



## CITY OF COCONUT CREEK CITY COMMISSION WORKSHOP MINUTES

Government Center  
4800 W. Copans Road  
Coconut Creek, Florida

Date: September 26, 2019  
Time: 5:00 p.m.  
Meeting No. 2019-0926WS

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### 1. CALL TO ORDER

Mayor Welch called the meeting to order at 5:00 p.m.

### 2. PRESENT UPON ROLL CALL:

Mayor Sandra L. Welch  
Vice Mayor Lou Sarbone  
Commissioner Rebecca A. Tooley  
Commissioner Mikkie Belvedere  
Commissioner Joshua Rydell  
City Manager Mary C. Blasi  
City Attorney Terrill C. Pyburn  
Deputy City Clerk Marianne Bowers

### 3. ANNUAL PERFORMANCE REVIEW OF CITY ATTORNEY

City Attorney Terrill Pyburn noted that she provided the City Commission with a draft Amended and Restated Employment Agreement. She pointed out that the agreement was substantially similar to the City Manager agreement discussed on September 17, 2019, except for the language in Section 5.2, due to her participation in the Florida Retirement System (FRS).

Ms. Pyburn mentioned that she met individually with Commissioner Rydell regarding Section 3.2 of her existing contract that provides for a three to five percent annual increase of her salary based upon an above-average evaluation. She expressed her concerns with a lump sum bonus versus a salary increase as the lump sum bonus would negatively impact her pension. As an alternative, Commissioner Rydell suggested a three to five percent annual salary increase with an above-average performance review, until the maximum pension compensation limit provided by the Internal Revenue Service (IRS) is reached, and after that any increase would be a lump sum. Ms. Pyburn was agreeable to the change.

Ms. Pyburn recused herself from providing legal representation on this item as she cannot represent the City Commission as it relates to her contract.

Deputy City Attorney Mehaffey explained the legal obligation to represent the City but noted that there could be an appearance of conflict due to the normal course of business in working with Ms. Pyburn. She explained that if the Commission agreed to waive the conflict then they would proceed with the review and negotiations of the contract, upon which Deputy City Attorney Mehaffey would prepare a final agreement for consideration at the October 10 City Commission meeting and a written memorialization of the waiver would be written into the resolution.

**There was a unanimous consensus to waive the conflict.**

Discussion ensued regarding the maximum pension compensation. Commissioner Rydell explained the reason for his discussion with Ms. Pyburn, and Mayor Welch asked for the amount of the IRS maximum pension compensation. Deputy City Attorney Mehaffey stated that the current IRS maximum is \$280,000, but noted that it changes based on inflation.

Discussion ensued regarding Ms. Pyburn's salary, the salary of other City Attorneys in Broward County, and whether or not an additional bonus would count towards her salary base or be applied separately. Deputy City Attorney Mehaffey explained that the bonus would be separate from the annual salary and would not count towards the IRS maximum pension compensation. She further explained that only the annual percentage increases to salary would go into the base salary and once it reached the IRS limit, the bonus would be given in a lump sum.

Discussion ensued regarding giving Ms. Pyburn a five percent salary increase and a five percent bonus based on her above-average work performance and exceptional work with challenging legal matters.

Commissioner Rydell proposed changing the length of contract's term. Discussion ensued and the following changes to the contract were summarized:

- a salary cap based on the maximum pension compensation limit provided by the IRS;
- a seven year term;
- a five percent salary increase retroactive to her anniversary date of July 7, 2019; and
- a five percent bonus.

**Consensus was given to provide City Attorney Pyburn a five percent increase on her annual salary and also a five percent lump sum bonus as well as to direct Deputy City Attorney Mehaffey to make the above-listed changes to the Amended and Restated Employment agreement with the revised agreement to be placed on the October 10 agenda.**

Ms. Pyburn expressed her appreciation and thanked the Commissioners for their support.

#### **4. ANNUAL PERFORMANCE REVIEW OF CITY MANAGER**

City Manager Mary Blasi mentioned that this was her last performance evaluation due to her retirement. She noted that the past year had been very productive, which was evident in that the strategic initiatives proposed last year were either completed or close to completion. She complimented the city commission and city staff for the wonderful professional culture within the city, and stated she was confident that the culture of civility will continue on after she leaves.

Each of the commissioners individually expressed their praises about the excellent leadership City Manager Blasi brought to the City throughout her career, especially as City Manager. Each stated that her performance was well above average and commended her on the legacy she is leaving behind that includes a professional but caring culture throughout the city.

**Consensus was given to provide City Manager Blasi a five percent increase on her annual salary and also a five percent lump sum bonus.**

#### **ADJOURNMENT**

The meeting was adjourned at 5:54 p.m.

Transcribed by: Daphne Haynie & Leslie  
Wallace May

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Leslie Wallace May, MMC  
City Clerk

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Dated