

TOWN OF LOXAHATCHEE GROVES
TOWN HALL COUNCIL CHAMBERS
TOWN COUNCIL WORKSHOP & SPECIAL MEETING
AGENDA
MAY 28, 2019 - 6:00 P.M.



Robert Shorr, Mayor (Seat 4)

Laura Danowski, Councilmember (Seat 2)

Phillis Maniglia, Councilmember (Seat 1)

Lisa El-Ramey, Councilmember (Seat 3)

Dave DeMarois, Vice Mayor (Seat 5)

Administration

Town Manager, James S. Titcomb

Assistant Town Manager, Francine L. Ramaglia

Town Attorney, Michael D. Cirullo, Jr.

Town Clerk, Lakisha Q. Burch

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That's why we say "Character Counts" in Town of Loxahatchee Groves. Civility is practiced at all Town meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida, (561) 793-2418.

Quasi-Judicial Hearings: Some of the matters on the Agenda may be "quasi-judicial" in nature. Town Council Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. Unsworn comment will be given its appropriate weight by the Town Council.

Appeal of Decision: If a person decides to appeal any decision made by the Town Council with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

Consent Calendar: Those matters included under the Consent Calendar are typically self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any Town Council Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a Town Council Member, or by any member of the public desiring it to be heard, without a motion.

TOWN COUNCIL AGENDA ITEMS

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Additions/Deletions/Modifications of Agenda

Comments from The Public on Non-Agenda Items

The public is encouraged to offer comments on any non-agenda item. Generally, remarks by an individual will be limited to one time, up to three minutes or less. The Mayor or presiding officer has discretion to adjust the amount of time allocated.

PRESENTATIONS

1. Review and Select Interim Town Attorney

- Agenda Memo
- Criteria for Interim Town Attorney
- Matrix for Interim Town Attorney

A. Interim Town Attorney's Biographies

ADJOURNMENT

Comment Cards: Anyone from the public wishing to address the Town Council, it is requested that you complete a Comment Card before speaking. Please fill out completely with your full name and address so that your comments can be entered correctly in the minutes and give to the Town Clerk. During the agenda item portion of the meeting, you may only address the item on the agenda being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comment. Any person who decides to appeal any decision of the Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.



155 F Road Loxahatchee Groves, FL 33470

TO: Mayor and Councilmembers

FROM: James Titcomb, Town Manager

VIA: Francine Ramaglia, Assistant Town Manager

SUBJECT: Request for Letters of Interest for Interim Municipal Legal Services

Background:

Following the current Town Attorney's resignation, Council directed staff to solicit letters of interest for providing interim municipal legal services. On May 10, 2019, a Request for Letters of Interest (RLI) for Interim Municipal Legal Services for the Town of Loxahatchee Groves were sent to the PBC League's list of legal associates with offices in Palm Beach County. Other firms also requested the RLI. Six submittals were received by 5pm on May 20, 2019:

- Brandenburg & Associates, PA
- Caldwell Pacetti Edwards Schoech & Viator LLP
- Lohman Law Group, PA
- Nason Yeager Garrison Harris & Fumero, PA
- Torcivia, Donlon, Goddeau & Ansay, PA
- Weiss Serota Helfman Cole & Bierman

Because the services will begin on June 4, 2019, the turnaround time is rather swift:

- The lead attorney and/or other assigned attorneys will attend the meeting to make a brief presentation and participate in Q&A at workshop (6PM) on May 28, 2019
- Council decision at special meeting (7PM) on May 28, 2019
- Contract approved and duties to begin June 4, 2019 (can be first item on agenda prior to presentations)

Attached are the following documents:

- Summary of Responses from the above law firms
- Request for Letter of Interest for Interim Legal Services
- Blank evaluation/notes worksheet with space for each attorney

The evaluation procedures and criteria included in the RLI were as follows:

Proposals will be reviewed in accordance with the following criteria:

- a. Proposed approach to scope of work.
- b. Level of experience of the individual(s) identified to work on this matter.
- c. The Offeror's experience with similar clients and legal matters.
- d. Presentations and Interviews, if conducted.
- e. Response from references.
- f. Pricing.

The Selection of the Interim Town Attorney will be made by the Town Council. Although the above criteria provide the framework for the selection, the Town Council will make its decision on these professional services based upon the best interest of the Town.

As there are no specific weights given to categories in the RLI, the award will be pursuant to the Council's determination of best interest. Council may discuss and establish its own decision-making approach, engage in open discussion based upon what they read and heard, and adopt a motion during the special meeting. Public input should be permitted at the special meeting as well.

Recommendations: Upon selection of attorney/law firm, staff recommends that Council direct Town Manager and current Town Attorney to prepare an agreement for interim municipal legal services including specific direction on fee structure for selected attorney to be approved at the beginning of the June 4, 2019 Council Meeting.

**REQUEST FOR LETTER OF INTEREST
FOR
INTERIM MUNICIPAL LEGAL SERVICES**

**INQUIRIES AND PROPOSALS SHOULD BE
DIRECTED TO:**

James S. Titcomb, Town Manager
155 F Road
Loxahatchee Groves, FL 33470

Town of Loxahatchee Groves, Florida
561-793-2418

I. GENERAL INFORMATION.

A. **Purpose.** This request for Letter of Interest (RLI) is to contract for interim municipal legal services to be provided to the Town of Loxahatchee Groves, Florida for the period beginning on or about June 4, 2019.

B. **Who May Respond?** Only attorneys and law firms who specialize in municipal law, who are currently licensed to practice law in Florida and maintain an office within Palm Beach County may respond to this RLI.

C. Instructions on Proposal Submission.

1. **Closing Submission Date.** Proposals must be submitted no later than 5:00 P.M. on May 20, 2019. Any submission received after the date and hour of closing for receipts shall be rejected and returned to the submitter unopened.

2. **Inquiries.** Inquiries concerning this RLI should be made to:

James S. Titcomb, Town Manager
155 F Road
Loxahatchee Groves, FL 33470
jtitcomb@loxahatcheegrovesfl.gov
561-793-2418

3. **Conditions of Proposal.** All costs incurred in the preparation of a proposal responding to this RLI will be the responsibility of the Offeror and will not be reimbursed by the Town of Loxahatchee Groves, Florida, (hereinafter referred to as (TOLG)).

4. **Instructions to Prospective Contractors.** Your proposal should be addressed as follows:

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

It is important that the Offeror's proposal be submitted in a sealed envelope clearly marked in the lower left-hand corner with the following information:

Request for Letters of Interest: INTERIM MUNICIPAL LEGAL SERVICES
5:00 P. M., May 20, 2019

Failure to do so may result in premature disclosure of your proposal and elimination from consideration. It is the responsibility of the Offeror to insure that the proposal is received by TOLG, by the date and time specified above. Late proposals will not be considered. Any disputes relating to the timeliness of a submission will be resolved against the submitter.

The Offeror's proposal shall contain the following information:

- a. Letter of Transmittal: One (1) or two (2) printed pages. Briefly state your understanding of the work to be done and provide a positive commitment to perform the work.
- b. Profile of Offeror
 - i. Description of organization, size, structure, areas of practice, and whether Offeror is national, regional or local.
 - ii. Lead Attorney as well as other assigned attorneys with accompanying resumes including individual experience.
 - iii. Location of primary office from which the lead attorney and other assigned attorneys operate.
 - iv. Local government experience, including municipal and special district, with emphasis given as to how your experience and expertise in the area(s) addressed by this RLI will be brought to bear on the proposed scope of work indicated below.
 - v. List and description of similar municipal engagements satisfactorily performed within the past three (3) years. If you serve as general counsel, please expressly indicate such for each listed municipal client. For each engagement listed, include the name and telephone number of a representative for whom the engagement was undertaken who can verify satisfactory performance.
 - vi. Any known actual or potential conflicts, including how the Offeror intends to address and resolve.
 - vii. Whether the Offeror has been involved in litigation within the last five (5) years or any pending litigation arising out of your performance? If yes, please explain and indicate the outcome.
 - viii. Whether the Offeror has been involved in any complaints to the Florida Bar within the last five (5) years arising out of your performance? If yes, please explain, and indicate the outcome.
 - ix. Form retainer agreement that Offeror requests to be used if selected, noting what other public clients are using such agreement.
- c. Pricing. The Town is flexible with regard to an offer of a fixed price, contract for work performed, or a retainer that provides for specific services and a per hour rate for items not expressed in the retainer.

The response to the RLI shall include the pricing information the Offeror would like the Council to consider during the contract negotiation that will occur with the successful Offeror. Any pricing information will be negotiated in the final contract. The Offeror's proposed price should include information on the hourly billing rates of each attorney or other legal staff members who are expected to work on this representation, unique or special projects that may need a special or negotiated fee arrangements, such as Issuer's Counsel and charges for expenses, if any, such as legal research, copies, and faxes.

TOLG reserves the right to negotiate with the Offeror on the structure of the billing and/or retainer fee.

5. **Right to Reject.** TOLG reserves the right to reject any and all proposals received in response to this RLI.
 6. **Attendance at May 28, 2019 Workshop and Special Council Meeting.** Each Offeror have representatives, preferably including the lead attorney designated to the Town, attend the workshop and special council meeting scheduled at 6 p.m. on May 28, 2019 at Town Council Chambers, 155 F Road, prepared to make a brief presentation to the Council, and to respond to any questions from Town Council. Presentations may or may not be required.
 7. **Notification of Award.** It is expected that a decision selecting the successful Offeror will be made at the May 28, 2019 workshop and special council meeting. It is expected that the contract with the Successful Offeror will be approved at the Council Meeting at 7:00 p.m. on June 4, 2019. The selected Offeror should be prepared to attend and assume the Town Attorney position at the June 4, 2019, meeting.
- D. **Description of Entity.** TOLG is a municipal corporation chartered by the State of Florida in Palm Beach County. TOLG has an annual budget of approximately \$5 million (excluding proposed borrowings and capital spending). TOLG currently has 13 employees and is in process of transitioning from a management services contract to a small local government staffing model; however, many functions continue to be provided through contract services. The 5-member Town Council meets about 24 times per year. The Town has a Planning and Zoning Board and several advisory committees. Legal counsel does not regularly attend these meetings, but may be requested to do so from time to time. Town Hall offices are located at 155 F Road.

TOLG's vision states the TOLG will continue to protect its natural environment and rural character in the midst of an urbanizing region. The Town will continue to be a rural residential and agricultural community that has great respect for lifestyle choices balanced with historical community needs. This is reflected in a cost effective, minimal government structure that strives to protect the environment and our quality of unique life styles.

II. SCOPE OF SERVICES. The Offeror shall be readily available to perform the following legal services, as

requested by the:

It is expected the Town Attorney will attend all regular and special meetings of the Town Council. Attendance at Town Council Workshops is as determined by the Town Council. The Attorney will perform any and all legal services, of whatever kind or nature, including general legal practice and litigation, required or requested at the request or direction of a majority of the TOLG Town Council and/or by the Town Manager acting on behalf of the Town Council; otherwise the Town Attorney shall not be required to perform legal services for the Town except on its own initiative and its own expense. The specific general municipal legal services shall include, but not be limited to, the following:

1. Attendance at Town Council and other meetings as necessary.
2. General municipal legal services including use of applicable Florida State Statutes, such as municipal and special district matters, Sunshine law, procurement and public records.
3. Ethics matters for elected officials, appointed committee members, and management staff. Must be knowledgeable on state and county ethics laws.
4. Preparation of resolutions and ordinances.
5. Charter Review matters.
6. Comprehensive Planning, Land Use and Zoning related matters.
7. Real estate transactions.
8. Labor and employment matters.
9. Municipal liability. Note the City is insured, currently through the Florida League of Cities.
10. Grants and contracts.
11. Special Districts laws under FS Chapter 298 and other requirements
12. Special Assessments levied by municipalities and special districts.
13. Ad valorem taxation and Truth-in-millage (TRIM) matters.
14. Providing public services, including municipal ROWs and easements.
15. Procuring and contracting for services and products.
16. Construction projects and Competitive Consultant Negotiation Act.
17. Reviewing, drafting, and negotiating contracts, leases and interlocal agreements.
18. Preparation of franchise agreements, utility, cable or telecommunication Agreements, and other such matters.
19. Issuing bond counselor's services or other services required pursuant to public finance matters.
20. Any litigation or arbitration in which the Town is a party plaintiff or a party defendant, and in which the City is not represented through its insurance carrier except as may be required as co-counsel.
21. Code enforcement and forfeiture proceedings.
22. Any administrative hearings before any governmental administrative bodies including, but not limited to, other official Town Boards or Committees except as set forth herein.
23. Municipal prosecutions filed in the Palm Beach County Court.
24. Co-Counsel activities with insurance counsel assigned by the Town's insurance carrier when necessary and appropriate.
25. Advise on responses to subpoenas, court orders, and requests for information from third parties.
26. Other matters of a non-routine legal nature requiring substantial time and effort, subject to

prior authorization by a majority of the Town Council or Town Manager.

Given the unique, rural and agricultural nature of the TOLG, familiarity with state laws on agriculture, including the Right-To-Farm Act and state law preemptions, is necessary.

Offeror shall be prepared to submit detailed billing statements for all services billed at an hourly rate, if any, broken down into time increments of no more than a quarter hour. Offeror shall also include summaries of work performed and time spent on services performed under the flat monthly fee, as discussed below. All invoices from the Town Attorney's Office are approved by the Town Council at a public meeting

III. PROPOSAL EVALUATION

A. **Submission of Proposals.** All proposals shall include an original, and seven (8) copies, and a complete compilation in electronic form commonly used such as Adobe. No response to said RFI will be opened prior to the submittal deadline.

B. **Evaluation Procedure and Criteria.**

1. Proposals will be reviewed in accordance with the following criteria:

- a. Proposed approach to scope of work.
- b. Level of experience of the individual(s) identified to work on this matter.
- c. The Offeror's experience with similar clients and legal matters.
- d. Presentations and Interviews, if conducted.
- e. Response from references.
- f. Pricing.

The Selection of the Interim Town Attorney will be made by the Town Council. Although the above criteria provide the framework for the selection, the Town Council will make its decision on these professional services based upon the best interest of the Town.

Town of Loxahatchee Groves

Summary of Responses to Request for Letters of Interest for Interim Municipal Legal Services

May 20, 2019

	Attorneys	Office Location	Primary Practice Areas	Clients	Conflicts	Litigation	Complaints	Pricing
Brandenberg & Associates, PA	Town Atty: Gary Brandenberg Asst Town Atty: Other:	North Palm Beach	Full service w/ experience in all 26 areas outlined in RLI, including agriculture, Right to Farm and state pre-emption	Current: Clewiston Past: Pahokee Other experience: Magistrate 8 cities; former Tri-Rail General Counsel; former PB County Atty; former Indian River County Atty	None	None	None	Flexible hourly rate. Willing to negotiate Partners: \$175 Litigation: \$400 Paralegal: \$ 90 No expenses charged; add'l costs only w/ prior approval
Caldwell, Pacetti	Town Atty: Charles F. Schoech Asst Town Atty: William P. Doney Other: Mary Viator Betsy Burden Frank Palen	West Palm Beach	Full range municipal & special district legal services set forth in RLI	Current: Lake Clarke Shores, Jupiter Inlet Colony, Cloud Lake; Magistrate for Lantana, Haverhill & Broward County; 27 special districts Past: Belle Glade, Wellington, Clewiston, LGWCD Other experience: Former County Atty; former Asst City Atty WPB & Boynton Beach; Former Gen'l Counsel SFWMD	None	None	None	Partners: \$250 Litigation: \$275 Paralegal: \$110 All expenses and other costs billed at actual

Town of Loxahatchee Groves

Summary of Responses to Request for Letters of Interest for Interim Municipal Legal Services

May 20, 2019

	Attorneys	Office Location	Primary Practice Areas	Clients	Conflicts	Litigation	Complaints	Pricing
Lohman Law Group, PA	Town Atty: R. Max Lohman Asst Town Atty: Walter H. Porr Other: Brad Biggs	West Palm Beach	- Full range municipal & special district legal services set forth in RLI - Successful litigators	Current: Palm Beach Gardens, Lantana, WPB DDA; Magistrate for Cloud Lake, Glen Ridge Past: Delray Beach, South Palm Beach, Manalapan, Palm Beach Shores, Atlantis; Magistrate for WPB, Royal Palm Beach	None	None	See p. 6 of proposal	Partners: \$195 Litigation: \$245 <u>Option 1:</u> Charged for actual work at hourly blended rate with All expenses/other costs at actual <u>Option 2:</u> \$5,000 monthly at \$195/hour billed against retainer. Invoiced monthly for any amts over the \$5,000. Litigation not included. All expenses/other costs at actual <u>Option 3:</u> \$9,000 flat fee with tracking to determine in amount requires adjustment. Litigation not included. All expenses/other costs at actual

Town of Loxahatchee Groves

Summary of Responses to Request for Letters of Interest for Interim Municipal Legal Services

May 20, 2019

	Attorneys	Office Location	Primary Practice Areas	Clients	Conflicts	Litigation	Complaints	Pricing
Nason Yeager	Town Atty: Carlyn Kowalsky Asst Town Atty: John Fumero Jack Rice	Boca Raton & Palm Beach Gardens	Full service w/ experience in all 26 areas outlined in RLI, including agriculture, Right to Farm and equestrian issues	Current: FDOT, Atlantis, Port St. Lucie, Central County WCD Past: Boca Raton, Delray Beach, Riviera Beach, Port St Lucie, Ft Lauderdale, Highland Beach, Cape Coral, Palm Beach Shores, Manalapan, Royal Palm Beach, Mangonia Park, Tequesta; Counties of Palm Beach, Martin, Pasco, Lee; Palm Beach County League of Cities Other experience: Deputy Gen'l Counsel SFWMD	See p.10 of proposal	None	None	Partners: \$225 Litigation: \$250 Paralegal: \$ 80 <u>Model 1:</u> Fixed fee with tracking based on scope of work within budgeted hours. Hours over budget billed at hourly rates Litigation not included. All expenses/other costs at actual <u>Model 2:</u> Fixed fee with tracking based on scope of work plus agreed to add-ons as needed when needed. Litigation not included. All expenses/other costs at actual <u>Model 3:</u> Charged for actual work at hourly blended rate with All expenses/other costs at actual

Town of Loxahatchee Groves

Summary of Responses to Request for Letters of Interest for Interim Municipal Legal Services

May 20, 2019

	Attorneys	Office Location	Primary Practice Areas	Clients	Conflicts	Litigation	Complaints	Pricing
Torcivia, Donlon et al	Town Atty: Brian Shutt Other: Glenn Torcivia Christy Goddeau Lara Donlon Carlyn Ansay Pamala Ryan Matthew Ransdell Melissa Andersen Jennifer Hunecke	West Palm Beach	• Full range municipal & special district legal services, including Right to Farm • Will work w/ outside bond counsel, insurance, Workers Comp and other outside counsel • Successful litigators	Current: City Atty for Palm Springs, Ocean Ridge, Lake Worth Beach, Belle Glade, Sewell’s Point, Highland Beach, Riviera Beach, North Palm Beach, South Palm Beach, Greenacres); legal service for 10 municipalities & special districts including Indian Trails, Northern PBC Improvement District, Lake Worth Drainage District, Loxahatchee River District Past: Glades Utility Authority, , Juno Beach, Wellington, Royal Palm Beach, Hallandale Other experience: Former Asst County Atty, Former Delray Beach Atty, Former General Counsel to SFWMD, former City of Rivera Beach City Atty, Former Asst Broward County Atty, Former Asst City Atty WPB	None	See p. 21 of proposal	None	Flexible & open to negotiation with offer of fixed price, hourly for work performed or retainer with hourly rate for add’l items Partners: \$205 Paralegal: \$ 95 Rates increase annually by 3% each October 1st
Weiss, Serota	Town Atty: Matt Ramenda Asst Town Atty: Anthony Soroka Other: Brett Schneider Susan Trevarthen James white	Boca Raton	• Full range municipal & special district legal services set forth in RLI	Current: Deerfield, Lauderhill, Boca Raton, Delray, Palm Beach Past: Port St. Lucie	None	See tab 3 in proposal	See tab 3 in proposal	Flexible & open to negotiation. Partners: \$250 Bills hourly for work performed. All expenses/other costs at actual

BRANDENBURG & ASSOCIATES, P.A.

11891 U.S. Highway One, Suite 101
North Palm Beach, Florida 33408
(561) 799-1414
www.BrandenburgPA.com

Gary M. Brandenburg

Gary@BrandenburgPA.com

ATTORNEY AT LAW

May 15, 2019

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

Re: Letter of Interest – Interim Municipal Legal Services

Dear Mr. Titcomb:

Please accept this Letter of Interest for the position of Interim Town Attorney for the Town of Loxahatchee Groves. I am available to begin providing legal services to the Town immediately.

