

# **City of Delray Beach**

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## **Minutes - Final**

**Wednesday, June 24, 2020**

**3:00 PM**

**Special Meeting at 3:00 PM**

**Virtual Meeting**

## **City Commission**

*Mayor Shelly Petrolia  
Vice Mayor Ryan Boylston  
Deputy Vice Mayor Shirley Ervin Johnson  
Commissioner Adam Frankel  
Commissioner Juli Casale*

[20-466](#)

Pursuant to Executive Order 20-69, during the COVID-19 State of Emergency, City Commission meetings may be held virtually. Members of the public wishing to view City Commission meetings should log into the City's website, <https://www.delraybeachfl.gov/i-want-to/watch/city-meetings>, where the meeting will be live-streamed for the public.

Pursuant to Section 3.12 of the Charter of the City of Delray Beach, on June 16, 2020, the Mayor and City Commission announced a Special Meeting.

Meeting was called to order at 4:01 p.m. due to unforeseen circumstances.

A roll call vote was taken, and all were present.

**Present: 5 - Mayor Shelly Petrolia, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Vice-Mayor Ryan Boylston, and Commissioner Juli Casale**

Others present were:

George Gretsas, City Manager

Lynn Gelin, City Attorney

Katerri Johnson, City Clerk

Carmen Rodriguez, Attorney for George Gretsas

City Attorney Gelin stated that the Special Meeting was called to report on the investigation that was conducted based on two complaints filed against City Manager George Gretsas. She explained that the investigation has not yet been concluded, mainly in part due to the volume of witnesses that were interviewed, as well as obtaining the testimony of Mr. Gretsas.

Attorney Gelin reported that Mr. Gretsas expressed his desire to resign in order to keep the findings of the investigative report from becoming public record. He shared with Ms. Gelin that the findings in the investigative report may hurt his professional career. As a result, Ms. Gelin has been working with Carmen Rodriguez, attorney for Mr. Gretsas and the City's Labor Council on preparing a letter of resignation for Mr. Gretsas.

*Ms. Carmen Rodriguez was present on the phone requesting to speak.*

Ms. Rodriguez requested that this matter be postponed until Monday, June 29, 2020 to allow her time to review the documents that she received earlier in the day and to speak with her client, Mr. Gretsas.

City Attorney Gelin reminded the Commission that once her office receives the completed findings of the investigative report, it will then become public record. She also informed the Commission that based on Mr. Gretsas'

employment agreement, he would be entitled to his full pay while on administrative leave, at which point after, he may submit his resignation, if he so desires. Ms. Gelin reminded the Commission per the City Charter, an Interim City Manager must be appointed, if Mr. Gretsas goes on leave.

Commissioner Frankel stated that for the record, he was sickened by what is going on. He further stated that although he did not support the hiring of Mr. Gretsas, he has done a wonderful job and has been very professional in all of the dealings with him. In addition, he also commended Ms. Gelin for doing a spectacular job representing the Commission, as well as the residents of the City of Delray Beach.

Ms. Gelin stated that moving forward, the Commission had two options:

- Option No.1: Accept Ms. Rodriguez's offer and postpone until Monday, June 29, 2020, at which point Mr. Gretsas' resignation can be accepted.

OR

- Option No. 2: File a Notice of Intent to Terminate and proceed pursuant to the terms of Mr. Gretsas' agreement, either with cause or without cause.

Additionally, if Mr. Gretsas resigns before the final report is received, there would be no need for the report to become public record.

Commissioner Frankel asked if there were any allegations that Mr. Gretsas violated any laws, City Bylaws, City Charter or his employment agreement that would be considered a violation.

City Attorney Gelin responded that it was her understanding that there is at least one City Policy violation.

A discussion with the Commission ensued concerning how the concept of Mr. Gretsas' resignation came about.

Vice Mayor Boylston reported that he would be in favor of making a motion to review the full report of the investigation, and then have a follow up meeting with City Attorney Gelin.

City Attorney Gelin stated that direction from the Commission on which option they would like to choose is all that would be needed to move forward and a motion would not be necessary, unless the desire of the Commission was to choose the Notice of Intent to Terminate.

Deputy Vice Mayor Johnson motioned to move forward with the Notice of Intent to Terminate. Commissioner Casale seconded the motion for discussion. She proceeded to question whether or not this would change if Mr. Gretsas decided to resign instead.

