

**Broward County Charter Review Commission
Legal Committee Meeting
General Counsel Interviews
Tuesday, August 15, 2006
2:00 PM – 4:00 PM**

MEMBERS Lori Moseley, Chair, CRC
PRESENT: Hazelle Rogers, Vice Chair, CRC
Richard Jay Weiss, Chair, Legal Committee
Michael Buckner, Esq.
Patricia Good
Robert Penezic, Esq.

MEMBERS Mark Lieberman, M.D.
ABSENT:

ALSO
PRESENT: Andrew Meyers, Chief Appellate Counsel
Patricia West, Executive Director
Maria Gross, Assistant Director

A meeting of the Broward County Charter Review Commission (CRC) Legal Committee was held on Tuesday, August 15, 2006 in Room 501 of the Governmental Center, Fort Lauderdale, Florida.

Richard Jay Weiss, Legal Committee Chair, called the meeting to order at 2:16 p.m. The members announced their presence. Mr. Weiss indicated that the committee convened to conduct interviews for General Counsel for the Broward County Charter Review Commission. Mr. Weiss noted for the record that the firm of Conrad & Scherer withdrew from consideration. Each Firm Representative would receive up to twenty (20) minutes to speak to the committee about their law firm and their qualifications for the General Counsel position (10 minutes for presentation and 10 minutes for questions).

After a brief discussion, the Legal Committee members agreed at the completion of the interviews to rank the firms. The Committee would recommend one main firm as the General Counsel to the full CRC and recommend that the other firms would be available to do work when there is a conflict of interest or to work on special projects.

Mr. Weiss asked Ms. West to invite the first firm in for the interview. Mr. Weiss explained that the firm could make a presentation up to 10 minutes, and that members would ask questions, as needed.

GENERAL COUNSEL INTERVIEWS

1. Samuel S. Goren, Esq.-Goren, Cherof, Doody & Ezrol, P.A. (David N. Tolces and Michael D. Cirullo, Jr. were also present)

(Hazelle Rogers entered the room one minute into Mr. Goren's presentation. At this time, Mr. Meyers interrupted Mr. Goren to advise him if he wished to start over he could do so at this time.)

Mr. Goren indicated that he and the members of his firm worked with the previous CRC. His firm has significant knowledge of the Charter and the County. He gave an overall history of his firm. Mr. Goren stated that he recognized the important impact that the CRC had. The firm represents a number of Government Agencies, i.e., municipalities and other public agencies and has a clear working knowledge of many of the issues.

The work that the CRC does resulting in a resolution for the ballot is the work that must be considered by the County Commission. The firm is keenly aware of the time constraints associated with the CRC and feels that their experience prepares them to assist the CRC to accomplish its goals. The firm has the staffing ability to assist this Commission. The firm represented other Counties and Municipalities on matters pertaining to Charters. Significant changes were made during the 2000 Charter Review Commission will significantly assist this current Commission with completing its work. The recommendations presented by the 2006-2008 Charter Review Commission are what the Broward County Board of County Commissioners must consider. Mr. Goren indicated that his firm only had one conflict during his tenure as General Counsel during the last CRC. The CRC hired another firm to deal with the issue. Changes made during the last CRC will help the newly seated CRC.

Ms. Good asked a question regarding the firms' submission of a quote for a lump sum fee for services. Mr. Goren explained that he based this information on previous services provided and that they were on an hourly rate.

Mr. Weiss ask a question about fees; "what is the advantage of the retainer?" The suggestion would be if the CRC decides to use the firm that the CRC be billed on an hourly basis.

Mr. Weiss also noted that it is the lawyers' responsibility to notify the Charter Review commission if there is a conflict. If there were a conflict, the CRC would choose another firm to address the issue of concern.

Mr. Goren thanked the members of the Legal Committee for their time.

2. James (Jim) C. Brady, Esq., Arnstein & Lehr LLP (Sonia Knighton Dickens, Esq, and Ebony J.E. Calloway, Esq., were also present)

Mr. Weiss asked for clarification as to who would be the lawyer assigned to work with the Charter Review Commission at every single meeting.

Mr. Brady indicated that he has practiced law in Broward County for thirty-three years. Mr. Brady introduced the attorneys attending the interview with him. Sonia Dickens has been with Mr. Brady's firm for six years, prior to that time she spent six years in Palm Beach County as an Assistant City Attorney. Ms. Calloway formerly worked for the City of Fort Lauderdale. The firm has a great deal of experience in governmental law. The firm has a perspective that crosses the board of Broward County. Mr. Brady served on the Broward County Zoning Board for ten years.