My approach to Town government representation is to provide the Town Council with all necessary legal knowledge to allow the elected officials to evaluate the potential for positive or negative ramifications of each decision. Although I work for the Town Council, I will provide the Town Manager and Town staff with legal guidance in order to enable them to best serve the residents of Loxahatchee Groves. I am proactive in spotting potential legal problems and possible liabilities, and will advise the Town Manager and Town Council of the best way to avoid future difficulties. In addition, I will keep the Town up to date on legislative changes and recent court decisions which could affect the Town. I believe the attached resume establishes my credentials.

I look forward to working with your elected officials for the best interests of the residents of the Town of Loxahatchee Groves.

Very truly yours,

BRANDENBURG & ASSOCIATES, P.A.

By: 

Gary M. Brandenburg, Esq.

GMB/slm



May 15, 2019

a. **Letter of Transmittal**

Please see Letter of Interest addressed to Mr. Titcomb.

b. **Profile of Offeror**

- i. Please see attached resume.
- ii. Gary M. Brandenburg,
- iii. Brandenburg & Associates, P.A.
11891 U.S. Highway One, Suite 101
North Palm Beach, Florida 33408
- iv. Please see attached resume.
- v.
 - (a) General Counsel to City of Clewiston, FL
Mayor Mali Gardner (863) 228-0786
 - (b) Special Magistrate, Town of Lake Park, FL
Tom Baird, Town Attorney – (561) 650-8233
 - (c) City Attorney for City of Pahokee, FL
Commissioner Regina Bohlen - (954) 439-2896
Former Mayor J.P. Sasser - (561) 755-2134
- vi. No conflicts.
- vii. No litigation.
- viii. No complaints.
- ix. I will sign an agreement satisfactory to the Town. The agreement can be hourly, or for a set fee per month for services, excluding litigation. Litigation matters will be provided for an hourly fee, or addressed separately for each case.

Termination clause. I will provide the Town with 60 days' notice if I intend to terminate the arrangement. The Town can terminate my services at any time, for any reason. Payment will be due only for services provided prior to the termination date.

c. **Pricing**

I am flexible with respect to pricing. I will negotiate a fee that meets the Town's budget requirements. My hourly rate is between \$175 per hour and \$400 per hour, depending upon the complexity and type of matter. My paralegal bills at \$90 per hour. A set monthly fee for services is acceptable. We do not charge for expenses such as photocopies, faxes, or legal research inquiries. If at any time there is an expense which would be passed on to the Town, we would obtain advance approval from the Town Manager.

II. Scope of Services

I am prepared to accept and perform all of the responsibilities set forth in Paragraphs 1 through 26 of the RLI for Interim Municipal Legal Services. I have experience in each of these areas which I would be happy to share during an interview. I am familiar with Florida law relating to agriculture, including the Right-to-Farm Act and state law preemptions.

RESUMÉ

Gary M. Brandenburg, Esq.
Gary@BrandenburgPA.com

Brandenburg & Associates, P.A.
11891 U.S. Highway One, Suite 101
North Palm Beach, FL 33408
(561) 799-1414

Qualifications/Experience

- President, Brandenburg & Associates, P.A., concentrating on all aspects of municipal and County governmental law, contract procurement, zoning, permitting, land use, code enforcement (2003 to Present)
- Shareholder, Carlton Fields, P.A., specializing in Governmental, Environmental, Land Use and Administrative Law, Managing Partner of West Palm Beach office (10 years), member of Board of Directors, Compensation Committee and Executive Committee, Chairman of the Land Use, Environmental and Government Practice Group (1991 to 2003)
- General Counsel, Tri-County Commuter Rail Authority (Tri-Rail), responsible for all legal representation for commuter rail system including Federal Funding, acquisition of property for Railroad Stations, contracts with all vendors, personnel matters and general governmental law (1994 – 2002)
- Associate, Gunster, Yoakley & Stewart, P.A., in the Environmental, Land Use and Administrative Law Department, specializing in governmental law, administrative law, land development law and water and sewer utility acquisitions and public finance, representation of Private Interests and Government Agencies, including Palm Beach County for the formation of Seacoast Utilities and Acquisition of Water and Sewer Utilities (1988 to 1991)
- Palm Beach County Attorney, managing an in-house legal staff of nineteen attorneys and forty employees. Responsible for all legal representation of the Board of County Commissioners of Palm Beach County (1985 to 1988)

- Indian River County Attorney, responsible for the operation and management of the Indian River County Attorney's Office, which provides total legal representation for the Board of County Commissioners and selected constitutional officers, established first in-house County Attorney's Department for the County (1981 to 1985)
- Special Magistrate for the City of West Palm Beach Code Enforcement
- Special Magistrate for Palm Beach County Code Enforcement
- Special Master for the City of Pahokee Code Enforcement and Traffic Violations
- Special Magistrate for the Town of Lake Park
- Special Master for the City of Boca Raton
- Special Magistrate for the Town of Gulf Stream
- Special Magistrate for the City of Delray Beach
- Special Magistrate for City of Port St. Lucie
- City Attorney for City of Pahokee
- City Attorney for City of Clewiston
- AV Rating with Martindale Hubbell

EDUCATION

- Admitted to practice law in the State of Florida
- Admitted to practice law in the U.S. District Court, Southern District of Florida
- University of Detroit School of Law – Juris Doctor Degree
- Michigan State University - Bachelor of Science Degree

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CALDWELL PACETTI
EDWARDS SCHOECH & VIATOR LLP

ATTORNEYS AT LAW

MANLEY P. CALDWELL, JR.
KENNETH W. EDWARDS
CHARLES F. SCHOECH
MARY M. VIATOR
WILLIAM P. DONEY
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JOHN A. WEIG

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BETSY S. BURDEN

1555 PALM BEACH LAKE BOULEVARD
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WEST PALM BEACH, FLORIDA 33401

www.caldwellpacetti.com

TELEPHONE: (561) 655-0620
TELECOPIER: (561) 655-3775

May 20, 2019

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F. Road
Loxahatchee Groves, FL 33470

Re: Town Attorney Request for Letter of Interest
Interim Municipal Legal Services

Dear Mr. Titcomb:

This is our Letter of Interest in response to the Town of Loxahatchee Groves Request for Letters of Interest for Interim Municipal Legal Services. The Law firm of Caldwell Pacetti Edwards Schoech & Viator LLP was established in 1939. The firm practices primarily in the following areas of law: Municipal; Environmental, Land Use and Zoning; Real Estate; Special Districts; Water Management; Local Governmental; Administrative; Contract; Commercial; and Corporate Law. Our office is located at 1555 Palm Beach Lakes Blvd., Suite 1200, West Palm Beach, FL 33401. The firm has eight attorneys and five support staff.

Our firm is immediately available to provide legal services to the Town. Our firm should be chosen as Interim Attorney for the Town of Loxahatchee Groves because we have attorneys with extensive municipal law experience and expertise and employ a team approach which enables us to meet time and budget requirements. As accomplished and skilled Attorneys with comprehensive experience in local government law, research, analysis, negotiation, and representation, we are well prepared to surpass your expectations. We will work together as professionals by sharing and supplementing each other's skills and interests to offer superior legal services to the Town.

The firm's objective is to represent the Town in all relevant legal matters to the best of its ability, using the most prudent, legally advisable, and cost-effective methods. Our scope is to protect the best interests of the Town to the extent legally and ethically possible. Our methodology is to utilize our vast knowledge and experience in the relevant areas of law, collectively as a firm, and apply same to ensure the Town has the best possible representation.

We are readily available to perform all the legal services, responsibilities and duties as described in the Scope of Services section of the Town's Request for Letter of Interest for Interim Municipal Legal Services.

Our firm is licensed to do business in the State of Florida. All attorneys with the firm are members of the Florida Bar. The firm and all attorneys with the firm are holders of appropriate City and County business tax receipts.

We invite you to favorably consider this Letter of Interest, together with the enclosed resumes and supporting documentation.



Charles F. Schoech, Esq.



William P. Doney, Esq.

Profile of Offeror

CALDWELL PACETTI
EDWARDS SCHOECH & VIATOR LLP

ATTORNEYS AT LAW

MANLEY P. CALDWELL, JR.
KENNETH W. EDWARDS
CHARLES F. SCHOECH
MARY M. VIATOR
WILLIAM P. DONEY
FRANK S. PALEN
JOHN A. WEIG

OF COUNSEL
BETSY S. BURDEN

1555 PALM BEACH LAKE BOULEVARD
SUITE 1200
WEST PALM BEACH, FLORIDA 33401

www.caldwellpacetti.com

TELEPHONE: (561) 655-0620
TELECOPIER: (561) 655-3775

PROFILE OF OFFEROR

1. A copy of a firm resume is attached which sets forth the firm's size, a resume for individual attorneys and areas of practice. The firm is regional in that it performs work for various clients through-out the South Florida area. However, the majority of firm clients are located in Palm Beach County.
2. The lead attorney for representation of the Town will be Charles F. Schoech. The other attorney primarily assigned to representation of the Town will be William P. Doney. Other attorneys with the firm will be available to assist in areas of their respective expertise.
3. The firm's sole office is at 1555 Palm Beach Lakes Blvd., Suite 1200 West Palm Beach, Florida.
4. Individual resumes for Mr. Schoech and Mr. Doney are attached.
 - A. In summary, Mr. Schoech has served as County Attorney for Palm Beach County. In addition, he has formerly served as Town Attorney for the Village of Wellington, City of Belle Glade and City of Clewiston. Mr. Schoech currently serves as Town Attorney for the Town of Lake Clarke Shores as well as General Counsel for numerous independent special districts as listed in his resume.
 - B. In summary, Mr. Doney has formerly served as Assistant City Attorney for the City of West Palm Beach and the City of Boynton Beach. He currently serves as the Town Attorney for the Town of Jupiter Inlet Colony and Town of Cloud Lake. Mr. Doney also serves currently as a Special Magistrate for Code Enforcement proceedings for the Town of

Lantana and the Town of Haverhill as well as a Hearing Officer for administrative hearings for Broward County. Mr. Doney has represented numerous municipal and county entities in litigation matters as set forth in his resume.

5. Contacts for current municipal clients:
 - A. Town of Lake Clarke Shores: Mayor Valintin Rodriguez 832-7510
 - B. Town of Jupiter Inlet Colony: Mayor Dan Comerford 746-3787.
 - Town of Cloud Lake: Dorothy Gravelin 686-2815.
6. The firm is not aware of any actual or potential conflicts of interest with the Town of Loxahatchee Groves.
7. The firm has not been involved in any litigation within the past five (5) years arising from its performance.
8. The firm has not been involved in any complaints with the Florida Bar within the past five (5) years.
9. A form retainer agreement is attached.

Firm Resume

CALDWELL PACETTI EDWARDS SCHOECH & VIATOR LLP

FIRM RESUME

FIRM EXPERIENCE.

FIRM HISTORY: Caldwell Pacetti Edwards Schoech & Viator LLP was established in 1939. Since its inception the attorneys in the firm have practiced primarily in the following areas of law: Municipal Law; Special Districts, Water Control and Improvement Districts, Community Development Districts, Water Management, Local Governmental Law, Administrative Law, Real Property, Environmental, Land Use and Zoning, Commercial, Corporate and Estates and Trusts.

Of the aforementioned areas of law and as the attached List of Current Representative Governmental Clients reflects (**Exhibit "A"**), the firm has placed a special emphasis upon its Municipal and Special District Practice and is considered by other legal practitioners as an expert legal consultant for municipalities and independent special districts.

PROFESSIONAL RATING:

The firm, throughout its history, has received the highest rating possible from Martindale-Hubbell (which is the publication setting forth all attorneys and law firms operating in the United States) with the firm being given an "A" for ability and "V" for integrity.

EXPERIENCE:

Governmental: Members of the firm represent a number of municipalities and special districts, requiring us to attend a significant number of public meetings per month at the offices of our governmental clients. We provide statutory compliance advice, recommendations and consultation on water management plan and related engineer report proceedings, draft and render legal opinions, prepare resolutions, contracts, policies and real property documentation, coordinate permitting and related activities with federal, state and local agencies and governmental bodies, and provide administrative duties.

The firm actively participates in the State's legislative process each year by drafting legislation, lobbying and representing its clients before the applicable local legislative delegations and State legislative body.

Municipal Finance: For more than 40 years, the firm has served as counsel in local government bond validation proceedings and bond/bank financings totaling more than \$500-million dollars. The firm has limited its role primarily to that of "issuer's counsel", representing the special districts, although firm members have also served as bond counsel for several municipal clients.

Real Estate, Construction and Contract Law: A significant part of the firm's practice involves representing improvement/water control districts, as well as "Chapter 190" community development districts. For example, Northern Palm Beach County Improvement District has issued more than \$190-million in bonds for land acquisition and site development of all sorts of public improvements, including drainage and water management systems, roadways, utilities, landscaping, environmental conservation areas, public buildings, recreation facilities, etc. This one district currently has more than forty active "units of development" – each essentially the equivalent of a CDD.

Representation of such large districts with complicated, long-term development agendas requires exercise of legal expertise in real estate, construction and contract law on a daily basis.

We would be happy to provide examples of our work products in any desired area, including deeds, easements, covenants, contracts for commodities and services, interlocal agreements, RFPs/RFQs, construction contract documents, and legal instruments of all sorts.

Eminent Domain: Members of the firm have extensive experience in representing both governmental entities and private landowners in eminent domain litigation. The firm currently represents the following governmental entities in eminent domain litigation: Florida Inland Navigation District, City of West Palm Beach, St. Lucie County, Village of Wellington, City of Delray Beach.

Code Enforcement: Members of the firm have extensive experience in dealing with code enforcement matters. The firm regularly provides advice to its municipal clients pertaining to code issues. Members of the firm also act as legal counsel to municipal code enforcement boards and as a Special Magistrate in accordance with Chapter 162, Florida Statutes, for the purpose of hearing and deciding specific code violation cases.

General Governmental: Members of the firm attend a significant number of public meetings per month at the offices of their governmental clients. We provide statutory compliance advice, recommendations and consultation on water management plan and related engineer report proceedings, draft and render legal opinions, prepare resolutions, ordinances, contracts, policies and real property documentation, coordinate permitting and related activities with federal, state and local agencies and governmental bodies, and provide administrative duties.

Legislative: The firm actively participates in the State's legislative process each year by drafting legislation, lobbying and representing its clients before the applicable local legislative delegations and State legislative body.

Environmental: The firm has represented special districts with a range of environmental issues, including local, state and federal permitting, compliance and other matters.

Planning, Zoning & Land Use: Frank Palen is a certified land use planner (AICP), who previously served as Zoning Director for Palm Beach County. He has also served on municipal planning, zoning, historic preservation boards and the board of a community redevelopment agency (CRA).

PROFESSIONAL LIABILITY INSURANCE:

The firm presently maintains a Two Million Dollar (\$2,000,000.00) professional malpractice insurance policy by an insurance company with a Best's Rating of "A" or better according to the A.M. Best company.

EXHIBIT "A"

REPRESENTATIVE LIST OF CURRENT GOVERNMENTAL CLIENTS

MUNICIPALITIES

Town of Cloud Lake
Town of Haverhill (Code Enforcement)
Town of Jupiter Inlet Colony
Town of Lake Clarke Shores
Town of Lantana (Code Enforcement)
Village of Wellington (Special Counsel)

SPECIAL DISTRICTS

PALM BEACH COUNTY

Captain's Key Dependent District
East Shore Water Control District
Gladeview Drainage District
Highland Glades Drainage District
Indian Trail Improvement District
Northern Palm Beach County Improvement District
Pahokee Water Control District
Pelican Lake Water Control District
Shawano Drainage District
South Florida Conservancy District
South Shore Drainage District
Terracina Community Development District
Thousand Oaks Community Development District
Winston Trails East Community Development District

HENDRY COUNTY

Bolles Drainage District
Clewiston Drainage District
Devil's Garden Water Control District

HENDRY & GLADES COUNTIES

Flaghole Drainage District
Sugarland Water Control District

HIGHLANDS COUNTY

Ridge Drainage District

LEE COUNTY

Estero Fire Rescue District

HENDRY, GLADES & PALM BEACH COUNTIES

Everglades Agricultural Area Environmental Protection District

MARTIN COUNTY

Hobe-St. Lucie Conservancy District
Troup-Indiantown Water Control District

PALM BEACH & MARTIN COUNTIES

Pal-Mar Water Control District (Palm Beach and Martin Counties)

BREVARD COUNTY

Melbourne-Tillman Water Control District (Special Counsel)

ST. LUCIE COUNTY

Eminent Domain and Related Matters

DUVAL COUNTY

Principal One Community Development District

RESUMES OF ATTORNEYS ASSIGNED TO MUNICIPAL WORK

The following is a brief biography for each member of the firm that is involved in municipal and special district practice of law:

CHARLES F. SCHOECH

Admitted to Bar, Florida (1974); U.S. District Court, Southern District of Florida (1975); U.S. Court of Appeals, Eleventh Circuit (1981); U.S. Supreme Court (1981); New York (1985); District of Columbia (1986).

Education: Florida State University (B.S., 1971); Valparaiso University (J.D., 1974).

Member: Palm Beach County Bar Association; The Florida Bar (member: City, County & Local Government Law Section; Executive Council, 1983-1985; Secretary, 1986; Chairman Elect, 1987; Chairman, 1988; Administrative Law Section; Environmental Land Use Law Section; Real Property, Probate and Trust Law Section); The District of Columbia Bar; The New York Bar; Florida Association of County Attorneys (Vice President, 1983, President 1984, Chairman, Board of Directors, 1985); Florida Municipal Lawyers Association.

Practice Areas: Governmental, Municipal, Public Finance/Bonds, Special Districts, Environmental, Administrative, and Real Property. Mr. Schoech is a former County Attorney for Palm Beach County and a former Assistant City Attorney for West Palm Beach. He is currently the Town Attorney for the Town of Lake Clarke Shores. He is also the Attorney and Administrator for a number of independent special districts. He is past President and past Chairman of the Board of Directors of the State Association of County Attorneys, and the past President of the Local Government Section of the Florida Bar. He is a past member of the Editorial Advisory Committee of the Stetson Law Review Local Government Law Symposium. He received the first annual Paul S. Buchman Award from the Local Government Law Section of the Florida Bar in 1992 for "his outstanding contributions in the area of Legal Public Service."

WILLIAM P. DONEY

Admitted to Bar, Florida (1977)

Education: BA, Economics, Bethany College (1974); Juris Doctor, University of Pittsburgh School of Law (1977);

Member: Florida and Palm Beach County Bar Associations; Certified Title Agent, Old Republic National Title Insurance Company;

Practice Areas:

- Town Attorney – Town of Jupiter Inlet Colony (1983 to present); Town Attorney – Town of Cloud Lake (1986 to present);
- Code Enforcement Special Magistrate for Town of Lantana (2007 – present); Village of

Wellington (2005 – 2015); Town of Haverhill (2007 – present)

- Litigation, appeals and administrative matters (Outside Counsel): City of Delray Beach, City of Lake Worth, City of West Palm Beach, City of Boynton Beach, City of Riviera Beach, City of Sebastian, Town of Glen Ridge, Palm Beach County, Palm Beach Community College, State of Florida Department of Professional Regulation, West Palm Beach Community Redevelopment Agency, Delray Beach Community Redevelopment Agency, Acme Improvement District, Florida Inland Navigation District, Village of Wellington, City of Stuart, City of Palm Beach Gardens, Coquina Water Control District and Indian Trail Water Control District
- Eminent Domain Matters (Outside Counsel): City of West Palm Beach; West Palm Beach CRA; City of Delray Beach; Delray Beach CRA; St. Lucie County, Indian River County

FRANK S. PALEN

Admitted to Bar, Florida (1989), Washington (1975), New York (1978).

Education: Bachelor of Arts (cum laude), Allegheny College (1969); Alden Scholar; Pi Gamma Mu; Juris Doctor (cum laude), State University of New York at Buffalo (1974); Student Editor, Law & Society Review; Jaeckle Fellow; Phi Kappa Phi

Member: Florida and Palm Beach County Bar Associations; Certified Title Agent, Attorney's Title Insurance Fund; American Planning Association; American Institute of Certified Planners (AICP); Adjunct Faculty, Florida Atlantic University, Department of Urban and Regional Planning (1999-2001); Palm Beach County Land Development Regulation Advisory Board (1998-Present); City of Lake Worth, Florida, Planning & Zoning Board, 2012-Present; City of Lake Worth, Florida, Planning & Zoning Board/Historic Resources Preservation Board, 1996-2002; Chair, 1998-2001; Palm Beach County Tiered Growth Management Policy Committee (1997-1998); South Florida Water Management District Technical Advisory Committee, SE PBC Integrated Water Resource Plan (1997-1998); Gold Coast Builders Association (1997-1999), Board of Directors (1998); Community Service Award, City of Lake Worth, Kiwanis, Lions International, Chamber of Commerce, Salvation Army, Rotary (1998); Leadership Palm Beach County, Class of 2001; Board of Directors, Greater Lake Worth Chamber of Commerce, 2006-2008.