Attorney Gelin gave further explanation on Deputy Vice Mayor Johnson's motion that was on the floor.

Deputy Vice Mayor Johnson moved to amend her motion to prepare a written notice to Mr. Gretsas with the intent to terminate with cause. It was seconded by Commissioner Casale.

Commissioner Frankel requested for clarification on what the motion on the floor was for.

Attorney Gelin again gave further explanation on Deputy Vice Mayor Johnson's motion that was on the floor.

There were questions amongst the Commission regarding where the terms of Mr. Gretsas' contract came from and how it was incorporated into the agreement.

Mr. Gretsas reported that his contract was written so that he does not get convicted of something without a fair hearing. He stated for the record that the conversation about his potential resignation was based on the recommendation of the Labor Attorneys, Alan Norton and Blue, if he resigned and accepted twenty weeks of severance pay, they would not release a bad report. Mr. Gretsas stated by putting him on notice before reading the report and not hearing his side is unfair. He went on to say that his resignation at that point makes no sense.

Mayor Petrolia stated that there was a motion and a second on the floor. She requested that the motion be repeated and called to a vote.

Commissioner Casale stated that the motion was, "To proceed with the Notice of Intent to Terminate with Cause". A roll call vote was taken. Mayor Petrolia, Deputy Vice Mayor Johnson and Commissioner Casale voted in favor, with Vice Mayor Boylston and Commissioner Frankel dissenting. Motion carried 3-2.

**Yes:** Mayor Petrolia, Deputy Vice Mayor Johnson, Commissioner Casale  
**No:** Vice Mayor Boylston, Commissioner Frankel.

Mayor Petrolia asked City Attorney Gelin what the next steps were at this

point. City Attorney Gelin stated that the Commission needed to make a decision as to whether or not, pending the determination at the next meeting, Mr. Gretsas would be placed on administrative leave with pay.

Vice Mayor Boylston questioned whether the Commission was waiting for a motion.

Deputy Vice Mayor Johnson made a motion to proceed with giving Mr. Gretsas leave with pay until the next meeting and a determination is made as to whether or not he will be terminated. Commissioner Casale seconded.

City Attorney Gelin clarified for the Commission the correct verbiage of the motion was suspended with pay pending a resignation or a public hearing.

A roll call vote was taken and Mayor Petrolia, Deputy Vice Mayor Johnson and Commissioner Casale were in favor, with Vice Mayor Boylston and Commissioner Frankel dissenting. Motion carried 3-2.

**Yes:** Mayor Petrolia, Deputy Vice Mayor Johnson, Commissioner Casale

**No:** Vice Mayor Boylston, Commissioner Frankel.

Deputy Vice Mayor Johnson nominated Purchasing Director, Jennifer Alvarez as the Interim City Manager.

Purchasing Director, Jennifer Alvarez spoke with the Commission about her career background and her qualifications that enable her to handle the position as Interim City Manager.

Vice Mayor Boylston expressed his desire to have Assistant City Manager, Allyson Love be the Interim City Manager and he feels she is more qualified since she already has City Manager experience.

Discussion ensued amongst the Commission regarding the qualifications of Ms. Alvarez and her abilities to run the City. City Attorney Gelin explained that the term, at a minimum, would be 120-days due to the terms of the public hearing needed, per Mr. Gretsas' agreement.

Commissioner Casale made a motion for Jennifer Alvarez to take the Interim City Managers position. It was seconded by Deputy Vice Mayor Johnson.

Commissioner Frankel moved to amend the motion. Commissioner Frankel stated that he would be in favor of appointing Ms. Alvarez to serve as the Interim City Manager, but requested that the City reach out to ICMA

immediately for a more long-term placement. Commissioner Casale seconded the amended motion. A roll call vote was taken. Mayor Petrolia, Deputy Vice Mayor Johnson, Commissioner Frankel and Commissioner Casale voted in favor, with Vice Mayor Boylston dissenting. Motion carried 4-1.

**Yes:** Mayor Petrolia, Deputy Vice Mayor Johnson, Commissioner Frankel, Commissioner Casale.


**No:** Vice Mayor Boylston.

City Attorney Gelin explained the next steps that will need to be done and that effective immediately, Jennifer Alvarez will be the Interim City Manager.

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 5:32 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 June 24, 2020 Special City Commission Meeting held on June 24, 2020, which Minutes were formally approved and adopted by the City Commission on July 21, 2020.

  
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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.