Mr. Brady indicated that he would be the lead person for the firm. With Ms. Dickens experience if Mr. Brady is ill or cannot attend, she will represent the firm at the CRC meetings. Sonia would provide as good if not better advice to the CRC. Ms. Calloway would be there to back up both Mr. Brady and Ms. Dickens. The firm is known to give prompt, efficient, and non-politically loaded advice. The firm recognizes that it is important to provide opinions that do not come with politics as their shield or their base. If the firm receives with the same facts each time, you will receive the same advice each time. The firm has a practical understanding of the way the Broward County Community works. The firms' new offices are now within walking distance of the Governmental Center.

Sonia Dickens works closely with Miami Gardens and Mr. Brady covers for her. The firm has a diverse practice. Ms. Dickens indicated that it would be a pleasure to serve as legal counsel to the Charter Review Commission.

Commissioner Rogers requested clarification as to whether or not she might have a conflict as a member of the Lauderdale Lakes City Commission and Mr. Brady's representation of the City. Mr. Meyers and Mr. Weiss agreed that there was not a conflict in this instance.

Mr. Brady stated that it was his thinking that as long as the electorate has an opportunity to make the final decision there is no conflict. Ms. Dickens stated that the firms' job is to provide information relative to the laws that might affect the Commissions' decisions.

Ms. Calloway indicated that she worked for the City of Fort Lauderdale for 3 ½ years and prior to that she worked for the Attorney General's Office in the Civil Rights Division. Ms. Calloway also clerked for Justice Joe Hatchet in the 11th Circuit Court of Appeals.

Ms. Dickens responded to Mr. Weiss regarding the firm's experience with working with Charters. Ms. Dickens indicated that she served as legal counsel to the Charter Review

Committee in the City of West Palm Beach. Mr. Brady's experience goes back to 1978 with the City of Lauderdale Lakes. He has advised a number of municipalities regarding Charter issues.

There was a brief discussion regarding the rates outlined in the firm's response to the General Counsel Ad. Mr. Brady clarified the rates for the services offered to the Broward County Charter Review Commission.

3. Mel Wilson, Esq.-Williams, Wilson and Sexton, P.A. (James Saunders, Esq. and Thornton Williams, Esq. were also present.

If the CRC Legal Committee selects the firm of Williams, Wilson, and Sexton, Mr. Wilson indicated that he would be the General Counsel attending all of the Charter Review Commission Meetings. Mr. Wilson stated that he has 22 years of legal experience in government. Mr. Wilson spent 14 years as District General Counsel representing the Florida Department of Transportation in Fort Lauderdale. The Fort Lauderdale District is the largest district in the state agency of Transportation. Mr. Wilson has also served as Special Counsel for Tri-Rail, and more recently as special legal counsel for the Broward County Management & Efficiency Study Committee.

If selected, Mr. Saunders will be the immediate Assistant General Counsel, and is a former Broward County Assistant Attorney. Mr. Saunders worked in the Commercial & Administrative Law Division. He is also a former Assistant City Attorney for the City of North Miami.

Mr. Williams is presently the County Attorney for Gadsden County (Quincy, FL); Mr. Williams has been the County Attorney since 2004. His duties include development of ordinances, advising Commission members, responding to questions, and issuing legal opinions.

Mr. Wilson indicated that the firm is prepared to represent the CRC based on their experience and background working in government. Mr. Wilson stated that he has a working understanding of the home rule charter. He also has an understanding of the roles and relationships between the legislative and administrative functions of county government.

The firm is prepared to attend all meetings and draft proposed Charter Amendments, resolutions and the proposed ballot initiatives if necessary. The firm will publish and advertise legal notices and will represent the CRC before judicial or administrative proceedings if necessary.

The firms most recent and relevant experience is based on serving during the first six months of 2006 as Special Legal Counsel to the Broward County Management & Efficiency Study Committee Governance and Transportation Subcommittees. The firm advised these committees and assisted with drafting recommendations to the full MESAC.

The firm is prepared to work with the CRC to address the land-use plans issues; review of the county and municipal authority over land use, and administrative staff review. The firm will be an effective advisor to the CRC.

Mr. Williams stated that the firm is very prepared to assist the Charter Review Commission. The lawyers communicate effectively via email and phone to conduct business as needed.

Mr. Williams responded that he has not had Charter experience as the County Attorney for Gadsden County because Gadsden is a non Charter County.

Mr. Wilson indicated that the firm would be willing to work with the CRC even if the Legal Committee selects another firm as General Counsel.

CONSENSUS

Based on experience the Legal Committee agreed to recommend the firm of **Goren, Cherof, Doody & Ezrol, P.A, first, Williams, Wilson and Sexton, second, and Arnstein & Lehr, LLP, third.**

If there is a conflict with Mr. Goren's firm, the other two firms will work with the CRC as needed.

The meeting adjourned at 3:28 PM.