Practice Areas: Special Districts, Land use, land development, platting, zoning, land development permitting and government approvals; drafting development codes; urban and regional planning; developments of regional impact; large scale land development; inter-governmental development coordination; Real estate transactions and related matters; historic preservation. He is co-counsel for the Indian Trails Improvement District (Palm Beach County), East County Water Control District (Lee County), Principal One Community Development District (Duval County), Terracina Community Development District (Palm Beach County), Thousand Oaks Community Development District (Palm Beach County), and Winston Trails East Community Development District (Palm Beach County).

KENNETH W. EDWARDS

Admitted to Bar, 1976, Florida; 1980 U.S. Tax Court; 1981 U.S. District Court.

Education: University of Florida (B.A. cum laude, 1972; J.D., 1976).

Member: Palm Beach County Bar Association, American Bar Association; The Florida Bar and Local Government Law Section, Attorney's Title Insurance Fund, Florida Association of Special Districts.

Practice Areas: Water Control, Improvement and Special Districts, Governmental, Administrative, Public Finance/Bonds, Real Property and Public Construction Contracts. He is General Counsel for the Northern Palm Beach County Improvement District, Principal One Community Development District, Terracina Community Development District and West Villages Improvement District, plus special counsel for the Coquina Water Control District.

MARY M. VIATOR

Admitted to Bar, Florida (1978); District of Columbia (1980).

Education: Newcomb College of Tulane University; Stephens College (B.A., 1974); Nova University (J.D., 1977).

Member: Palm Beach County Bar Association; The Florida Bar; District of Columbia Bar.

Practice Areas: Water Control, Improvement and Special Districts, Governmental, Public Finance/Bonds, Special Districts, Environmental, Administrative, Real Property and General Practice. Ms. Viator is a former Assistant County Attorney for Broward County. She is a former member of the Board of Directors and Secretary for the Florida Association of Special Districts, Inc. She is a past member of the Minority Certification Task Force, State of Florida Commission on Minority Economic and Business Development. She is also the General Counsel and Secretary for a number of special districts.

BETSY S. BURDEN

Admitted to Bar, Louisiana (1986); U.S. District Court, Middle District of Louisiana (1988); Florida (1989).

Education: Harding University (B.A., cum laude, 1981); Louisiana State University (J.D., 1986). Phi Delta Phi (President 1985-1986). Member, Moot Court Board. Author: "When This Old House is a Landmark," Florida Real Estate, 1991. Lecturer: Palm Beach Atlantic College, Paralegal Update. Member, Palm Beach County Charter Advisory Committee, 1992.

Member: Palm Beach County; Louisiana and American Bar Associations; The Florida Bar (Member: Environmental and Land Use Law Section; Local Government Law Section).

Practice Areas: Special Districts, Environmental, Land Use, Zoning, Municipal, Code

Enforcement, Permitting, Administrative, and Governmental. She is a former member of the Palm Beach County Charter Advisory Committee.

JOHN A. WEIG

Admitted to Bar, Florida (1992)

Education: University of Florida (B.A., 1988); University of Florida (J.D., 1991).

Member: Real Property, Probate and Trust Law Section of the Florida Bar and the Palm Beach County Bar Association. An approved title insurance agent for Attorney's Title Insurance Fund, Inc.

Practice Areas: Special Districts, Governmental, Real Property, Estates and Trusts, Commercial, and Civil Law and Litigation. Mr. Weig served as an Appellate Clerk at the Fourth District Court of Appeal from 1992-1993.

Individual Resume
Charles F. Schoech

**CALDWELL PACETTI
EDWARDS SCHOECH & VIATOR LLP**

ATTORNEYS AT LAW

MANLEY P. CALDWELL, JR.
KENNETH W. EDWARDS
CHARLES F. SCHOECH
MARY M. VIATOR
WILLIAM P. DONEY
FRANK S. PALEN
JOHN A. WEIG

1555 PALM BEACH LAKE BOULEVARD
SUITE 1200
WEST PALM BEACH, FLORIDA 33401

www.caldwellpacetti.com

OF COUNSEL
BETSY S. BURDEN

TELEPHONE: (561) 655-0620
TELECOPIER: (561) 655-3775

CHARLES F. SCHOECH
schoech@caldwellpacetti.com

RELEVANT EXPERIENCE AND ACCOMPLISHMENTS

- Town Attorney for the Town of Lake Clarke Shores
- General Counsel for the following independent special districts: Bolles Drainage District, Clewiston Drainage District, Disston Island Conservancy District, East Beach Water Control District, East Shore Water Control District, Everglades Agricultural Area Environmental Protection District, Gladeview Water Control District, Highland Glades Water Control District, Pahokee Water Control District, Pelican Lake Water Control District, Ridge Water Control District, Ritta Drainage District, Shawano Water Control District, South Florida Conservancy District, South Shore Drainage District and Troup-Indiantown Water Control District
- Former City Attorney, City of Clewiston
- Former City Attorney, City of Belle Glade
- Former Village Attorney, Village of Wellington
- Past President and Past Chairman, Board of Directors of the State Association of County Attorneys
- Past President, Local Government Section of the Florida Bar
- Past Member of the Editorial Advisory Committee of the Stetson Law Review Local Government Law Symposium
- Received the Paul S. Buchman Award from the Local Government Law Section of the Florida Bar in 1992 for his outstanding contributions in Legal Public Service

EMPLOYMENT

Partner, Caldwell Pacetti Edwards Schoech & Viator LLP (1989-Present)

I represent municipalities and special districts. My practice consists primarily of representing governmental agencies in all aspects of governmental law. I currently represent the Town of Lake Clarke Shores, the Everglades Agricultural Area Environmental Protection District, the Estero Fire Protection District, and several water control districts, drainage districts and improvement districts.

Partner, Mudge Rose Guthrie Alexander & Ferdon (1985-1988)

I opened and established the West Palm Beach office. My practice consisted primarily in representing governmental agencies in the areas of public finance and governmental law, including impact fees. I also represented clients in real estate matters.

County Attorney, Palm Beach County (1980-1985)

I supervised legal staff including 10 attorneys and 2 legal assistants. I was legal counsel for all county boards and agencies. I was General Counsel to the Board of County Commissioners, and was ultimately responsible for all legal matters relating to Palm Beach County. I was also the General Counsel to the Palm Beach County Legislative Delegation of the State Legislature representing them in all local meetings and drafting legislation that is requested and sponsored by the local legislative delegation.

Assistant County Attorney, Palm Beach County (1978-1980)

I was the Chief Assistant in charge of all matters relating to Planning, Zoning and Building, Subdivision and Land Development within Palm Beach County. I reviewed all condominium documents, property owner association documents, contracts for platting, and all zoning applications. I represented the Planning and Zoning Commissions, Zoning Board, Zoning Board of Adjustment, Code Enforcement Boards, Subdivision Review Boards, Site Plan Review Board, Construction Industry Licensing Board, Building Code Advisory Board, Building Board of Appeals and Land Use Advisory Board.

Assistant City Attorney, City of West Palm Beach (1974-1978)

I represented the City in legal matters pertaining to all City Departments including but not limited to: Planning Zoning & Building, Personnel, Utilities, Fire, Police, Finance, Public Works, Parks & Recreation and Administration.

EDUCATION

- **JD**, Valparaiso University (1974)
- **BS**, Florida State University (1971)

MEMBERSHIPS

- Admitted to Bar, Florida (1974); U.S. District Court, Southern District of Florida (1975); U.S. Court of Appeals, Fifth Circuit (1977), Eleventh Circuit (1981); U.S. Supreme Court (1981); New York (1985); District of Columbia (1986).
- Palm Beach County Bar Association
- Florida Bar City, County & Local Government Law Section; Executive Council, Member 1983-1989; Secretary/Treasurer, 1985-1986; Chairman Elect, 1986-1987; Chairman, 1987-1988; Administrative Law Section; Environmental Land Use Law Section; Real Property, Probate and Trust Law Section
- Florida Association of County Attorneys; Vice-President, 1983; President, 1984; Chairman, 1985
- Florida Municipal Attorneys Association
- Florida Association of Special Districts

Individual Resume
William P. Doney

**CALDWELL PACETTI
EDWARDS SCHOECH & VIATOR LLP**

ATTORNEYS AT LAW

MANLEY P. CALDWELL, JR.
KENNETH W. EDWARDS
CHARLES F. SCHOECH
MARY M. VIATOR
WILLIAM P. DONEY
FRANK S. PALEN
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OF COUNSEL
BETSY S. BURDEN

TELEPHONE: (561) 655-0620
TELECOPIER: (561) 655-3775

WILLIAM P. DONEY
doney@caldwellpacetti.com

RELEVANT EXPERIENCE AND ACCOMPLISHMENTS

- Town Attorney, Town of Jupiter Inlet Colony (1983 to present)
- Town Attorney, Town of Cloud Lake (1986 to present)
- Assistant City Attorney, City of West Palm Beach; Staff Attorney (1978-1983)
- Assistant City Attorney, City of Boynton Beach; Outside Counsel (1983-1986)
- Code Enforcement Special Magistrate, City of Lantana (2007-present)
- Code Enforcement Special Magistrate, Village of Wellington (2005-2015)
- Code Enforcement Special Magistrate, Town of Haverhill (2007-present)
- Code Enforcement Special Magistrate, Town of Loxahatchee Groves (2011-2015)
- Code Enforcement Special Magistrate, Town of Mangonia Park (2008- 2010)
- Hearing Officer, Broward County (2012-present)
- Attorney for property owners in code enforcement proceedings and related circuit court litigation
- Represented the following governmental entities in various types of litigation, appeals and administrative matters: City of Delray Beach, City of Lake Worth, City of West Palm Beach, City of Boynton Beach, City of Riviera Beach, City of Sebastian, Town of Glen Ridge, Palm Beach County, Palm Beach Community College, State of Florida Department of Professional Regulation, West Palm Beach Community Redevelopment Agency, Delray Beach Community Redevelopment Agency, Acme Improvement District, Florida Inland Navigation District, Village of Wellington, City of Stuart, City of Palm Beach Gardens, Coquina Water Control District, West Villages Improvement District, East County Water Control District and Indian Trail Water Control District
- Retained as outside counsel for the City of West Palm Beach, West Palm Beach CRA, City of Delray Beach, Delray Beach CRA, St. Lucie County, Florida Inland Navigation District, City of Stuart, Village of Wellington, Indian River County, Martin County and City of Palm Beach Gardens in eminent domain matters
- Represented property owners in eminent domain matters
- Represented governmental entities in quiet title and other land related disputes

EMPLOYMENT

Partner, Caldwell Pacetti Edwards Schoech & Viator LLP (2010-Present)

- Practice consists primarily of general municipal representation and litigation
- General real estate matters
- Representation of governmental entities and private individuals in eminent domain and other litigation matters
- Service as Special Magistrate for Code Enforcement Proceedings

Partner, Vance, Doney & MacGibbon, P.A. (1983-2010)

- Practice consists primarily of general municipal representation and litigation
- General real estate matters
- Representation of governmental entities and private individuals in eminent domain and other litigation matters
- Service as Special Magistrate for Code Enforcement Proceedings

Assistant City Attorney, City of West Palm Beach (1978-1983)

- General municipal practice and representation
- Board Advisor to Code Enforcement Board, Pension Board, Zoning Board of Adjustment and Appeals, Civil Service Board and Contractor's Industry Licensing Board
- Litigation including eminent domain, general municipal, zoning and planning disputes, contraband forfeiture, personnel matters, personal injury and workers' compensation defense

Associate, Scott, Burk, Royce & Harris (1977-1978)

- Zoning, planning and real estate matters

EDUCATION

- **JD**, University of Pittsburgh School of Law, 1977
- **BA Economics**, Bethany College, 1974

MEMBERSHIPS

- Florida Bar Member since November 1977
- Member of the Steering Committee of the Florida Bar CLE Eminent Domain Practice and Procedure Manual, 7th edition, and co-author of Chapter 4 "Necessity for the Taking"
- Palm Beach County Bar Association
- Certified Title Agent, Attorney's Title Insurance Fund

Form Retainer Agreement

CALDWELL PACETTI
EDWARDS SCHOECH & VIATOR LLP

ATTORNEYS AT LAW

MANLEY P. CALDWELL, JR.
KENNETH W. EDWARDS
CHARLES F. SCHOECH
MARY M. VIATOR
WILLIAM P. DONEY
FRANK S. PALEN
JOHN A. WEIG

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SUITE 1200
WEST PALM BEACH, FLORIDA 33401

www.caldwellpacetti.com

OF COUNSEL
BETSY S. BURDEN

TELEPHONE: (561) 655-0620
TELECOPIER: (561) 655-3775

May ___, 2019

Dear _____:

We are pleased that the Town of Loxahatchee Groves, Florida, has engaged the law firm of Caldwell Pacetti Edwards Schoech & Viator LLP to perform legal services for you. From our experience, we have found that clients appreciate a frank and open discussion and understanding of the services that we will perform and the basis upon which they will be expected to pay for these services. This letter is intended to set forth our understanding as to the nature and scope of the legal services we have agreed to render for you, the amount of our fees for these services, the manner in which our fees for these services shall be determined and the terms upon which will make payment for these fees.

1. Nature of Legal Services: You have engaged Charles F. Schoech as lead counsel to represent the Town of Loxahatchee Groves as the Town Attorney for the purpose of rendering legal advice and to prepare and/or review for legal sufficiency ordinances, resolutions, contracts and agreements, together with the representation of the Town in any judicial or administrative proceeding.

2. Fees for Services: You will be charged, and by signing this letter do hereby agree to pay, for our services on the basis of hourly rates established for the attorneys in our firm. It is our practice to charge for our actual time expended on your behalf, but not less than 2/10 of an hour for each telephone call or other service no matter how short its duration. Our hourly rates for this service will be:

Partners of the Firm (General Services)	\$250.00
Litigation Matters	\$275.00
Paralegal	\$110.00

Charles F. Schoech will be primarily responsible for the services to be performed by us for you. He will be assisted by William P. Doney and other members of the firm. It is not possible at this time to determine the total amount of our fees for our services, but we will make every effort to stay within the budget.

3. Costs: We will also charge you for certain cost and expenses incurred, which may include filing fees, recording costs, travel expenses, delivery charges, long distance telephone charges, photocopies, postage, computer research charges and court reporting fees. In addition to our fees for legal service, you agree to pay us for such costs and expenses, and in the event unusually large costs or advances are required, we reserve the right to require a cost deposit from you prior to undertaking the expenditure of funds on your behalf.

4. Payment of Fees and Costs: Our itemized invoices will be submitted to you on a monthly basis and each invoice will be due and payable when rendered.

5. Representation of Other Clients: We are bound by rules of legal ethics not to represent a client if the representation of that client will be directly adverse to the interest of another client unless each such client consents to such representation after consultation. At this time, we are not aware of any such conflict that might arise from our representation of you, but if one should be discovered, you will be immediately notified in order to promptly resolve the conflict.

6. Commencement of Representation: If the foregoing is agreeable to you, please acknowledge your acceptance by signing this letter and returning it to us.

We appreciate your confidence in our firm and we assure you that we will make every effort to perform our services in a prompt and efficient manner.

Sincerely,

CALDWELL PACETTI EDWARDS SCHOECH & VIATOR LLP

Charles F. Schoech

AGREED AND ACCEPTED this _____ day of _____, 2019.

ATTEST:

By: _____
Mayor

Town Clerk

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LOHMAN LAW GROUP, P.A.

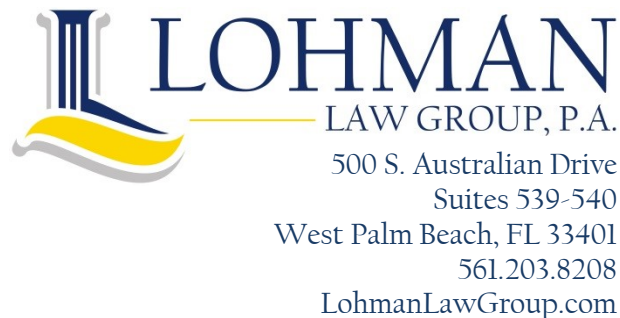
Town of
Loxahatchee Groves

Response to Request
for Letter of Interest
for Interim Municipal
Legal Services

May 20, 2019

R. MAX LOHMAN*
WALTER H. PORR, JR.[□]
BRADLEY W. BIGGS, P.A.*[^]+

Attorneys at Law



* Board Certified Specialist – City, County, and Local Government Law
+ Florida Supreme Court Certified County and Circuit Court Mediator
□ Admitted to practice in Florida, California, Massachusetts, New Hampshire and Rhode Island
^ Of Counsel

May 20, 2019

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

Re: Response to Request for Letter of Interest
for Interim Municipal Legal Services

Dear Mr. Titcomb:

Lohman Law Group, P.A., is pleased to submit the following letter of interest to serve as the Interim Town Attorney, providing Municipal Legal Services for the Town of Loxahatchee Groves. Lohman Law Group, P.A., is a full service law firm located in West Palm Beach, Florida that specializes in City, County, and Local Government Law, which includes all aspects of code drafting and interpretation, Sunshine Law and Public Records Act, law enforcement liability, zoning and land use law, labor and employment law, collective bargaining, all aspects of public finance (budget law, general obligation and special revenue bonds), procurement, all forms of government contracts, interlocal, and franchise agreements, public construction, and code enforcement. As well, the firm has significant general litigation experience, in both state and federal courts, with an emphasis on defense of constitutional/civil rights challenges, eminent domain, and public official liability defense.

Our mission is to provide creative and professional solutions to the complex issues that confront public officials and local governments. Like the public officials and local governments that we represent, we take great pride in working directly for our communities and have therefore established our law firm to provide a legal resource that is committed to the interests of the public sector. We strive to provide an “in-house” legal department experience at a cost that makes economic sense and represents a real value to local governments.

Lohman Law Group, P.A., currently serves as City Attorney for the City of Palm Beach Gardens, Florida, Town Attorney for the Town of Lantana, Florida and General Counsel for the West Palm Beach Downtown Development Authority. Our firm is comprised of three (3) attorneys, R. Max Lohman, Esq., B.C.S., Walter H. Porr, Jr., Esq., Bradley W. Biggs, Esq., B.C.S., and a part-time paralegal professional and part-time administrative assistant.

We are passionate about our representation of all our local government clients and look forward to discussing our qualifications and how Lohman Law Group, P.A. might best serve the Town of Loxahatchee Groves.

Thank you in advance for your consideration.

Sincerely,
Lohman Law Group, P.A.



R. Max Lohman, Jr., Esq., B.C.S.
President and Managing Partner

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DESCRIPTION OF QUALIFICATIONS

Lohman Law Group, P.A., was established to meet the ever growing needs of local governments for expansive, comprehensive legal representation from a single law firm that represents only the interests of local governments, while providing the legal experience and resources of much larger firms. The field of municipal law continues to become increasingly complex and the demand for attorneys who have the experience, professionalism, and knowledge necessary to represent local governments has never been greater. We are a local full service law firm located at 500 S. Australian Avenue, Suites 539-540, West Palm Beach, Florida, that specializes in City, County, and Local Government Law, which includes all aspects of code drafting and interpretation, Sunshine Law and Public Records Act, law enforcement liability, zoning and land use law, labor and employment law, collective bargaining, all aspects of public finance (budget law, general obligation and special revenue bonds), procurement, government contracts, and franchise agreements, public construction, and code enforcement. In addition, the firm has substantial general litigation experience with an emphasis on the defense of constitutional/civil rights challenges, eminent domain, and public official liability.

Furthermore, our firm is the only municipal law firm in the tri-county area to have successfully defended a municipality from an adverse Internal Revenue Service audit of its independent contractors, saving the municipality over \$200,000 in taxes and penalties. If the Internal Revenue Service would have prevailed the municipality would have had to abandon most of its recreation services as they would have become cost prohibitive.

