney
Katerri Johnson, City Clerk
Julia Davidyan, Internal Auditor

SP.1. [19-285](#) Discussion regarding City Manager's performance pursuant to Section 4.02 of the City of Delray Beach Charter.

Attachments: [Attachment](#)

Mayor Petrolia gave a brief opening statement into the record.

Mayor Petrolia opened the public comment.

Timothy Boykins, 2554 Dolphin Drive, Delray Beach, stated the City Manager engaged himself in the community and was always professional. Mr. Boykins urged the City Commission to give the City Manager a chance.

Christina Buckley, 250 Congress Park Drive, Delray Beach, commended the City Manager and she urged the City Commission to not change the

leadership of the city.

Kevin Osborn, 621 Allen Avenue, Delray Beach, stated it is difficult to make comments without fact and urged the City Commission to defer public comment until after some information is presented.

Arlene Houston, 1327 High Point Way S.E., Delray Beach, strongly supports the leadership of the city and noted the City Manager was a big factor knowing how to allow inclusion and setting the pathways.

Roy Simon, 201 N.W. 11th Street, Delray Beach, commended the City Manager for his professionalism and his ability to get the city organized.

Bill Branning, 9 N.E. 2nd Street, Delray Beach, Chairman of the Delray Beach Chamber of Commerce, stated the City Manager serves on this board with him and people in the business community commend and recognize the City Manager for his professionalism, for raising morale within the city, and for the progress he has been able to achieve.

Andrew Haynes, 630 S.W 7th Avenue, Delray Beach, urged the City Commission to look at what the City Manager has accomplished during the short time he has been with the city.

Morris Carstarphen, 619 S.W. 7th Avenue, Delray Beach, commended the City Manager for his professionalism and willingness to listen to the community.

Kelli Freeman, 917 Banyan Drive, Delray Beach, stated she hopes that the issue can be resolved and urged the City Commission to keep the stability of the city by keeping Mr. Lauzier as the City Manager for Delray Beach.

Billy James McCray, 140 N.W. 4th Avenue, Delray Beach, stated he feels Delray Beach is moving forward and urged the City Commission to not change the city's leadership.

Bob Winston, resident of Parkland, stated the City Manager is a man of integrity and has done good work. Mr. Winston stated if there is an issue with the process, then the City Commission should change the process.

Reverend Howard Barr, 46 S.W. 10th Avenue, Delray Beach, supports the City Manager and spoke briefly about being judgmental.

Peter Arts, 1746 Fern Forrest Place, Delray Beach, gave a few comments in support of the City Manager.

Dr. Josh Smith, Jr. 3616 Avenue De Gien, Delray Beach (Chatelaine), stated he is impressed by the City Manager's professionalism and sincerity. He urged the City Commission to take some factors into consideration in making their decision with regard to the purpose of this meeting.

Jim Chard, 401 S.E. 4th Avenue, Delray Beach, stated he feels that the City Manager has done an exceptional job and that he is very engaged with the community.

Yvonne Odom, 3905 Lowson Boulevard, Delray Beach, urged the City Commission to have compassion and publicly noted that she appreciates the City Manager. However, she expressed concern over the consequences of what he has done.

There being no one else from the public who wished to address the City Commission, Mayor Petrolia closed the public comments.

The City Attorney confirmed with the City Commission if it is their will to move forward with Section 4.02, the City of Delray Beach Charter provision for termination. It was the consensus of the City Commission to move forward.

The City Attorney read an opening statement into the record and discussed the exhibits presented to the City Commission.

Julia Davidyan, Internal Auditor was sworn in by the City Clerk.

The City Attorney asked a series of questions of Julia Davidyan, Internal Auditor.

The City Manager gave a brief cross-examination and stated an amicable separation agreement can be placed on the regular City Commission meeting of March 12, 2019.

The City Manager stated he asked for the packet at 11:00 a.m. yesterday and received the information at 3:06 p.m.

Commissioner Boylston left the dais at 5:25 p.m. and returned at 5:26 p.m.

Each City Commission member gave a brief explanation to support their recommendation.

It was the consensus of the City Commission to terminate City Manager Mark Lauzier for cause.

Vice Mayor Frankel moved to approve the termination of City Manager Mark Lauzier for cause. It was seconded by Deputy Vice Mayor Johnson. A roll call vote was taken and all were in favor. The motion carried 5-0.

The City Attorney stated pursuant to the City Charter, the City Commission should appoint an Interim City Manager within a reasonable amount of time and she recommended to do this today.

Chief Neal de Jesus stated he will step in as Interim City Manager with the caveat that the City Commission give him permission to engage a search firm immediately on what is the national standard (i.e. 30 days to recruit, 30 days to screen, and 30 days for the City Commission to make a selection) and that he has the right to return to his position as Fire Chief after ninety (90) days.

Commissioner Boylston moved to appoint Chief Neal de Jesus as Interim City Manager. It was seconded by Commissioner Bathurst. A roll call vote was taken and all were in favor. The motion carried 4-0 (Vice Mayor Frankel was not present and had already signed off Skype).

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 5:47 p.m.



City Clerk

ATTEST:



MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the Special Meeting of the City Commission held on March 1, 2019, which Minutes were formally approved and adopted by the City Commission on March 12, 2019.



City Clerk

NOTE TO READER:

If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval which may involve some amendments, additions or deletions as set forth above.