More recently, we became the first law firm in the State of Florida to successfully defend a municipal ordinance banning the sale of puppies and kittens under the Florida Constitution. The ordinance was challenged by an existing pet store in the city, alleging a violation of equal protection, substantive due process and vested rights. The plaintiffs also sought injunctive relief. In written order, the Honorable Menu Sasser ruled in favor of the City of Palm Beach Gardens on all counts. Our success in this litigation has paved the way for other municipalities and counties throughout the state to adopt similar regulations, using our ordinance as a foundation.

Most recently, we successfully defended the City of Palm Beach Gardens in a lawsuit brought by a citizen challenging the legal sufficiency of ballot language for a badly needed charter amendment. We defeated the plaintiff at trial, the plaintiff appealed to the Fourth District Court of Appeal. We prevailed on appeal, receiving a *per curiam* affirmed opinion less than 48 hours following oral argument.

Our firm is fully equipped with state of the art information technology hardware, software, and support equipment in order to allow us to provide outstanding legal services in the most responsive, efficient, and cost effective manner. We are capable of providing documents to our clients in any format that they may desire. Our attorneys have impeccable professional reputations and are highly regarded among their peers.

The attorneys of Lohman Law Group, P.A., have served the following municipalities in the capacities and time frames set forth below:

Town of Lantana*	Town Attorney – 2006 to present Assistant Town Attorney – 2004 - 2006
City of Palm Beach Gardens*	City Attorney – 2008 to present Special Counsel – 2007 - 2008
West Palm Beach DDA*	General Counsel – 2006 to present
Town of South Palm Beach	Town Attorney – 2006 – 2017
City of Delray Beach	City Attorney – 2016 – 2018
Delray Beach DDA	General Counsel – July 2015 to December 2016
Town of Cloud Lake	Special Magistrate – 2007 to present
Town of Glen Ridge	Special Magistrate – 2007 to present
City of West Palm Beach	Special Magistrate – 2013 to September 2014
Town of Manalapan 2004 – 2014	Assistant Town Attorney/Zoning Attorney –
Village of Royal Palm Beach	Code Enforcement Attorney – 2004 – 2006
City of Atlantis	Assistant City Attorney – 2004 – 2014 Special Counsel - Aviation matters – 2004 – 2006
Town of Palm Beach Shores	Assistant Town Attorney – 1998 – 2010
City of Bakersfield, CA Attorney -	Assistant City Attorney and Prosecuting

*** Currently serving as City/Town Attorney and General Counsel**

While our firm has successfully prosecuted numerous civil forfeiture cases, foreclosures, risk protection orders, and has successfully defended numerous and various legal challenges, our philosophy has and always be to resolve cases and controversies without litigation if it can reasonably be avoided. However, when litigation must be undertaken our attorneys stand ready to aggressively prosecute or defend the Town's interests.

FIRM ATTORNEYS

R. Max Lohman, Jr., Esq., B.C.S.

Walter H. Porr, Jr., Esq.

Bradley W. Biggs, Esq., B.C.S.

CONFLICTS, LITIGATION, & DISCIPLINE

- ❖ None of the attorneys, nor the firm, has any conflicts of interest which would preclude the firm's representation of the Town.
- ❖ Neither the firm, nor any of its attorneys have ever been involved in any litigation arising out of performance. Neither is there any pending litigation related to or arising out of performance.
- ❖ In late 2017, R. Max Lohman, Esq., B.C.S. received a bar complaint filed by a disgruntled resident of the City of Delray Beach. The Florida Bar found no valid basis for the complaint and it was dismissed at the local bar counsel level. The complainant subsequently appealed the finding and such finding of "no violation" was upheld by the Director of Attorney Consumer Assistance Program (ACAP). The complainant then appealed the Director of ACAP's determination to the Fifteenth Judicial Circuit Grievance Committee, which also upheld the previous decision of "no violation" and on June 28, 2018 the complaint file was closed. It is important to note that the complainant filed multiple bar complaints against multiple attorneys in this matter. None were found to have violated the rules of professional conduct.

R. MAX LOHMAN
Attorney at Law

Office: 561.203.8208
Mobile: 561.373.5213
Email:
max@lohmanlawgroup.com
LohmanLawGroup.com



500 S. Australian Avenue
Suites 539-540
West Palm Beach, Florida 33401

EDUCATION

University of Maryland School of Law
Juris Doctor, July 2003

Baltimore, Maryland
(08/2000 - 07/2003)

United States Naval Academy
B.S. - Oceanography, May 1993

Annapolis, Maryland
(07/1989 - 05/1993)

PROFESSIONAL EXPERIENCE

President and Managing Shareholder
Lohman Law Group, P.A. 08/2014 – Present

- ❖ Board Certified Specialist – City, County and Local Government Law
- ❖ Rater AV Preeminent® by Martindale-Hubbell
- ❖ General Counsel for the City of Palm Beach Gardens and the Town of Lantana
 - Chief legal advisor to the city/town council, city/town manager, city/town departments, boards and committees; including Local Planning Agencies, Planning and Zoning Boards, Code Enforcement and Building Board of Adjustment.
- ❖ General Counsel for the West Palm Beach Downtown Development Authority (an independent special district)
 - Chief legal advisor to the board of directors, executive director and staff.
 - Responsible for attending all board meetings and serving as legal counsel in all matters involving the district.
- ❖ Code Enforcement Special Magistrate for the Towns of Glen Ridge and Cloud Lake

Extensive experience in various aspects of municipal representation, including a vast array of land planning and zoning matters, real property issues, eminent domain, code enforcement law, police and fire pension boards, vehicle forfeiture, risk protection orders, and government procurement and contract matters. Also responsible for drafting ordinances, resolutions, contracts and other legal documents and handling litigation arising from challenges to land use and zoning matters, code enforcement proceedings, ordinances, and other municipal matters. Significant litigation experience defending constitutional, civil rights challenges, and election lawsuits, both at trial and on appeal, including oral argument.

Associate

Corbett, White and Davis, P.A.

04/2004 – 07/2014

- ❖ General Counsel for the City of Palm Beach Gardens and the Town of Lantana
- ❖ General Counsel for the West Palm Beach Downtown Development Authority (an independent special district)
- ❖ Code Enforcement Special Magistrate for the City of West Palm Beach and the Towns of Glen Ridge and Cloud Lake

Assisted with the representation of the firm's other Palm Beach County municipal clients including Atlantis, Palm Beach Shores, Manalapan, Mangonia Park, Royal Palm Beach, South Palm Beach, and Tequesta.

Law Clerk

Corbett and White, P.A.

6/2003 - 04/2004

Naval Officer - Lieutenant Commander (sel.)

United States Navy (Various Assignments as follows)

06/1986 - 12/2002

Military Instructor - U.S. Naval Academy

12/1999 - 12/2002

Naval Helicopter Pilot (Weapons & Tactics Instructor/Operations Officer)

01/1994 - 12/1999

Flag Staff Officer (Asst. Charting & Geodetic Requirements Officer)
for the Chief of Naval Operations (Naval Oceanographer's Staff)

05/1993 - 01/1994

Midshipman - U.S. Naval Academy

07/1989 - 05/1993

Petty Officer 2nd Class (MM2) - Nuclear Qualified

06/1986 - 07/1989

Awards:

1999 Naval Helicopter Association (NHA) "Pilot of the Year"

1999 NHA - Southeast Region "Pilot of the Year"

1999 Commander Helicopter Maritime Strike Wing, U.S. Atlantic Fleet "Pilot of the Year"

1999 Helicopter Anti-Submarine Light Squadron Four Six (HSL-46) "Pilot of the Year"

Navy-Marine Corps Commendation Medal, Navy-Marine Corps Achievement Medal (2), National Defense Service Medal (2), Armed Forces Expeditionary Medal (2), Kosovo Campaign Medal, NATO Medal, Expert Rifle Medal, Expert Pistol Medal and numerous unit awards.

COURTS

All Florida State Courts

United States District Court, Southern District of Florida

United States Court of Appeals, 11th Circuit

United States Tax Court.

WALTER H. PORR, JR.
Attorney at Law



Office: 561.203.8208
Mobile: 617.953.3420
Email: walt@lohmanlawgroup.com
LohmanLawGroup.com

500 S. Australian Avenue
Suites 539-540
West Palm Beach, Florida 33401

PROFESSIONAL EXPERIENCE

- ❖ Lohman Law Group, P.A., West Palm Beach, Florida, July 2014 to present
 - Assistant City/Town/General Counsel, November 2018 to present
 - Legal Counsel for the Town of Lantana, the City of Palm Beach Gardens and the West Palm Beach Downtown Development Authority.
 - Duties include attendance at Commission and Planning and Zoning Board meetings, public contract negotiations, interpretation and application of applicable Federal, State and Municipal rules and regulations, code enforcement prosecution, and drafting of Local Government Ordinances, and Resolutions.
 - Provide legal representation of municipal clients for litigation matters in all courts in the State of Florida.
 - Substantial first chair litigation experience at trial and appellate levels in both state and federal court in multiple jurisdictions. Trial experience includes numerous jury and bench trials and appellate oral argument. Particular emphasis on law and motion and discovery practice as a means for early case resolution. Also possess significant experience in all forms of alternative dispute resolution.
- ❖ KORDE & ASSOCIATES, P.C. Lowell, MA
Trial and Appellate Attorney August 2014 – October 2018
- ❖ CONNOLLY, GEANEY, ABLITT & WILLARD, P.C. Woburn, MA
Foreclosure Operations Manager, Trial and Appellate Attorney Nov. 2007 – May 2014
- ❖ THOMAS MORE COLLEGE OF LIBERAL ARTS Merrimack, NH
Adjunct Professor Fall Semester, 2012
- ❖ CITY OF BOSTON, Inspectional Services Department Boston, MA
Assistant Corporation Counsel October, 2006 - November, 2007
- ❖ CITY OF REVERE Revere, MA
Assistant City Solicitor December, 2004 – October, 2006
- ❖ PRIVATE PRACTICE/CONTRACT ATTORNEY Visalia, CA 2003 - Boston, MA 2004
- ❖ CITY OF BAKERSFIELD Bakersfield, CA
Deputy City Attorney November, 1990 – January, 2003

- ❖ KERN COUNTY SUPERIOR COURT
Arbitrator/Judge Pro Tem Bakersfield, CA
mid to late 1990's
- ❖ CALIFORNIA PACIFIC SCHOOL OF LAW
Adjunct Professor Bakersfield, CA
August, 1995 – May, 1997
- ❖ CLIFFORD & BROWN (formerly Clifford, Jenkins & Brown)
Associate Attorney Bakersfield, CA
June, 1989 – November, 1990
- ❖ MORRIS SHERR & ASSOCIATES (formerly Sherr & Templeton)
Associate Attorney Fresno, CA
June, 1988 – June, 1989

EDUCATION

MASTERS OF LAW (LL.M.) Suffolk University Law School, Boston, MA
 JURIS DOCTOR (J.D.) George Mason University School of Law, Arlington, VA
 BACHELOR OF SCIENCE (History) United States Naval Academy, Annapolis, MD

BAR ADMISSIONS

California	12/7/88	United States Supreme Court	7/6/94
Massachusetts	1/29/04	First Circuit Court of Appeals	1/29/04
New Hampshire	12/18/12	Ninth Circuit Court of Appeals	3/18/91
Rhode Island	5/30/13	Eleventh Circuit Court of Appeals	11/8/13
Florida	11/4/13	Eastern District of California	12/7/88
		Central District of California	8/2/94
		District of Massachusetts	2/25/04
		District of New Hampshire	1/16/13
		Southern District of California	2/1/13
		Northern District of California	1/23/13
		District of Rhode Island	6/21/13
		Northern District of Florida	12/4/13
		Middle District of Florida	11/27/13
		Southern District of Florida	12/3/13

MILITARY SERVICE

UNITED STATES MARINE CORPS 1980-1985 (Active), 1985-1987 (Reserve)
 Captain
 Adjutant, Legal Officer, Combat Engineer, Personnel Officer, Classified Material Control Officer
 (Top Secret Security Clearance)

UNITED STATES NAVY 1976-1980
 Midshipman, United States Naval Academy

BRADLEY W. BIGGS
Attorney at Law



500 S. Australian Avenue
Suites 539-540
West Palm Beach, Florida 33401

Accomplishments

- 12 years as a Florida Bar Board Certified Specialist in City, County and Local Government Law
- Served as General/Lead Counsel for three municipalities in Palm Beach County
- Served as assistant counsel for six other municipalities
- Served as assistant counsel for Palm Beach County League of Cities, Inc.
- Currently Village Attorney for the Village of Golf
- Currently General Counsel for South Central Regional Wastewater Treatment & Disposal Board- A Joint Special District for the Cities of Delray Beach and Boynton Beach
- Certified as a County and Circuit Court Mediator by the Florida Supreme Court

Professional Experience

Associate Attorney- Corbett & White, PA; now known as Davis and Ashton, PA.- October 1998 – October 2013

- As General/Lead Counsel, was responsible for the oversight of litigation, including appellate litigation, all land use, zoning, and development matters and land development permitting
- Prosecuted and directed Code Enforcement cases for the municipalities
- Prepared a broad array of documents including, but not limited to, deeds, easements, leases, interlocal agreements, bids, ordinances and resolutions
- Prepared memos and drafted opinion letters regarding a myriad of legal issues affecting the municipalities
- Served as Issuers Counsel for the issuance of municipal bonds

Notable Achievements

- Was instrumental in forming a plan of cooperation between two adjacent municipalities so that a portions of planned developments lying adjacent to the borders of the communities could utilize the commonly owned property through a series of agreements and development approvals
- Assisted staff and developer in obtaining approvals for a luxury, multi-family development by utilizing newly adopted state legislation and successfully solicited the cooperation of the County government in deeding a right-of-way to the municipality in order to incorporate the old right-of-way as a new access to the development

Education

Juris Doctor- Nova Southeastern University, Fort Lauderdale 1998

DESIGNATION OF INTERIM TOWN ATTORNEY

If Lohman Law Group, P.A., is afforded the honor of serving as the Town of Loxahatchee Groves, R. Max Lohman, Esq. will be the attorney designated to serve in the primary capacity as Town Attorney.

Mr. Lohman is a Board Certified Specialist (B.C.S.) in City, County and Local Government Law by the Florida Bar Association. He has concentrated his practice solely in this area of the law for the past 15 years. He has served as the Town Attorney for the Town of Lantana since 2006 and has served as the City Attorney for the City of Palm Beach Gardens since 2008. He has extensive experience in all facets of city, county and local government law.

Mr. Lohman has successfully defended his clients in Bert J. Harris claims, eminent domain litigation, comprehensive land use challenges, election challenges, annexation challenges, declaratory actions, code enforcement appeals and zoning appeals. Mr. Lohman has argued in front of the Fourth District Court of Appeal twice within the last three years and currently has another election case pending before the district court for which oral argument is likely to be granted. He was instrumental to the City of Palm Beach Gardens' review and approval of the Briger Development of Regional Impact (DRI), the largest in Palm Beach County. The Briger DRI (now named the Alton DRI) is currently under development and will usher in new high technology and bioscience jobs, which are projected to have sustained multi-million-dollar economic impact on the county. Mr. Lohman was also instrumental to the City's review and approval of the ~ 5,000-acre Avenir development, of which ~ 2,500 acres are in permanent preservation.

Mr. Lohman is also extremely familiar with the land use and zoning challenges and general legal concerns facing the communities in Palm Beach County. He has drafted and re-written zoning regulations for multiple municipalities and has significant experience defending appeals arising from zoning decisions.

Please see Mr. Lohman's curriculum vitae on page 7 above for his various bar admissions and additional past work experience.

DESIGNATION OF ASSISTANT TOWN ATTORNEY

If selected, Mr. Walter H. Porr, Jr. will serve as the Assistant Town Attorney under Mr. Lohman. Mr. Porr is an exceptionally accomplished attorney having over 30 years of experience in multiple jurisdictions.

Please see Mr. Porr's curriculum vitae on page 9 above for his various bar admissions and additional past work experience.

REFERENCES

Mayor David J. Stewart
Town of Lantana, Florida
500 Greynolds Circle
Lantana, Florida 33462
Tel. (561) 762-0520
dstewart@lantana.org

Deborah S. Manzo, Town Manager
Town of Lantana, Florida
500 Greynolds Circle
Lantana, Florida 33462
Tel. (561) 540-5010
dmanzo@lantana.org

Councilmember Maria G. Marino
City of Palm Beach Gardens, Florida
10500 North Military Trail
Palm Beach Gardens, Florida 33410
Tel. (561) 627-4927
mmarino@pbgfl.com

Ron Ferris, City Manager
City of Palm Beach Gardens, Florida
10500 North Military Trail
Palm Beach Gardens, Florida 33410
Tel. (561) 799-4110
rferris@pbgfl.com

Raphael Clemente, Executive Director
West Palm Beach Downtown Development
Authority
301 Clematis Street, Suite 200
West Palm Beach, Florida 33401
Tel. (561) 833-8873
rclemente@westpalmbeachdda.com

Richard Radcliffe, Executive Director
Palm Beach County League of Cities
301 N. Olive Avenue, Suite 1002.17
West Palm Beach, Florida 33401
Tel. (561) 355-4484
rradcliffe@pbcgov.org

Neal de Jesus, Interim City Manager
City of Delray Beach, Florida
100 N.W. 1st Avenue
Delray Beach, Florida 33444
Tel. (561) 243-7015
DeJesus@mydelraybeach.com

PROPOSED FEE BASIS

The Lohman Law Group would like to offer the following fee option for the Town Council's consideration:

Option #1: Hourly Rate Option. For services as Interim Town Attorney this option proposes a blended rate of \$195.00 per hour for all general legal work and \$245.00 per hour for litigation, administrative hearings, and appeals from administrative hearings. Code enforcement hearings will be billed as general legal work. Actual reimbursable costs expended on behalf of the City will be included on each monthly invoice and will include items for which our firm has incurred outside costs, such as sending items by Federal Express or other overnight courier, copying costs, recording and filing fees, postage, and other customary costs associate with any litigation matters. There will be no charge for long distance telephone charges. There will also be no charge for travel time between the City and the firm's office.

Option #2: Retainer Option. For services as Interim Town Attorney this option proposes a retainer of \$5,000 per month, which is due and payable on the first day of each month and is earned when paid. The firm would continue to generate hourly invoices for all general legal services rendered at the blended rate of \$195 per hour for both the Town and the firm to identify when the retainer amount has been exhausted. When or if the retainer amount has been exhausted, the firm would issue an invoice at the end of the month for any legal services that were provided beyond the retainer amount, which shall be billed at the blended hourly rate of \$195 for all general legal services. Litigation matters and administrative hearings (not including code enforcement) are not included in the retainer amount.

Option #3: Flat Fee Option. For services as Interim Town Attorney this option proposes a flat monthly rate of \$9,000 per month for all general legal services not including costs, litigation fees or administrative hearings fees. The flat rate would be invoices and payable monthly at the end of each month. The firm would continue to generate and maintain hourly invoices for all general legal services rendered at the blended rate of \$195.00 per hour so that both the Town and the firm could evaluate the feasibility of this option. This would provide the information and date necessary for both the Town and the firm to determine if such a financial arrangement is fair and reasonable for both the firm and the Town.

Our firm will bill the same rate for all attorneys who perform work on behalf of the Town. We bill by 0.1-hour increments. For all three (3) options the hourly rate for litigation and non-code enforcement administrative hearing matters is \$245.00 per hour.

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Carlyn H. Kowalsky, Esq.
E-MAIL ADDRESS:
ckowalsky@nasonyeager.com

OFFICE:
(561) 982-7114
FAX NUMBER:
(561) 982-7116

May 20, 2019

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

Re: Proposal for Interim Municipal Legal Services

Dear Mayor Shorr, Council Members, and Mr. Titcomb:

On behalf of Nason, Yeager, Gerson, Harris & Fumero, P.A. ("Nason Yeager"), I am pleased to submit the attached proposal to provide Interim Municipal Legal Services to the Town of Loxahatchee Groves (the "Town"). As described in our proposal, Nason Yeager has a proven track record of public sector representation and is well qualified to provide legal services to the Town. The three-person team that would serve the Town is well versed on governmental regulations. Nason Yeager's attorneys have decades of actual work experience in the public sector, including a diverse portfolio of municipal and governmental agency practice. Several of our attorneys have practiced as in-house government attorneys including counsel to the South Florida Water Management District ("SFWMD") and interim City Attorney for the City of Port St. Lucie.

Nason Yeager is a Palm Beach County law firm that has enjoyed the privilege of serving our clients' legal needs for nearly 60 years. During this time, the team we have represented many municipalities and governmental agencies in Palm Beach County and throughout the State in both general and special counsel capacities. Past government clients include Palm Beach County, Martin, Pasco, and Lee, and the cities of Atlantis, Boca Raton, Delray Beach, Riviera Beach, Port St. Lucie, Fort Lauderdale, Highland Beach, and Cape Coral. Nason Yeager enjoys an excellent statewide reputation evidenced best by our AV rating, the highest rating conferred on law firms by Martindale-Hubbell.

As former counsel to the City of Port St. Lucie, and other municipalities, as well as the SFWMD, we have addressed nearly all of the topics facing the Town. Our solid experience encompasses all aspects of open government, ethics, public finance, Truth in Millage (TRIM), procurement, and right-of-way matters.

We believe that "one size does not fit all". Therefore, as outlined in this Proposal, we are committed to performing work under a customized approach, based on the Town's actual needs

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
May 20, 2019
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and priorities, and adhering to three guiding principles: (1) providing legal services in an accessible, responsive, and transparent manner that focuses on minimizing claims and litigation; (2) providing quality service in a cost-effective, efficient manner that strives to stay within the established budget; and (3) maintaining flexibility to best serve the Town's actual legal needs priorities.

Thank you for considering our proposal. I look forward to the opportunity to serve your legal needs.

Sincerely,



Carlyn H. Kowalsky, Esq.
John J. Fumero, Esq.
John "Jack" R. Rice, Esq.

Proposal to provide Interim Municipal Legal Services

to



in response to

**Request For
Letter Of Interest For Interim Municipal Legal Services**

Submitted by:



Carlyn Kowalsky, Esq.

750 Park of Commerce Blvd., Ste. 210

Boca Raton, Florida 33487

t: (561) 982-7114 / f: (561) 982-7116

ckowalsky@nasonyeager.com | www.NasonYeager.com

Date Submitted: **May 20, 2019**

The Law Firm

Nason, Yeager, Gerson, Harris & Fumero, P.A has been in business since 1960. The firm's attorneys responding to this Request For Letters of Interest specialize in local government law and are all currently licensed to practice law in Florida. The firm maintains two offices in Palm Beach County – one in Boca Raton and one in Palm Beach Gardens.

Martindale-Hubbell AV rated, the firm provides strategic legal counsel and representation to a wide array of public and private sector clients throughout the State of Florida. Our attorneys have a proven track record of results-driven work. Throughout its history, the firm has served a diverse client base, with a Florida focus, utilizing innovative strategies to achieve efficient and effective solutions.

Attorneys

Carlyn Kowalsky will act as the Town Attorney and will attend all regular meetings of the Town Council and any special meetings and workshops requiring the attendance of the Town Attorney, routine legal consultation with the Town Manager and Town Staff, as well as drafting, development and/or review of Town ordinances, resolutions, regulations, contracts, and other legal documents. She will render opinions on legal issues affecting the Town while advising the Town Council and Staff on new laws and opinions of note and will represent the Town in court, when necessary.

John J. Fumero and Jack Rice will serve as the Assistant Town Attorneys. Mr. Fumero and Mr. Rice have significant experience representing local governments in both general and special counsel capacities. Not only will the Assistant Attorneys be able to provide Ms. Kowalsky with support in her representation of the Town, they are each individually capable of serving as his alternate in the event Ms. Kowalsky is unavailable. Mr. Fumero and Mr. Rice will also serve as assets to the Town by contributing valuable experience, specialized knowledge and unique perspectives related their specialized areas of experience and practice, as explained in greater detail below.

Palm Beach County Offices

Ms. Kowalsky, Mr. Fumero, and Mr. Rice will operate primarily out of the Boca Raton office, with occasional work from the Palm Beach Gardens office.

The addresses for the firm's offices are:

- 3001 PGA Boulevard, Suite #305, Palm Beach Gardens, Florida 33410; and
- 450 Park of Commerce Boulevard, Suite 210, Boca Raton, Florida 33417

Local Government Experience

Nason Yeager's attorneys have significant local government experience as described generally below. In addition, we have described our individual experience with each item listed in the Town's Scope of Services.

Carlyn Kowalsky served as managing attorney and deputy general counsel for the South Florida Water Management District – a special district – (SFWMD) for the past 15 years. She is very knowledgeable in the taxing ability, laws, and authority of all kinds of special districts, including independent, dependent, and water control districts under Chapter 298, Florida Statutes. The SFWMD Governing Board makes decisions concerning taxing, budgeting and spending for capital projects as well as administering regulatory programs to safeguard water resources and Ms. Kowalsky has provided legal support for all of those activities. Generally speaking, there are two types of government entities in Florida – local and state. SFWMD is a local government entity because it is independently funded by ad valorem taxes. So, although it is a multi-county agency, it functions very similarly to a Town or county.

As counsel for SFWMD, Ms. Kowalsky is accustomed to listening to and providing legal counsel to a governing body that is subject to Florida ethics and open government laws. She has prepared countless resolutions, board policies, and administrative rules and guided the board through discussions to consider the effects and risks of their decisions. Having worked with various other local governments in their dealings with SFWMD, she is very familiar with the authority and process guiding municipal and other local governments including municipal charters. Ms. Kowalsky has a proven ability to translate legal and technical issues so that officials can make informed policy decisions.

John Fumero has represented public sector entities for 30 years. Mr. Fumero's legal career began with a short stint at the U.S. Justice Department, Southern District of Florida's Miami office, and thereafter he served as General Counsel, and Director of Legislative and Governmental Affairs, of SFWMD. Throughout his years of practice, Mr. Fumero has developed a wide range of experience in the practice areas of government representation including municipalities, litigation, zoning, property rights, public-private partnerships, public works projects, procurement, environmental/regulatory law, contracts, public records, and Sunshine Law, and related federal, state and administrative litigation.

Mr. Fumero is AV rated by Martindale-Hubbell, the highest rating an individual can receive from his peers, which signifies Mr. Fumero's peers recognize him as having the highest level of professional excellence for his legal knowledge, communication skills, and ethical standards. Mr. Fumero is Board Certified as a specialist in state and federal government and administrative practice by the Florida Bar. Board certification recognizes specialized knowledge, skills, and proficiency. He is also a Florida Supreme Court Certified Mediator with a track record of assisting governmental entities in Alternative Dispute Resolution (or "ADR").

Mr. Fumero has focused his private practice on the representation of public sector entities, including special districts, cities, counties, and state agencies throughout Florida. He is a recognized expert in Florida's Public Records and Government In The Sunshine Laws, and Code of Ethics, and he has been a featured author and speaker at conferences on Florida Water Law, the Chamber of Commerce's Summer School, the Florida Chapter of the American Planning Association, the Florida League of Cities, the Florida Municipal Attorneys Association, and the Florida Association of Counties on a variety of topics related to governmental, environmental, legislative, and water issues. Mr. Fumero's background and extensive knowledge make him a valuable asset to the Town as its Assistant Town Attorney. As Assistant Town Attorney, Mr. Fumero will bring a wide array of experience to the Town.

John K. "Jack" Rice has worked with Florida governmental and public sector clients for a majority of his legal and non-legal career. Prior to becoming a lawyer, Mr. Rice studied Urban & Regional Planning at undergraduate and graduate levels. He has been practiced law for over seven years, and been an attorney at Nason Yeager for over two years. His practice experience began in civil litigation. He has represented clients at every stage of litigation, from commencement to discovery and trial, in matters related to municipal law, code enforcement, planning and zoning issues and real property disputes. Mr. Rice currently represents private and public sector clients in litigated matters related to municipal law and planning and zoning, land development projects, and environmental permitting issues.

Before joining Nason Yeager, Jack served Palm Beach Shores, Manalapan, Royal Palm Beach, Mangonia Park, Tequesta, and Atlantis, Florida and the Palm Beach County League of Cities. In this capacity, he provided legal advice related to general governmental matters (*e.g.*, interpretation of ordinances, Florida Public Records Law and Government In The Sunshine Law, *etc.*) to elected officials and municipal staff, drafted legislation related to land use and zoning, and represented municipalities in various types of litigation, including appellate review of municipal zoning decisions. Jack holds a Master of Science in Urban & Regional Planning.

Specific Local Government Experience Listed in Scope of Services

Municipal Governance & Ethics Laws (Scope of Services 1-5)

Ms. Kowalsky and the team have significant experience in providing legal counsel to a local government. They have a command of government and municipal practice involving Florida's Government in the Sunshine, Public Records, and Ethics laws. Ms. Kowalsky and the team have addressed issues relating to the specific authority and power of governmental bodies. They are all well versed and prepared to advise and represent the Town Council and Town Staff on issues including conflicts of interest, gifts, open meeting requirements, compliance with public records requests, and other issues every government official, attorney, and employee must be aware of and diligently observe.

Comprehensive Planning, Land Use, Zoning, and Real Estate

(Scope of Services 6-7)

Ms. Kowalsky will work with the Town Council, other officials and the employees of the appropriate Town Departments to assist the Town in its management and direction of activities, policies, and regulations affecting the quality of life for the Town's residents, businesses, and the natural resources impacted by the demands of growth and developments. Accordingly, Ms. Kowalsky and the team are well equipped to assist in the development, implementation and enforcement of land use and environmental regulations, code enforcement regulations, the review of zoning and development approval applications, in addition to real property acquisition matters. Ms. Kowalsky and the team will also provide legal assistance to and can help establish any ancillary boards the Town may wish to establish including a Planning and Zoning Board, Development Review Committee, and Code Enforcement Board. Mr. Rice holds both undergraduate and graduate degrees in municipal planning and is well versed in the planning and zoning matters facing local governments, having sat as the Local Planning Agency for six municipal governments. He has successfully represented local governments in a variety of planning and zoning appeals and practiced land use litigation at multiple levels of state and administrative courts. He has also prosecuted thousands of code enforcement matters on behalf of local governments and litigated code enforcement foreclosures and appeals.

Each attorney assigned to this contract with Loxahatchee Groves has handled numerous real estate matters over the course of their careers and can address any issues that may come before the council concerning acquisitions, leases, easements, rights of way, plat reservations and other real estate issues.

Labor and employment

(Scope of Services 8)

Ms. Kowalsky and Mr. Fumero have significant experience resolving a wide variety of employment and labor matters and have counseled their clients on the application of laws including workplace discrimination, wage and hour, and the Family Medical Leave Act. They have participated in labor litigation and mediation and are knowledgeable regarding issues of importance to employees and employers. While at SFWMD, Ms. Kowalsky provided legal support for a number of employment matters and was involved with establishing a collective bargaining agreement with the agency's newly established labor union. Recently, Mr. Fumero and Mr. Rice drafted and implemented a drug-free workplace policy for a Florida governmental entity. The Town will have access to Nason Yeager's Alternative Dispute and Litigation Practice Group, which has successfully represented many clients with regard to employment and personnel claims.

Municipal Liability and Risk Management

(Scope of Services 9)

Ms. Kowalsky and the team have worked with clients on assessing and managing risks and are familiar with Florida League of Cities insurance coverage.

Grants and Contracts

(Scope of Services 10)

The team is well equipped to solicit grants from federal, state and other sources. Ms. Kowalsky handled a major appeal of a federal FEMA action and was successful in recovery of \$21M of funds FEMA paid to SFWMD and later “deobligated.” Mr. Fumero and Mr. Rice currently represent a governmental client in collecting over \$500k from FEMA and FDEM for damages incurred from Hurricane Matthew. Ms. Kowalsky has experience in FEMA law and emergency preparedness and response.

Taxing, Assessments, and Special Districts

(Scope of Services 11-13)

Ms. Kowalsky is especially well versed in the laws pertaining to Special Districts in Chapter 189 and water control districts governed by Chapter 298. She has recently been involved in litigation with a 298 District in Martin County and is intimately familiar with the authority and operation of a 298 District. Mr. Fumero and Mr. Rice currently represent a Chapter 298 district as its general counsel. The team is familiar with how to legally establish special assessments for benefits conferred to landowners. Ms. Kowalsky, Mr. Fumero, and Mr. Rice have handled budget hearings and have guided clients to ensure that all statutorily required processes and deadlines are followed including Truth-in-millage (TRIM) matters.

Public Services, ROWs and easements

(Scope of Services 14)

For many years, Ms. Kowalsky and Mr. Fumero provided counsel regarding operation of the state’s largest and most complex water management system. They have addressed issues related to flood control infrastructure, road maintenance, and protection against encroachment of government rights of ways and easements. They have resolved conflicts concerning reservations for canals, roads, and other public uses. Mr. Rice has represented local government clients in creating public services, such as stormwater utilities, and enforcing ROWs and easement rights on behalf of local governments. Working closely with operations staff, the team has developed an understanding of what is necessary to provide good quality public services and can provide creative solutions to solve problems.

Procurement and construction

(Scope of Services 15-16)

Ms. Kowalsky provided legal support for all phases of construction and procurement matters ranging from construction contracts for reservoirs and pumping stations of over \$500M to small mowing contracts for less than \$100,000 and everything in-between. A

successful procurement starts with a clear and thorough solicitation process. Ms. Kowalsky can assist the town in developing and maintaining an efficient system that minimizes disputes and provides the Town with cost-effective goods and services that meet the Town's needs. She has helped draft and revise numerous solicitations for bids and proposals and has experience with the Consultants' Competitive Negotiation Act in Section 287.055, Florida Statutes. Both Ms. Kowalsky and Mr. Fumero have resolved and litigated bid protests.

Contracts, Interlocal Agreements, and Franchise Agreements

(Scope of Services 17-18)

Ms. Kowalsky, Mr. Rice, and Mr. Fumero have prepared and negotiated contracts, leases, and interlocal agreements. They are familiar with the dispute resolution process described in Chapter 164, Florida Statutes. As counsel for an investor-owned utility, Ms. Kowalsky prepared and negotiated franchise agreements for water and wastewater services with cities including Deltona and Palm Coast. She prepared and negotiated bulk purchase agreements for water and wastewater with a number of local government utilities with adjacent service areas. Mr. Rice has drafted numerous contracts, including interlocal agreements, franchise agreements, and piggyback contracts on behalf of local governments and is well versed in government contracting as well as the requirements and implications of Florida's Public Records law on government contracts.

Public Finance

(Scope of Services 19)

Ms. Kowalsky worked with bond counsel on SFWMD's issuance of Certificates of Participation for large everglades restoration projects. She oversaw bond validation hearings in 2 different transactions and has dealt with the analysis and process to refinance debt. Mr. Rice and Mr. Fumero have served as special counsel in public finance litigation related to a public government bond issuance in excess of \$500 million. Mr. Fumero is also well versed in public private partnerships or P3s. Together, the team is capable of financing Town projects via a variety of mechanisms and representing the Town should litigation ensue.

Litigation and Other Matters

(Scope of Services 20-26)

All attorneys on this Nason Yeager team are adept at handling administrative hearings before governmental administrative bodies. Ms. Kowalsky, Mr. Fumero, and Mr. Rice have handled litigation for government clients both as plaintiff and as defendant and have worked with and guided insurance counsel on matters specific to their clients. Mr. Fumero and Mr. Rice successfully asserted the sovereign immunity of the Palm Beach County School Board against the unenforceable fees of the City of West Palm Beach. In many instances, insurance counsel, though experienced litigators, are not as knowledgeable regarding the interests and procedures of government clients. The attorneys on the Nason Yeager team can guide insurance counsel to ensure that the town's interests are fully represented. As seasoned litigators, we can handle and provide

advice on responses to subpoenas and court orders. We can also provide strategic advice on how to handle requests for information from third parties whether through litigation or public records requests.

Ms. Kowalsky and the other team members have experience with code enforcement and forfeiture proceedings. Mr. Rice has successfully prosecuted thousands of code enforcement matters on behalf of local governments and defended these cases on appeal. He is well versed in all code enforcement mechanisms and capable of representing the Town in whatever form of code enforcement it may choose, having prosecuted code enforcement cases before traditional code enforcement boards, special magistrates, and county court judges via the uniform citation method. Mr. Rice has also foreclosed code enforcement liens and participated in forfeiture proceedings.

With over 30 years of legal experience each, both Ms. Kowalsky and Mr. Fumero can address any non-routine legal matter the Town may confront. Together, the team has more than 70 years of experience practicing governmental law. We will coordinate closely with the Town Manager and the Town Council to ensure that we understand and follow through on the Town's desired direction and approach.

Agriculture

(Scope of Services 27)

Agriculture is a major stakeholder group of SFMWD. As counsel to SFWMD, Ms. Kowalsky developed the templates for the agency's agricultural leasing program and dispersed water storage on fallow farmland. She also dealt with many equestrian users of District land. Through that experience she has come to understand the business and values of the agricultural and equestrian communities. She is familiar with the Florida Right to Farm Act in Section 823.14, Florida Statutes.

Similar Local Government Engagements

Carlyn H. Kowalsky
Deputy General Counsel
South Florida Water Management District (SFWMD)
Ernie Marks, Executive Director
(772) 291-6642

Carlyn Kowalsky served as Deputy General Counsel for SFWMD. In that role she managed a legal office of 27 attorneys and support staff ensuring that the team worked together to prepare contracts, leases, acquisitions, right of way matters, resolutions, restoration projects, and other business matters as directed by the board for approval at each monthly meeting. She provided legal briefings to the board each month to prepare them for the matters awaiting their decision. Other legal services included support to the District's regulatory programs, budget and finance, human resources, operations, and emergency management.

Interim General Counsel
Current Special Counsel
City of Port Saint Lucie, Florida
Patricia Roebeling
part@cityofpsl.com (772) 370-8213

In Nason Yeager's recent role as Interim City Attorney for the City of Port St. Lucie, which has recently transitioned to a special legal counsel role, Nason Yeager, Mr. Fumero, and Mr. Rice provided attorney services including weekly meetings with staff and management to discuss the status of pending assignments and significant agenda/workshop items, and anticipated and identified problematic issues for the City of Port St. Lucie.

During Nason Yeager's service as Interim City Attorney, the City required representation and legal counsel for all matters related to local government law, including attendance at City Council meetings and the meetings of the various boards and ad hoc committees of Port St. Lucie. Nason Yeager continues to be called upon by Port St. Lucie to assist in matters relating to litigation, planning and zoning, community redevelopment agency (CRA), bonds and public finance, parks and recreation, public works, utilities, and real property issues. Nason Yeager also oversaw personnel changes in the City Attorney's Office and brought staffing ratios in-line with appropriate levels needed to support the City's legal needs in an effective manner. Nason Yeager also represented the City of Port St. Lucie in property acquisition activities and federal and state administrative litigation related to its Crosstown Parkway Extension Project, a large bridge crossing over north fork of the St. Lucie River. Environmental groups challenged permitting and construction of the Crosstown Parkway Extension Project in various venues and Nason Yeager successfully defended the Project in each forum.

Special Counsel
City of Atlantis
Brian Moree, City Manager
(561) 965-1744 / bmoree@atlantisfl.gov

Mr. Fumero and Mr. Rice currently represent the City of Atlantis in an intergovernmental dispute with Palm Beach County related to development that abuts Atlantis and is inconsistent with both the City's Comprehensive Plan and a charrette developed with Palm Beach County, the City of Greenacres, and the Treasure Coast Regional Planning Council. Mr. Fumero and Mr. Rice successfully represented Atlantis before the County Planning Commission, who initially unanimously denied the development. Most recently, Mr. Fumero and Mr. Rice represented Atlantis before the Intergovernmental Plan Analysis Review Committee (IPARC), who determined the County's Plan Amendment was not supported by sufficient data and analysis. Before joining Nason Yeager, Mr. Rice served Atlantis in an Assistant General Counsel capacity.

Conflicts

The firm currently represents New Hope Church in seeking land use and zoning entitlements from the Town. In the event the firm is retained to represent the Town, the firm will resolve the conflict by redefining the attorney/client relationship.

The firm currently represents Catherine Giliberti in *Catherine Giliberti v. Town of Loxahatchee Groves, Florida* in the Circuit Court of the Fifteenth Judicial Circuit (Case No. 502017CA013740XXXXMB AY). In the event the firm is retained to represent the Town, the firm will resolve the conflict by redefining the attorney/client relationship.

No Litigation Concerning Performance

No attorney proposed to serve the Town has been involved in any current or pending litigation within the last five years arising out of their performance.

No Florida Bar Complaints

Neither Ms. Kowalsky, Mr. Fumero nor Mr. Rice have been involved in any complaints to the Florida Bar.

Form Retainer Agreement

Clients are retained via a simple letter of engagement that confirms the engagement of the firm based upon parameters specified by the Client and in accordance with the Firm's Representation Practices. The Firm's form Engagement Letter and Representation Practices are set out below. Other public clients using this agreement are the Florida Department of Transportation, City of Atlantis, City of Port St. Lucie, and Central County Water Control District.

ENGAGEMENT LETTER

Dear _____:

The purpose of this letter is to confirm the engagement of Nason Yeager to represent _____ in this matter.

For _____ this _____ engagement, _____ we _____ will _____.

The relevant terms of this engagement, including, without limitation, billing and payment of invoices, are set forth on the enclosed "Representation Practices". I would appreciate your calling me if you have any questions with respect to any of these terms.

_____ will be primarily responsible for supervising this matter, and his/her/my hourly billing rate is presently \$_____. He/She/I may rely on other firm personnel as may be needed to perform the required work.

If these terms are acceptable to you, we would appreciate you acknowledging your agreement by signing this letter, or a photocopy of it, and returning it to me in the enclosed, preaddressed and stamped envelope/by facsimile to (561) 686-5442 or by electronic mail to the above address. We will assume all these terms are acceptable in any event if you fail to sign and return to us this letter or a photocopy of it or request that we commence our work.

Please promptly send to us the \$_____ retainer which, pursuant to our conversation, will be maintained by us until the final invoice is rendered/will be applied against the initial invoice(s).

We appreciate having this opportunity to work with you.

Very truly yours,

NASON, YEAGER, GERSON,
HARRIS & FUMERO, P.A.

REPRESENTATION PRACTICES

The following sets forth the terms and conditions under which Nason, Yeager, Gerson, Harris & Fumero, P.A. (**Firm**) has agreed to the representations described in the engagement letter:

1. **Scope of Representation.** The Firm represents you. If the client is a corporation, partnership, joint venture or other entity, such representation does not include the interests of individuals and entities that own interests in, are subsidiaries or affiliates of or are directors, officers or agents of the client.
2. **Scope of Work.** The Firm has described the scope of our engagement in the engagement letter. Our representation will be concluded when we have rendered our final invoice for services rendered and costs incurred.
3. **Fees.** Unless otherwise provided in the engagement letter, fees billed will be based on the hourly rate for each professional performing work. These rates reflect the ability, skill, experience and reputation of such professional. The Firm's current billing rates range from \$275 to \$610 an hour for attorneys and from \$160 to \$200 an hour for legal assistants. The Firm may adjust these rates from time to time.
4. **Costs.** Your invoice will include costs and expenses incurred by us on your behalf. These costs will include, without limitation, charges for serving papers, courier or messenger services, court reporters, consultants (including expert witness charges); filing, recording, certification and registration fees charged by governmental bodies; postage; travel (including mileage, parking, airfare, lodging, meals and ground transportation); secretarial overtime when necessitated by client demands; and our

cost, plus a customary mark-up, of computer research fees, copy charges and facsimile charges. Further, it may be appropriate during the course of our representation to hire third parties to provide services on your behalf, such as investigators, court reporters and experts. Although the Firm may assume responsibility for retaining these parties, you will be responsible for paying all fees and expenses directly to these parties.

5. **Billing.** Invoices for services rendered and costs incurred will be submitted on a monthly basis. You agree to pay in full the amount of each invoice within 30 days of the billing date. Interest is charged at 1-1/2% per month for any past due balance. We reserve the right to postpone or defer providing additional services or to discontinue our representation if billed amounts are not paid when due. In the event of any dispute between the Firm and you, including, without limitation, the collection of fees, and if the Firm is the prevailing party, you will be obligated to reimburse us for our reasonable attorneys' fees, costs and other charges in such action, whether the Firm represents itself or engages other lawyers.
6. **Termination of Services.** You have the right to terminate our representation for any reason at any time. We have the same right upon giving you reasonable notice (not to exceed 30 days) so that arrangements may be made for you to obtain alternate representation. We may terminate the representation for any reason permitted or required under the Rules of Professional Conduct governing the legal profession, including, without limitation, nonpayment of fees or your failure to be forthright, cooperative or supportive of our efforts. Regardless of which party terminates the representation, until such time as all outstanding amounts owed to the Firm (whether billed or unbilled) have been paid in full, (i) we reserve the right to retain all our files and hold all documents, monies or other property of yours in our possession; and (ii) we will have a lien on all judgments, awards, damages or other assets or the proceeds thereof and/or all other monies which are recoverable or distributable to you as a result of any settlement, compromise, or court award then or thereafter obtained or achieved on your behalf in the matter, whether by you, by us, or by any other attorney who may succeed us in the matter.
7. **Retention of Documents.** Upon termination of our representation, and payment of all outstanding amounts, your papers and property, such as original instruments, will be delivered to you. It will then be your responsibility to retain and protect your records for possible future use. The Firm will retain its files pertaining to the matter. Although these files will be stored for a period of time, we will at some time, no sooner than 7 years after conclusion of the representation, terminate such storage and destroy all records.
8. **Retainer.** If you have agreed to provide a retainer, we will upon receipt deposit it in our trust account and hold it for future withdrawals. Unless otherwise agreed, the retainer will be held and applied against your last invoice, which you authorize us to do. If we perceive the need for substantial upcoming work, or substantial upcoming costs, the Firm may require you to deposit additional sums in trust as a retainer. Any unearned balance remaining in the retainer account at the termination of our representation will be promptly paid to you.
9. **Confidential Information.** We are taking this opportunity to inform you how we treat the personal and financial information that we obtain as a result of our representing a client. Our policy is to not disclose any confidential information about

our clients unless specifically required to do so by law. Such instances may include a court order or subpoena, requirements of the Florida Bar or a routine audit by our title insurers. This policy of non-disclosure is in addition to the requirements of confidentiality imposed upon us by the Florida Bar and the Florida Supreme Court, additional requirements with which we also adhere.

10. **Communication.** You authorize us to use email, facsimile transmissions and cell phones as well as more traditional methods of communication. You acknowledge, however, that there exists a risk of third parties improperly intercepting these communications or obtaining or using metadata imbedded in electronically created or transmitted documents and that the risk varies from time to time according to our respective locations and devices. We will be sensitive to security considerations commensurate with the nature of the particular communication and will take reasonable precautions against the inadvertent disclosure of confidential information to others. You acknowledge, however, that we cannot and do not warrant or ensure against the risk of such intrusions.
11. **Trust Accounts.** By reason of the fact that the Federal Deposit Insurance Corporation will insure noninterest-bearing transaction accounts (**NIBTAs**) only up to \$250,000 of coverage for a depositor in each insured depository institution, if in the course of our representation of you, funds are placed in an interest-bearing lawyer trust account (**IOLTA**) or other trust account for your benefit, they will only be insured up to the \$250,000 limit. In addition, for insurance coverage purposes, any funds which we hold in an IOLTA or other trust account attributable to you must be aggregated with other funds you have at the same bank. The Firm will notify you if a trust account is opened for your benefit specifying the depository institution at which it is opened so that you will have the opportunity to move other funds you may have at the bank or, if the amount of the trust fund deposit in an IOLTA account exceeds \$250,000, to request movement of a portion of these funds to a firm IOLTA account at another bank. You acknowledge, however, that if your representation by the Firm involves real estate closing transactions in which the Firm is acting as a title insurance agent, pursuant to Florida law, trust account funds, even if in excess of \$250,000, must be kept in the same account for the title company and cannot be moved.
12. **Rendition of Advice.** Either at the commencement or during the course of our representation, we may express opinions or beliefs concerning the matter or various courses of action and the results that might be anticipated. Any such statement made by any lawyer or employee of our firm is intended to be an expression of opinion only, based on information available to us at the time, and should not be construed by you as a promise or guarantee.

Pricing

During a 90-day Initial Assessment Period, the Team will submit monthly invoices that reflect the provision of Town Attorney Legal Services at a discounted, blended governmental rate of \$225/hour and \$250/hour for litigation services, including quasi-judicial and administrative proceedings. Upon the completion of the Initial Assessment

Period, we will propose the following basic services to be included within the Scope of the Town Attorney Legal Services:

Monthly Meeting Attendance	Attendance at all Town Council meetings, workshops, executive sessions, special meetings, administrative board meetings and all other meeting as required or directed by the City Commission.
Agenda Review and Commissioner Briefings	Conduct one-on-one meetings and briefings of the individual members of the Town Council prior to Council meetings to apprise individual members of the Town Council of the critical matters on the upcoming meeting's agenda.
Management of Town Attorney Office	Manage and direct the day-to-day legal activities and operations of the Town Attorney's Office.
Oversight of Outside Counsel	Review and oversee legal services provided by outside counsel on litigation and other matters.
Review of Town Legal Work	Prepare, review, and approve all proposed legislation, ordinances, resolutions, contracts, deeds, leases, and other legal agreements requested by the Town Council, Town manager and staff.

Services outside of the above Town Attorney Services include, but are not limited to, planning and zoning, code enforcement, utilities, litigation and administrative hearings, public finance, community redevelopment agency, and complex real estate transactions. Invoices will be submitted monthly and are fully itemized for ease of review. To the extent special legal services are required, those services will be billed as separate matters at the governmental blended rate of \$225/hour and \$250/hour for litigation services, including quasi-judicial and administrative proceedings. All invoicing will be handled through Nason Yeager so if subcontractors are utilized, the Town will only receive one invoice per month for all services rendered.

Based on Nason Yeager's extensive experience in representing public sector entities and developing various types of legal services agreements with these entities, there are several models that can be discussed and addressed through negotiation in the Town selects the Firm to be its Town Attorney. The model agreement options described below afford the Town the ability to obtain a custom, personalized approach to legal services that meets the Town's needs, and recognizes the flexibility of the Firm in addressing those unique needs through the Town Attorney Legal Services Agreement.

Generally stated there are three basic legal services agreement models that can be discussed and negotiated, based upon the Town 's legal service and support needs, projects and priorities. The Firm has experience with all three agreement models, and each agreement model presents its own pros and cons. It is our recommendation that the Town's selection of a model agreement option be done after the Initial 90-Day Assessment Period as the parties involved will be able to have a comprehensive understanding of the Town's legal needs, projects and priorities.

MODEL ONE

The Model 1 Town Attorney Legal Services Agreement is one that involves the monthly payment of fixed fee amounts based on a detailed outline of all of the legal services that will be provided for the fixed fee. In addition, this option will include budgeted, projected hours upon which the fixed fee amount is based. Should legal services needs arise that are outside of the detailed outline of scope of services, then those matters will be handled on the hourly \$225 special blended rate for the Town and \$250/hour for litigation services, including quasi-judicial and administrative proceedings. Further, if the budgeted projected hours are substantially exceeded, then the time spent will also need to be addressed so that payment will be provided based on the \$225 or \$250 hourly rate. Any work performed by paralegals of the firm will be supervised by the Town Attorneys at a rate of \$80 per hour.

MODEL TWO

The Model 2 Town Attorney Legal Services Agreement is a hybrid model that involves the detailed, and relatively limited, fixed fee amount based on a defined scope of work outlining routine Town Attorney Services, such as attendance at Town Council meetings, workshops, executive sessions, and the like, all of which will be included in a monthly fixed fee. This model adds a feature where on an “as needed where needed basis” each new matter whether it be a project, specific legal issue, or other discrete matter shall be assigned a matter number for billing purposes, and shall be handled and billed at the \$225 or \$250 hourly rate. Any work performed by paralegals of the firm will be supervised by the Town Attorneys at a rate of \$80 per hour.

MODEL THREE

The Model 3 Town Attorney Legal Services Agreement essentially consists of legal services being billed on a monthly basis to be paid based on actual hours incurred in carrying out the defined Town Attorney scope of services. This model includes a monthly report detailing where and how much time is devoted to distinct matters, cases, projects, or the like. In many cases under this model several of the matter numbers are generally based on predetermined categories, such as Town Council support, attendance at Town Council or other Board meetings, land-use/planning and zoning, procurement, special projects, and other similar type categories to be negotiated and agreed upon if we are selected.

Proposed Approach to Scope of Work

The Town needs a qualified, experienced Town Attorney to help it achieve excellence. Ms. Kowalsky and the Nason Yaeger team have the ability and innovative mindset to navigate the Town through present and future issues including the transition from the former Town Attorney to Ms. Kowalsky and her team.

Transition

During the first 60-days of Ms. Kowalsky's service as the Town Attorney, Ms. Kowalsky and the Nason Yaeger team will, if possible, meet Town Staff and the Town Manager to conduct an Initial Assessment of the Town's current legal services. During this meeting with the team will discuss pending legal issues and any litigation involving the Town with a focus on the following: 1) the current status of the issue or case; 2) the former Town Attorney's anticipated next steps in the issue or case; and 3) historic or institutional knowledge related to the issue or case. Ms. Kowalsky and the team will also receive any files related to representation of the Town at this meeting. The information received at this meeting will allow Ms. Kowalsky and the team to facilitate a speedy and smooth transition of Town Attorney responsibilities without any lags in representation.

Initial Assessment

Following the meeting with the Town Manager and staff and review of the files related to representation of the Town, Ms. Kowalsky and the team will meet with the Town Manager and conduct one-on-one meetings with members of the Town Council to discuss their findings, as well as the structure, resources, and operations of the Town, and the priorities and action items of the Town Council. Ms. Kowalsky will then compile and analyze the information to create an Initial Assessment of the Town's legal needs and priorities. The Town Council's response to the Initial Assessment will further refine the following objectives, scope, and methodology of Town Attorney Services provided by Ms. Kowalsky and the team.

Objectives, Scope, & Methodology of Attorney Services

As the Town Attorney, Ms. Kowalsky will ensure a smooth and orderly transition of the Town Attorney's responsibilities from the previous attorney. The primary objectives and scope of legal services provided to Town will be formed via a dialogue between the Town Council, and Town Manager based upon the Initial Assessment and following engagement, as described in the previous pages and paragraphs.

Objectives

Although the primary objectives of the Town Attorney's representation of the town will be largely determined via the Town Council's direction and input to Ms. Kowalsky and the team's Initial Assessment, the three objectives of Ms. Kowalsky's representation of the Town will be:

1. Providing Town Attorney Services to the Town in an accessible, responsive, and transparent manner that focuses on minimizing claims and litigation;
2. Providing the Town with quality legal services in a cost-effective, efficient manner that strives to stay within the budget established by the Town Council; and
3. Maintaining flexibility and an approach customized to the Town of Lauderdale Lakes in order to best serve the Town's actual and changing legal needs and priorities.

Carlyn Harper Kowalsky, Lead Town Attorney

- City, County, and Local Government Law
- Sunshine Law, Ethics, and Public Records
- Risk Management
- Agency Permitting and Rulemaking
- Water and Environmental Law
- Legislation and Policy Drafting
- Procurement and Construction
- Corporate Governance
- Administrative Law
- FEMA Law
- Employment Law
- Real Estate, Land Acquisition, and Leasing
- Right of Way matters

With over 30 years of experience, Carlyn Kowalsky has represented government clients, water and wastewater utilities, developers, landowners, and agricultural interests. For the past 15 years she represented the South Florida Water Management District, a 16-county independent special district with local taxing authority. Ms. Kowalsky most recently held the position of Deputy General Counsel, managing 27 attorneys and support staff. In that role she directed all legal matters ranging from government finance and taxation, employment and risk management to water supply, land management, real estate, flood control, and everglades restoration.

Ms. Kowalsky is recognized for her ability to communicate legal and technical issues to collegial boards and executive decision-makers. She also spent 11 years as in-house counsel for the state's largest investor-owned utility advocating for environmental cost recovery and handling a variety of environmental, corporate, and business matters.

Community Involvement

Florida Bar Environmental and Land Use Law Section (Member since 1986)
Palm Beach County Bar Association
American Water Resources Association, Past President, Florida Section
Take Stock in Children, National Mentor of the Year, 2000
Therapy Dogs International

Certifications and Recognition

Ms. Kowalsky is AV rated by Martindale Hubbell, the highest rating an attorney can earn from her peers.

Education

Juris Doctor (JD), Florida State University College of Law, Tallahassee, FL
Bachelor of Arts (BA), Florida State University College of Music, Tallahassee, FL

John J. Fumero, Assistant Town Attorney

- City, County, and Local Government Law
- Federal & State Civil and Administrative Litigation
- Sunshine Law, Ethics, and Public Records
- Regulatory Analysis and Strategic Planning
- Legislation and Policy Drafting
- Lobbying at State and Local Levels
- Dispute Resolution and Mediation
- Property Rights
- Public-Private Partnerships
- Public Works Projects
- Land Development
- Appropriations and Procurement Support

John J. Fumero is a shareholder at Nason Yeager. He has nearly 30 years of experience in a wide-ranging practice in the areas of environmental, land use, land development, administrative, zoning, governmental and civil trial law. Mr. Fumero, formerly General Counsel of the South Florida Water Management District, represents and provides strategic counsel to landowners, developers, industry, agriculture, utilities, and local governments throughout Florida. He represents private and public sector clients before local, state, and federal agencies and courts. He has extensive experience in all aspects of state and federal regulation, land development, litigation, and legislation.

From Washington, D.C. to Tallahassee, Mr. Fumero has had substantial involvement in the development of federal and state legislation and regulations. Named as Florida Trend's Legal Elite, he is a frequent author and lecturer, and one of the authors of the *Florida Environmental and Land Use Law Treatise* published by The Florida Bar.

Mr. Fumero has extensive experience in Local Government Law, Agency Permitting & Rulemaking, Federal & State Civil & Administrative Litigation, Regulatory Analysis & Strategic Planning, Legislation & Policy Drafting, Issue Monitoring & Research, Lobbying at State & Local Levels, Dispute Resolution & Mediation, Property Rights, Public-Private Partnerships, Public Works Projects, Land Development, Appropriations & Procurement Support, Federal & State Environmental Law, and Marinas & Coastal Development.

Community Involvement

- The Florida Bar
- Cuban American Bar Association
- Florida Association of Environmental Professionals
- Water Management Institute
- Board of Directors, American Water Resources Association - Florida Section
- Executive Council, Environmental and Land Use Law Section, Florida
- Board of Directors and President 2003/2004, Leadership Palm Beach County
- Board of Directors, Forum Club of the Palm Beaches
- Environment and Infrastructure Committee, Florida Chamber of Commerce
- Hispanic Chamber of Commerce of Palm Beach County
- 2010, 2011 and 2013 Florida Trend Legal Elite

Certifications and Recognition

Mr. Fumero is AV rated by Martindale Hubbell, the highest rating an attorney can earn from her peers. He is board certified as a specialist in State and Federal Government and Administrative Practice by The Florida Bar and is also a Florida Supreme Court-certified mediator, and holds certification in Environmental Negotiation and Policy from Harvard Law School.

Education

Juris Doctor (JD), University of Miami, Coral Gables, FL

Bachelor of Arts (BA), University of Miami, Coral Gables, FL

Jack Rice, Assistant Town Attorney

- City, County, and Local Government Law
- Land Use, Planning & Zoning
- Sunshine Law, Ethics, and Public Records
- Municipal Ordinance & Code Drafting
- Government Ethics
- Code Enforcement
- Litigation

John K. “Jack” Rice is an attorney at Nason Yeager. Mr. Rice practices primarily in the areas of land use/zoning, administrative and governmental law, environmental law and litigation. A seventh generation Floridian with strong roots in the South Florida region and Palm Beach County, Mr. Rice grew up hearing many stories about the growth and changes in the natural and urban environments of Florida. He dedicated his undergraduate and graduate studies to learning more about natural and urban environments, earning a Bachelor of Science in Environmental Studies and Certificate Minor in Urban & Regional Planning, and Master of Science in Urban & Regional Planning, which complement his Juris Doctor and Environmental Law Certificate.

Mr. Rice began his experience practicing general civil litigation with an emphasis on real property disputes. He has represented numerous clients at every stage of litigation, from case commencement to trial. Prior to joining Nason Yeager, Mr. Rice represented six local governments in Palm Beach County, Florida as assistant general counsel and private clients in land use and zoning disputes.

He is an active member of his community and profession, serving as President of the Young Lawyers Section of the Palm Beach County Bar Association and on the City of West Palm Beach’s Sustainability Advisory Committee. He was recognized by the Sun Sentinel in 2014 for his service to the community and received the TWP award.

Community Involvement

- The Florida Bar, Environmental and Land Use Law Section
- Palm Beach County Bar Association, Board Member at Large, Young Lawyer Section Board of Directors (President)
- Craig S. Barnard American Inn of Court
- Florida Chapter of the American Planning Association
- Palm Beach County Planning Congress
- Leadership Palm Beach County, Class of 2014
- City of West Palm Beach Sustainability Advisory Committee, Vice Chair

Certifications and Recognition

Mr. Rice holds an environmental law certificate from Florida Coastal School Of Law. In 2014, the Sun Sentinel awarded him its TWP (top-thirty under thirty) award.

Education

- JD, Florida Coastal School of Law, Jacksonville, FL
- MSP (Master of Science in Urban & Regional Planning), Florida State University, Tallahassee, FL

- BS (Bachelor of Science in Environmental Studies), Certificate Minor in Urban & Regional Planning, Florida State University, Tallahassee, FL

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**TORCIVIA, DONLON,
GODDEAU & ANSAY, P.A.**

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Glen J. Torcivia
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Carolyn S. Ansay*

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R. Brian Shutt*
Pamala H. Ryan*
Matthew L. Ransdell
Melissa P. Anderson*

*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

May 20, 2019

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

RE: Letter of Interest for Interim Municipal Legal Services

Dear Mr. Titcomb:

We are pleased to submit our Letter of Interest to provide Interim Municipal Legal Services to the Town of Loxahatchee Groves.

Torcivia, Donlon, Goddeau & Ansay, P.A., has been providing legal services to governmental entities for more than three decades. Eight of our nine attorneys have been practicing law for more than twenty years. We represent a number of municipalities and local governments throughout Florida with the concentration of our practice in Palm Beach, Martin and St. Lucie counties. Currently, we serve as the City/Town/Village Attorney for eight municipalities and provide contracted legal services to more than ten additional municipalities and special districts. We have successfully represented local governments and special districts in federal and state court litigation and appeals, as well as in mediation and arbitration. Our extensive experience in advising and representing local governments will ensure the Town of Loxahatchee Groves obtains outstanding legal representation.

Our firm understands the special needs of local governments and we are committed to providing quality representation and advice in an efficient and timely manner. We offer the Town a full range of general counsel services in all aspects of municipal and special district law, including State and Palm Beach County ethics, public records and Sunshine Law, land use and zoning matters, special district law, code enforcement, procurement, contracts, utilities including water and waste water, construction law, labor and employment law, drafting and interpreting personnel regulations and

policies, preparation of ordinances and resolutions, forfeitures, real estate, parliamentary procedures, and litigation. We will also actively monitor and oversee the activities of outside counsel, including bond counsel, insurance counsel and workers' compensation counsel. We will provide appropriate guidance and advice to the Mayor and Town Council and other Boards of the Town of Loxahatchee Groves as well as Town staff.

As set forth in our attached profile, we are proficient in providing legal advice to elected and appointed officials, boards, commissions and employees on a variety of issues, whether in public meetings or in addressing daily legal issues. We pride ourselves on establishing and maintaining professional, effective working relationships with each entity's officials, employees and their citizens. While we take a proactive approach with our legal advice to avoid costly litigation, we have achieved success in litigation whether civil or administrative in nature. We utilize our experience to work efficiently for and with our local government clients.

We look forward to working with the Town of Loxahatchee Groves to ensure it receives the highest quality legal representation in an efficient, cost effective manner.

Sincerely,



GLEN J. TORCIVIA, ESQ.

GJT/ak

Attachments:

Profile of Torcivia, Donlon, Goddeau & Ansay, P.A.

Attorney Resumes

Proposed Legal Services Agreement

b. PROFILE OF TORCIVIA, DONLON, GODDEAU & ANSAY, P.A.

i. Description of organization, size, structure, areas of practice and whether Offeror is national, regional or local:

In 1989, after serving five years as an Assistant County Attorney for Palm Beach County, Glen J. Torcivia established the firm as the Law Offices of Glen J. Torcivia & Associates, P.A. The firm's initial clientele primarily involved local governments but soon expanded to include private businesses seeking a variety of services including employment law representation. As the firm grew, it developed with two main practice areas: local government and employment law. In 2014, the firm re-organized as Torcivia, Donlon, Goddeau & Ansay, P.A., to recognize its new shareholders: Lara Donlon, Christy Goddeau and Carolyn Ansay.

In addition to Mr. Torcivia, the firm includes eight attorneys. The firm's attorneys with their primary practice area being local government law matters are Brian Shutt, Christy Goddeau, Carolyn Ansay, Glen Torcivia, Pamala Ryan, Melissa Anderson and Jennifer Hunecke. Mr. Shutt, Ms. Goddeau, Ms. Ansay, Ms. Ryan and Ms. Anderson are Board Certified in City, County and Local Government law by The Florida Bar. The firm's attorneys with their primary practice area being employment law matters are Lara Donlon and Matthew Ransdell. While the firm's attorneys have primary practice areas, the firm utilizes a team approach for all our clients. The attorneys in different practice areas work together for our clients in addressing issues that cross practice areas.

Our firm also employs three full-time legal assistants and has an extensive law library and full access to Lexis Advance[®], an integrated, on-line legal research engine. All attorneys are trained and skilled in the use of Lexis Advance[®] and other on-line search engines for researching legal issues and drafting documents. Our legal assistants are also highly trained in a variety of computer programs and preparing documents. Through our on-line research and constant review of legislation and case law, we provide advice and representation based on the most current laws and court decisions. In addition, we possess a detailed bank of legal briefs and memoranda addressing numerous and varied governmental issues. Our resources permit us to provide accurate and prompt legal service to our governmental clients.

The firm is based in West Palm Beach; however, the firm's attorneys provide legal services throughout Florida.

ii. Lead Attorney as well as other assigned attorneys with accompanying resumes including individual experience.

While the Town of Loxahatchee Groves will benefit from the service of all the attorneys in our firm,

Torcivia, Donlon, Goddeau & Ansay, P.A., 701 Northpoint Parkway, Suite 209, West Palm Beach, Florida 33407
(561) 686-8700 - (561) 686-8764 (facsimile)

Brian Shutt will serve as the lead Town Attorney. Mr. Shutt is Board Certified in City, County and Local Government Law by The Florida Bar and has over 25 years of experience representing municipalities. His resume along with the other attorneys resumes are attached.

iii. Location of primary office from which the lead attorney and other assigned attorneys operate.

All our attorneys operate out of the firm's West Palm Beach office at 701 Northpoint Parkway, Suite 209, West Palm Beach, FL 33407.

iv. Local government experience, including municipal and special district, with emphasis given as to how your experience and expertise in the area(s) addressed by this RLI will be brought to bear on the proposed scope of work indicated below.

In addition to the attached resumes, we are providing the following summary on each of the firm's attorneys highlighting their municipal and special district experience and addressing all aspects of the Town's scope of work.

Brian Shutt

Brian Shutt was admitted to The Florida Bar in 1994 and has been a Board Certified City, County Local Government attorney since 2009. Mr. Shutt joined the firm in 2014 after serving in the City of Delray Beach City Attorney's Office for 19½ years, the first 15 years as an Assistant City Attorney and the last 4½ years as the City Attorney. Mr. Shutt has extensive experience in planning and zoning matters, contractual matters, purchasing matters, land use issues, water utility issues, drafting of ordinances and resolutions, public records and sunshine law matters, code of ethics issues, code enforcement matters and all facets of local government law.

During Mr. Shutt's career with the City of Delray Beach, he successfully defended the City in various cases related to civil rights, trip and fall, auto accident, employment discrimination, unlawful use of force by police officers and claims against the City regarding the enforcement of its ordinances. He has also represented the City in labor arbitrations and served as counsel to the City's Site Plan Review and Appearance Board, Board of Adjustment, Historic Preservation Board, Planning and Zoning Board and Code Enforcement Board.

Mr. Shutt, while at the City of Delray Beach, was responsible for reviewing all agenda items for legal sufficiency as well as acting as board counsel for the City Commission and attending all Commission meetings. He is very familiar with issues confronting cities in the area of sober homes.

Mr. Shutt is very knowledgeable of and has responded to numerous questions and inquiries regarding Florida's Code of Ethics (Chapter 112, Florida Statutes); public records law and the Sunshine Law. Mr. Shutt is also involved in addressing issues that arise under the County-wide code of ethics and with the Inspector General. He has provided advice to elected officials and board members on ethics, public records and the Sunshine Law. His experience in these areas assists him in his ability to advise local governments on their internal policies and procedures.

Mr. Shutt, while the City Attorney for Delray Beach, was instrumental in crafting the City's noise ordinance as well as developer's agreements regarding major projects in the City. He met with City staff on a daily basis and assisted department directors with numerous legal issues. Mr. Shutt has drafted a variety of legal instruments, including contracts for construction, purchases and professional services; bills of sale; easements; dedication agreements; unity of title; access agreements, and developer's agreements.

Mr. Shutt has drafted various ordinances, resolutions, license/use agreements, and procurement documents. He has drafted ordinances on topics related to signs, pain management clinics, handbills, rental properties, procurement procedures, sexual predator/offender residency restrictions, and landlords. He has drafted a procurement policy for the City of Delray Beach as well as numerous bid, request for proposal and request for qualification documents. Mr. Shutt has reviewed, revised and drafted contracts related to construction, water utilities, professional services, professional consulting, independent contractors, facilities management companies, and sponsorships. Mr. Shutt further dealt with issues involving special districts and their interaction with the City as well as assisting in the implementation of several special assessment projects and serving as board counsel to the City's charter review committee and implementing those charter changes.

While at the City of Delray Beach, Mr. Shutt oversaw a staff of 3 attorneys and 4 support staff and a budget of \$900,000.00. Mr. Shutt was also responsible for the oversight of the City's outside counsel, which dealt with matters related to pensions, labor relations, lobbying, bonding and real estate.

Since March of 2016, Mr. Shutt has served as Town Attorney for the Town of Ocean Ridge. He attends all meetings of the Town Commission, the Planning Board and other advisory boards. Mr. Shutt has drafted a wide array of new ordinances for the Town dealing with purchasing, land use, board duties and responsibilities, reasonable accommodation procedures, signs, and charter revisions. He meets with Town staff and Town Commissioners on a regular basis. He also drafts various legal instruments for the Town including contracts, bid documents, request for proposals and easements. He advised the Town's charter review committee to update the Town's charter. Recently he assisted the Town in revisions to its comprehensive plan and zoning code as well as revisions modifying the duties of its Planning and Zoning Board to provide for a development review process. He has responded to numerous ethics, sunshine law and public records questions from Town staff, elected officials and board members. Mr. Shutt further monitors outside counsel regarding the defense of lawsuits involving the Town.

Mr. Shutt also assists the Village of Palm Springs in day-to-day legal issues. For the Village of Palm Springs, Mr. Shutt has been instrumental in several new land use ordinances dealing with nightclubs, signage, right of way use and abandonment procedures. He meets with Village staff weekly at Village Hall and assists department directors with a wide range of legal issues. Mr. Shutt drafts a variety of legal instruments for the Village including contracts for construction, purchases and professional services; easements and developer's agreements. He recently completed drafting revisions to the Village's charter as well as revisions to the Villages ethics policy. Mr. Shutt further monitors outside counsel regarding the defense of lawsuits involving the Village.

Mr. Shutt prosecutes cases on behalf of the Village of Palm Springs and Town of Ocean Ridge regarding code enforcement issues in front of a special magistrate. Mr. Shutt also serves as the Special Magistrate for the Town of Palm Beach Shores. Mr. Shutt prosecutes municipal ordinance violations for the City of Belle Glade in county court.

Glen J. Torcivia

Glen J. Torcivia was admitted to The Florida Bar in 1982 and engaged in private practice in West Palm Beach until 1984. From 1984 through 1989, Mr. Torcivia was an Assistant County Attorney for Palm Beach County. Mr. Torcivia represented the County in a wide range of areas, from A (airports) to Z (zoning) including drafting the Palm Beach County Health Care Act and the Children's Services Council Act of Florida. He represented the Palm Beach County Legislative Delegation and represented the County before the Legislature. He successfully represented the County in many federal and state court actions at both the trial court and appellate levels. *See, e.g., McGregor v. Board of Commissioners of Palm Beach County*, 674 F. Supp. 858 (S.D. Fla. 1987) (a whistleblower action filed by the County's former internal auditor); *Ackinclose v. Palm Beach County*, 845 F.2d 931 (11th Cir. 1988) (a fair labor standard act lawsuit filed on behalf of 33 employees of the utilities department). He won every case that went to trial, and none were settled for more than a nuisance value. He negotiated several collective bargaining agreements for the County, including working with Chief Herman Brice in negotiating the first agreement for the County's newly consolidated Fire Rescue Department. He also negotiated collective bargaining agreements with the County's general employee union. He successfully represented the County in several grievance, arbitration and impasse hearings pursuant to these agreements.

After establishing the firm, Mr. Torcivia continued to represent local governments in a wide variety of matters. His representation includes a number of municipalities, counties, school districts, special districts and constitutional officers. Mr. Torcivia is very familiar with the Sunshine Law, the Code of Ethics, the ad valorem (TRIM) process, labor and employment law, code enforcement matters, municipal liability, grants, contracts (including Interlocal Agreements), land use and zoning, utilities, public finance, infrastructure procurement (including the Competitive Consultants Negotiations Act), litigation, ordinances, State Law preemption and all facets of local government law. He has served as Special Magistrate/Hearing Officer for several municipalities for code enforcement matters. He

routinely provides advice on responses to subpoenas, Court orders and requests for information from third parties.

For the past seven years, Mr. Torcivia and the firm have served as the City Attorney for the City of Lake Worth Beach, providing legal advice in the areas of administration, labor & employment law, public works, water utilities, electric utilities, special assessments, solid waste, land use, planning & zoning, historic preservation, procurement, real estate, finance, infrastructure, litigation, building, code enforcement, public records, ethics, Sunshine Law, library and recreational services. He has drafted numerous ordinances and resolutions on a wide variety of topics. Mr. Torcivia or Ms. Goddeau attend City Commission meetings for the City of Lake Worth Beach and work closely with outside counsel (including Insurance Counsel) to oversee and resolve pending litigation. Mr. Torcivia has worked with Pamala Ryan in representing the City in a Right to Farm Act matter. Over the past seven years, Mr. Torcivia and the firm have been instrumental in favorably resolving costly litigation against the City and limiting the City's continued exposure to liability and attorneys' fees. The firm reduced Lake Worth Beach's legal budget by approximately 20% during its first three years as City Attorney, while enhancing the level of legal services provided to Lake Worth Beach.

Serving as the City Attorney for the City of Belle Glade since 2003, Mr. Torcivia oversees all legal issues pertaining to the City. Either he or Ms. Ryan attend City Commission meetings, workshops, and meetings of different boards of the City. He advises the City Manager and City staff on a host of issues confronting the City. He previously worked with the City's Chiefs of Police and Fire Rescue in matters pertaining to public safety. The City of Belle Glade has contracted, since 2008, with the Palm Beach County Sheriff's Office. Mr. Torcivia negotiated the initial contract and was successful in renegotiating said contract to achieve an approximately \$1 Million reduction in cost to the City with no decrease in the level of service provided by the Sheriff's Office. In 2009, the City transferred its fire rescue service to Palm Beach County Fire Rescue. Mr. Torcivia also represents the Planning and Building department and is involved in legal issues involving developing the City's business park, annexation, agriculture and real estate matters. He has represented the City in Tallahassee before Administrative Agencies, the Legislature and the Executive Branch. Mr. Torcivia has defended Belle Glade in litigation including *Underwood v. City of Belle Glade*, Case Number 502008CA026798XXXXMB (15th Judicial Circuit).

Mr. Torcivia, along with Ms. Goddeau, were actively involved in negotiations with Palm Beach County, and the cities of Pahokee and South Bay, to form the Glades Utility Authority, a regional water utility system provider. The GUA consolidated services and begun making significant improvements to the aging infrastructure of the Glades water utility systems. Mr. Torcivia regularly provides advice to the City on the Sunshine Law, public records issues, the TRIM process, ethics and litigation. The City has received approximately \$4,000,000 in State funds for road construction over the past few years. Mr. Torcivia and Jennifer Hunecke, draft RFP's and contracts for these (and other) infrastructure improvement projects.

Mr. Torcivia and the firm have served as the Village Attorney for the Village of Palm Springs for the

past twelve (12) years, providing legal advice in the areas of administration, police, public works, water utilities, land use, annexations, public records law, Sunshine Law, employment law, planning & zoning, building, code enforcement, finance, infrastructure, litigation, library and recreational services. Mr. Torcivia attends most Village Council meetings with Brian Shutt attending at times. Mr. Torcivia, along with Ms. Donlon, negotiates collective bargaining agreements with the Village's police union (previously having negotiated with the union representing both police and fire rescue) and with the Service Employee International Union (SEIU).

Since January 2012, Mr. Torcivia, along with Leonard Rubin, Esq., has served as Town Attorney for the Town of Highland Beach. As the Town Attorney, Mr. Torcivia is responsible for all legal matters affecting the Town. He has negotiated and drafted numerous contracts including Interlocal Agreements. He or Ms. Ryan attend all Town Commission meetings, as well as meetings of various advisory boards of the Town. Mr. Torcivia and Ms. Ryan work closely with the Town Manager and Town staff, including the Finance Director and Police Chief. Mr. Torcivia worked with the Charter Review Committee in reviewing and revising the Town Charter.

Mr. Torcivia has been the Town Attorney for the Town of Sewall's Point since 2007. Sewall's Point is a residential full service community with administrative, police, public works, land use, and building/code provided in house, with fire rescue, water, waste water treatment and sanitation provided via outside contracts. As Town attorney, Mr. Torcivia and the firm are responsible for all legal matters for the Town. Mr. Torcivia attends most Town Commission meetings. Ms. Ansay occasionally attends Town Commission meetings. He has provided an overview of relevant laws such as the Sunshine Law, public records law, and ethics to the Town Commission and to Town Advisory Boards. Ms. Donlon and Mr. Ransdell provide employment law services for the Town.

Mr. Torcivia has, as special counsel, represented the City of Riviera Beach since 1989 in a diverse variety of matters, including defending claims of employment discrimination, defending police officers in unlawful use of force cases, representing the City in the enforcement of their ordinances (e.g., adult entertainment ordinances, fireworks ordinances, zoning ordinances, etc.), tort litigation, including slip and fall, assault and battery, traffic accidents, due process claims, Sunshine Law and public records lawsuits. Along with Ms. Goddeau and Mr. Ransdell, he provides legal advice and services to the police department on a variety of matters. He has also represented the City in labor arbitrations and served as counsel to the City's Planning and Zoning Board. He, along with Ms. Goddeau, have served as interim City Attorney as needed.

Together with Leonard Rubin, Esq., Mr. Torcivia and the firm have represented the Village of North Palm Beach as the Village Attorney since 2006. The firms jointly provide all legal service to the Village, including Planning & Zoning, Ethics, contracts, procurement, code enforcement and litigation. Ms. Donlon provides all employment law service for the Village.

As the initial general counsel of the Health Care District of Palm Beach County (1989-1997), Mr. Torcivia was responsible for all legal matters pertaining to starting an independent special taxing

district. He helped establish the trauma system, including negotiating the purchase of the Trauma Hawk Air Ambulance, and negotiating the contracts with the trauma centers and with the trauma physicians. Mr. Torcivia oversaw the drafting of all initial policies, including personnel policies. Mr. Torcivia has provided a wide range of legal services to Lakeside Hospital, including the negotiating and drafting of numerous contracts. He and Ms. Goddeau represented the District on a number of matters, including the acquisition of state land for the new hospital and construction contracts for the hospital. Mr. Torcivia, along with Ms. Goddeau, have occasionally served as interim general counsel for the District. Mr. Torcivia has represented the District before State Administrative Agencies, including the Department of Environmental Protection and the Department of Management Services, as well as before the Legislature, the Governor and the Cabinet.

Mr. Torcivia has, for over twenty-eight (28) years, represented the Children Service Council of St. Lucie County. The Council is comprised of ten (10) individuals, five (5) of whom are appointed by the Governor and five (5) of whom serve by designation (i.e. a County Commissioner, School Board member, the School Board superintendent, a representative of the Department of Children and Families and a local Juvenile Judge). The Council has provided millions of dollars in funding to programs to improve the quality of life for all children in St. Lucie County. Mr. Torcivia drafts and reviews all contracts entered into by this special district and, along with Ms. Donlon, who provides advice on employment law matters.

Mr. Torcivia and the firm have served as Town Attorney of South Palm Beach since 2017. As Town Attorney, Mr. Torcivia provides all necessary legal services to this coastal community. This includes representing the Town Council, Town Manager and Police Department. The firm has assisted in drafting an RFQ for wastewater and sewer engineering services. Mr. Torcivia has assisted the Town with grants and FEMA issues. He also provides advice on the Sunshine Law, public records issues and ethics. Working with Ms. Anderson, he has provided the Town advice regarding telecommunications and utilities. He is currently advising the Town on revising their Charter and Code of Ordinances.

In 2018, Mr Torcivia and the Firm were selected to serve as City Attorney for the City of Greenacres. As City Attorney, we are responsible for all legal matters confronting the City. Mr. Torcivia attends all City Council meetings, where he provides advice and guidance on all agenda items. He provides advice on the Sunshine Law, Public Records Law and Ethics Issues. Ms. Goddeau works with staff on day to day legal issues, including procurement, land use, code enforcement, special assessments and agenda items. Mr. Ransdell provided advice on employment law matters.

Christy Goddeau

Christy Goddeau is a Board Certified City, County, & Local Government law attorney. She has over twenty years of experience representing governmental agencies and has been with the firm since

2004. After being admitted to The Florida Bar in 1996, Ms. Goddeau entered active duty as an Assistant Staff Judge Advocate (JAG) in the United States Air Force. She was on active duty for over four years and then became a contracts attorney for the Department of the Air Force. Prior to joining the firm, Ms. Goddeau was general counsel to a local constitutional office.

Ms. Goddeau's accomplishments have included successful court-martial prosecutions; resolution of tort claims for and against the federal government; award of a multi-billion dollar satellite communication network contract (without protest); creating a standard legal review for all Freedom of Information Act requests; and, providing legal assistance to active duty and reserve military members facing deployment.

Ms. Goddeau is well versed in the areas of public records, ethics, procurement and Sunshine Law compliance and leads the Firm's local government law practice. She has provided advice and training to a variety of elected officials and personnel and has rendered numerous legal opinions for local governments with respect to these areas. Ms. Goddeau has litigated a number of public records and Sunshine Law cases for municipal clients. She is also involved in addressing issues that arise under the County-wide code of ethics and issues with the Palm Beach County Inspector General. Ms. Goddeau takes a proactive approach with Sunshine Law and public records issues and assists our clients with avoiding unnecessary litigation and attorneys' fees. Her experience in these areas assists in her ability to advise local governments on their internal policies and procedures.

Ms. Goddeau has represented our clients in connection with negotiating and drafting complex contracts, including various Interlocal Agreements, leases, corporate documents and construction, utilities, software and communications contracts. She has worked with local municipalities and Palm Beach County on utility transfer agreements and Inter-Service Boundary Agreements. Ms. Goddeau has extensive experience drafting resolutions and ordinances; assisting with grant applications and compliance; and, has assisted at least three (3) municipalities in significant revisions to their procurement codes and internal purchasing policies.

Ms. Goddeau has assisted the City of Lake Worth Beach, the Village of Palm Springs and the City of Riviera Beach in day-to-day legal issues. For the Village of Palm Springs, Ms. Goddeau has been instrumental in drafting several land use ordinances (dealing with nightclubs and alcohol sales) and a temporary lobbyist registration policy. She has assisted department directors with a variety of legal issues including assisting with annexation, land use and planning issues. Ms. Goddeau has drafted a wide range of legal instruments for the Village including contracts for construction, purchases and professional services; bills of sale; easements; dedication agreements; unity of title; letter agreements; and, lien settlement agreements.

For the City of Lake Worth Beach, Ms. Goddeau has dedicated office hours at City Hall and is available to the Mayor, Commissioners and City staff to discuss and provide advice on a variety of City issues. Ms. Goddeau works closely with the City Manager to address emerging issues and resolve matters in a proactive manner. Ms. Goddeau reviews all agenda items prior to submission to

the City Commission. She works closely with City staff to prepare contracts, draft ordinances and resolutions, and provide advice on variety of municipal law issues. Ms. Goddeau has successfully represented the City in defending two Bert J. Harris (private property rights) lawsuits and a charter referendum lawsuit.

Ms. Goddeau also represents the City of Riviera Beach Police Department in prosecuting its code enforcement hearings and in advising the Department in a variety of legal matters including public records law, contracts, and updating various Standard Operating Procedures. Ms. Goddeau also represents the City of Riviera Beach in breach of contract and public records cases. Ms. Goddeau has successfully represented the City of Riviera Beach in foreclosing code enforcement liens; an inverse condemnation claim; a writ of mandamus claim (dealing with code enforcement); a circuit court appeal of a code enforcement order; and, two Fourth District Court of Appeal cases (Sunshine Law case and elections law case). Ms. Goddeau has conducted extensive research on municipal liens including special assessment, utility and code enforcement liens and recovery of surplus funds after a foreclosure or tax deed sales.

For the City of Belle Glade, Ms. Goddeau's assistance has included drafting various ordinances and resolutions, reviewing and preparing contracts and advising City departments on the City's procurement process. She has drafted ordinances and resolutions on topics ranging from a special event ordinance to an ordinance governing all City citizen participation committees. Ms. Goddeau has conducted extensive research for the City in the areas of dual-office holding, the Florida Code of Ethics and the Consultants' Competitive Negotiations Act.

Ms. Goddeau has also represented the Town of Juno Beach in a foreclosure of a code enforcement lien and is a code enforcement special magistrate for Palm Beach County and was a hearing officer for Palm Beach County's Red-light Enforcement Program (until the Program was discontinued).

Along with Mr. Torcivia, Ms. Goddeau provides a variety of legal services to the City of Greenacres. She assisted in revising the City's procurement code and updating standard contract templates to be used by City personnel. She works closely with City staff to review matters involving land use and zoning matters; code enforcement; grant agreements; special assessments; construction projects; franchise agreements; Sunshine Law; and, public records issues. Ms. Goddeau also works with personnel from the Palm Beach County Sheriff's office on issues dealing with municipal ordinance violations and updating municipal ordinances.

Ms. Goddeau continues to work closely with the Health Care District of Palm Beach County's general counsel on local government law-related issues including Sunshine Law, public records law, ethics and procurement. She provides timely advice on new developments in local government law including the ADA website accessibility issue; changes in public records law; and, new governmental contract provisions required by statute.

Lara Donlon

Lara Donlon was admitted to The Florida Bar in 1996. After clerking at the Fourth District Court of Appeals, she practiced in the area of tort litigation, including litigation regarding wrongful death, automobile accidents, premises liability and insurance coverage cases, commercial litigation, and employment law matters. She also practiced before the appellate courts and prepared a number of appellate briefs resulting in favorable outcomes.

Since joining the firm in 2001, Ms. Donlon has been involved in all aspects of the firm's practice and has provided services to a majority of the firm's governmental, as well as, non-profit and corporate clients. She leads the firm's employment law practice. Ms. Donlon provides employment law advice and representation for the firm's municipal and special district clients including, but not limited to, the Village of Palm Springs, the Village of Wellington, the City of Lake Worth Beach, the Indian Trail Improvement District, the Northern Palm Beach County Improvement District, the Lake Worth Drainage District, the Health Care District of Palm Beach County, the Children's Services Council of St. Lucie County, the City of Riviera Beach, the Village of North Palm Beach, the City of Belle Glade, the Town of Highland Beach, the Town of Sewall's Point, the Port of Palm Beach District, and the Property Appraiser of Palm Beach County. Ms. Donlon also acts as special counsel to various governmental clients assisting their general counsel and/or internal legal departments with employment law matters including, but not limited to: the Immokalee Fire Control District, the Immokalee Water and Sewer District, the Loxahatchee River District, the School Board of St. Lucie County, the Town of Juno Beach, the City of Port St. Lucie, and the former independent district of Loxahatchee Groves Water Control District.

When current or former employees file grievances, arbitrations, administrative complaints, or lawsuits in State or Federal Court, Ms. Donlon provides a zealous defense, while ensuring the client also explores the possibility of early resolution. Ms. Donlon has defended and resolved numerous cases brought under multiple employment law theories. Additionally, she assists clients in vigorously defending charges filed with the Equal Employment Opportunity Commission to avoid future litigation. Should any litigation matter proceed to the appellate level, Ms. Donlon is well-versed in appellate matters and is able to continue the defense without any disruption. Ms. Donlon's experience as a law clerk to the Honorable John W. Dell of the Fourth District Court of Appeals, has provided her the experience to prepare a number of appellate briefs resulting in favorable outcomes. *See e.g. McCollem v. Chidnese*, 832 So. 2d 194 (Fla. 4th DCA 2002); *Brown v. Brown*, 800 So. 2d 359 (Fla. 4th DCA 2001); *Hadden v. School District of Palm Beach County*, 845 So. 2d 208 (Fla. 4th DCA 2003) (*affirmed PCA*).

Ms. Donlon regularly represents governmental and private-sector clients in labor and employment-related disputes at the administrative, trial and appellate levels. Balancing proactive practices with appropriate reactive measures, Ms. Donlon assists clients in minimizing legal risks and expenses related to employment including, but not limited to, claims of harassment, hostile work environment, discrimination, wage payments and overtime, retaliation, whistle-blower, Family Medical Leave Act,

and evaluating reasonable accommodations for religious purposes or for the disabled. Ms. Donlon also represents our clients in contested unemployment hearings, as needed.

Ms. Donlon has drafted, amended and updated multiple personnel policies for organizations in numerous industries, ensuring compliance with federal, state and local laws. Ms. Donlon was also instrumental in assisting a municipality in modifying its personnel policies to comply with new civil service rules that were passed by referendum. Ms. Donlon has represented Civil Service Boards and has prosecuted cases for municipalities before the Civil Service Board. Ms. Donlon has also represented governmental employers in the negotiation and interpretation of collective bargaining agreements, and represented employers during the grievance process through arbitration. Ms. Donlon has also assisted employers in proceedings before the Public Employees Relations Commission relating to unfair labor practices and unit clarification.

Ms. Donlon provides training to board members, senior managers and general employees as needed to prevent harassment and discrimination in the workplace, to provide education regarding changes to personnel policies, and to provide education regarding various labor and employment laws (e.g. Family Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, Title VII, etc.) and their application to the workplace.

Ms. Donlon routinely provides exceptional responses on behalf of our clients to administrative charges alleging claims of discrimination and/or harassment, thereby avoiding further litigation.

Ms. Donlon has also conducted numerous investigations resulting from internal complaints from current employees. Ms. Donlon provides findings, conclusions, and recommendations, as dictated by each situation.

Ms. Donlon has represented the City of Riviera Beach in collective bargaining with the International Association of Fire Fighters (IAFF) and the Professional Managers and Supervisors Association (PMSA). She has negotiated collective bargaining agreements for the City of Lake Worth Beach with the Public Employees Union (PEU), Professional Managers and Supervisor Association (PMSA), and International Brotherhood of Electrical Workers (IBEW). Ms. Donlon has represented the City of Port St. Lucie in collective bargaining with the Federation of Public Employees (FOPE), Office and Professional Employees International Union (OPEIU), and their three sworn bargaining units of the International Union of Police Associations, AFL-CIO.

Ms. Donlon also supports the Human Resources Association of Palm Beach County, having served as President in 2009 and 2010, and Immediate Past President in 2011. Ms. Donlon possesses excellent research and writing skills and has presented a number of seminars to both our government and corporate clients on a variety of labor and employment law issues. Ms. Donlon has been invited to speak at the Annual Florida Association of Special District conference for the past (approximately) 15 years. She has provided presentations on a wide variety of employment law matters to the Human Resources Association of Palm Beach County, the Florida Bar's City County

and Local Government Section's annual conference, the Human Resource Association of St. Lucie County, HR Florida, and the Florida Government Finance Officers Association (FGFOA).

Carolyn Ansay

Carolyn Ansay was admitted to The Florida Bar in 1997 and is a Board Certified City, County Local Government attorney. Ms. Ansay has over two decades of experience representing private individuals and governmental entities in environmental and water law, governmental law, land use, and civil litigation. Ms. Ansay joined the firm in 2014 after serving as General Counsel to the South Florida Water Management District.

As former General Counsel to the South Florida Water Management District, Ms. Ansay keenly understands the regulatory complexities faced by her clients. She provides clients with strategic advice and counsel on significant water resource, governmental and land use, and environmental issues across the State of Florida.

As General Counsel, Ms. Ansay provided legal advice and counsel to the District's Governing Board, Executive Management, and staff on a wide-range of water resources issues. She regularly interacted with state and federal leaders in Tallahassee, Atlanta, and Washington D.C. on Everglades Restoration and significant water policy issues impacting the District. She was responsible for the day-to-day management of the District's 30+ attorneys and professional legal staff. Prior to serving as General Counsel, Ms. Ansay was a partner in a law firm where she focused on water and environmental law, land use, and governmental law.

Over the course of her career, Ms. Ansay has also represented regional water suppliers, municipalities, counties, school districts, special districts, and state agencies. She also served as a Special Magistrate in several jurisdictions where she presided over quasi-judicial proceedings on matters ranging from land use to local code enforcement. She has also served as an adjunct professor and frequent lecturer on environmental law topics.

Ms. Ansay currently assists the firm's municipal clients including the City of Lake Worth Beach, the Town of South Palm Beach and the Town of Sewall's Point on water utility and related issues, land use and FEMA issues. She represents the Lake Worth Drainage District on special projects and has formed and represented other special districts pursuant to Chapter 289, Florida Statutes. Her past experience with state and federal agencies assists our clients in successfully navigating issues with such agencies. Additionally, she represents not-for-profit organizations and special districts, on complex environmental and water law issues.

Pamala H. Ryan

Pamala Ryan was admitted to The Florida Bar in 1994 and has been a Board Certified City, County Local Government attorney since 2013. Ms. Ryan joined the firm in 2016 after 20 years of service

with the City of Riviera Beach, Florida. In Riviera Beach, Ms. Ryan served in the capacity as City Attorney for sixteen years, and prior to that she served as the Assistant City Attorney for three years and in the administrative capacity of Deputy City Manager for one year. Ms. Ryan has extensive experience in all aspects of the governmental arena, including drafting ordinances and complex contracts and agreements, handling land use matters including rezones and comprehensive plan changes, handling a variety of marina and admiralty issues, procurement, public records and sunshine law matters, ethics issues, labor and employment matters, employee training, budgetary issues, risk management, and all aspects of local government law.

During her career with Riviera Beach, as the chief legal officer, Ms. Ryan was responsible for overseeing the City's entire litigation program, which included anywhere from 25-40 cases at any given time. The cases included land use and marina issues, election matters, contractual claims, civil rights violations, trip and fall, auto accidents, employment discrimination, and public record and sunshine violations. Ms. Ryan strategized on all cases, serving as co-counsel in several instances, especially on land use cases, 1st Amendment defense cases, and public records lawsuits.

Further, as City Attorney, Ms. Ryan reported directly to a five person city council and mayor, attending all City Council meetings and public hearings. Ms. Ryan also served as the District Attorney for the Riviera Beach Utility Special District, responsible for water issues before the District Board and administrative agencies. During her tenure with Riviera Beach, Ms. Ryan also represented the Planning and Zoning Board and the Zoning Board of Adjustment. As the attorney for these various boards, Ms. Ryan was responsible for drafting documents to be reviewed and voted on by the boards, as well as reviewing all agenda items for legal sufficiency.

As City Attorney, Ms. Ryan also had the responsibility of working very closely with thirteen different departments in Riviera Beach, meeting with staff daily, assisting with numerous legal issues and drafting legal instruments for a variety of situations including contracts and agreements for professional services, purchase agreements, bid documents, contracts for construction, real estate instruments including bills of sale; deeds, easements; dedication agreements, resolutions and ordinances. Using her skills developed administratively, Ms. Ryan assisted executive staff with budgeting strategies during lean years, including advising on bonding opportunities, restructuring the City's pension plans, and developing strategies to restructure the employee complement at the City.

Ms. Ryan is very knowledgeable of and has responded to numerous questions and inquiries regarding Florida's Code of Ethics, the Palm Beach County Code of Ethics, Florida's public records law and the Sunshine Law. Ms. Ryan has spoken on these topics for numerous internal boards and outside organizations, and is serving as the Chairperson of the Florida Bar's City, County and Local Government Certification Committee, where she leads the committee in drafting test questions and reviewing applications for those seeking to become Florida Bar board certified.

Ms. Ryan has extensive knowledge drafting disposition and development agreements on behalf of local governments who are partnering with private developers. In her tenure with Riviera Beach, she

worked on disposition and development agreements for the city's municipal beach, the city's marina, and for projects located within the Riviera Beach Community Redevelopment Area. Ms. Ryan has also negotiated and drafted interlocal agreements with other governmental entities in Palm Beach County (including the Palm Beach County School District, Palm Beach County and other cities).

Ms. Ryan currently assists the firm's municipal clients including the City of Lake Worth Beach, the Town of Highland Beach and the City of Belle Glade. For Lake Worth Beach, Ms. Ryan provides advice for many of its day to day legal issues. Ms. Ryan most recently assisted in revising its risk program, updating the City's historic preservation ordinance, and revising several of the City's code enforcement ordinances. Ms. Ryan represented the City in a Right to Farm Act matter arising out of a code enforcement action. Ms. Ryan also serves as board attorney for Lake Worth Beach's Planning and Zoning Board and its Historical Preservation Board. She assists staff with drafting land development regulations and has drafted vacant property ordinances and medical marijuana regulations.

Ms. Ryan, along with Mr. Torcivia, provides legal services to the Town of Highland Beach. Ms. Ryan attends Town Commission meetings and workshops, and drafts resolutions and ordinances as requested by the Commission. In that capacity, Ms. Ryan also works closely with the Town Manager and Town staff, including the City Clerk, Finance Director and Police Chief on many issues that have legal ramifications.

In Belle Glade, Ms. Ryan, along with Mr. Torcivia, represents the City Commission at its Commission meetings and workshops. She also handles all airport regulations for the City, prosecutes code enforcement matters, and drafts land use ordinances, resolutions and other documents as requested.

Matthew L. Ransdell

Matthew Ransdell was admitted to The Florida Bar in 2009. He joined the firm in 2017 after working for seven years for large international law firms in the Tampa and West Palm Beach areas, where he was a senior associate in their labor and employment practice groups.

Mr. Ransdell is involved in all aspects of the firm's employment law practice and has provided services to a majority of the firm's governmental, as well as, corporate clients. He regularly provides legal advice with respect to day-to-day personnel issues, including disciplinary, performance, and termination decisions; wage and hour compliance; Americans with Disability Act compliance, and Family and Medical Leave Act compliance. He also regularly assists the firm's clients in developing policies, procedures, and personnel handbooks and trains employees on compliance with state and federal laws in the workplace.

Mr. Ransdell provides employment law advice and representation for the firm's municipal and special district clients, including the Port of Palm Beach District, the Loxahatchee River District, the

Immokalee Fire Control District, the City of Greenacres, the Village of Palm Springs, the Village of Wellington, the City of Lake Worth Beach, the City of Riviera Beach, the Village of North Palm Beach, the City of Belle Glade, the Town of Highland Beach, the Town of South Palm Beach, the Town of Sewall's Point, the St. Lucie County School Board, and the Property Appraiser of Palm Beach County.

In addition to his counseling experience, Mr. Ransdell has represented management in employment litigation, including Title VII, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Americans with Disabilities Act, the Family and Medical Leave Act, the Florida Civil Rights Act, as well as whistleblower and retaliation claims. When current or former employees file grievances, arbitrations, administrative complaints, or lawsuits in State or Federal Court, Mr. Ransdell provides a vigorous defense, while ensuring the client also explores the possibility of early resolution. Mr. Ransdell has defended and resolved numerous cases brought under multiple employment law theories. He has been involved in defending employers in over 100 arbitrations, has prevailed in federal court jury trials, and has represented clients through the appeals process in both court and administrative settings.

Mr. Ransdell has also conducted investigations resulting from internal complaints from current employees. He has been involved in international investigations centered on Department of Justice corruption allegations for a Fortune 50 company. Mr. Ransdell provides findings and recommendations, as dictated by each situation.

Mr. Ransdell possesses excellent research and writing skills and has either authored articles or given presentations regarding various labor and employment issues impacting private and public sector clients. Recent examples of which are:

- “Will the NLRB’s Protection of Unacceptable Conduct Last?” – March 13, 2017
- “Employer Exposure Increase: Emotional Distress Damages in FLSA Cases” – January 18, 2017
- “Gig and Technology Sectors Targeted in EEOC Enforcement Plan” – November 3, 2016
- Presenter of “Employment Law Issues Facing Small Business” seminar for the Small Business Resource Network – April 1, 2015
- “Federal Appeals Court Says Dodd-Frank Does Not Protect Overseas Whistleblowers” – August 28, 2014
- Co-Author of “Managing Employees After Complaints: Retaliation Post-*Nassar* and *Thompson*” – March 2014
- Special guest lecturer at Stetson University College of Law regarding the Foreign Corrupt Practice Act – March 2013

Mr. Ransdell has earned recognition from his peers as a top rated labor and employment lawyer in the Super Lawyers publication. He was recognized as a Rising Star by Super Lawyers in 2015, 2016,

2017, 2018, and 2019. Mr. Ransdell is also a member of the National Order of Barristers.

Melissa P. Anderson

Melissa Anderson is a Board Certified City, County, & Local Government attorney. She has over twenty five years of experience representing governmental agencies and private parties, and is former corporate counsel for two publicly traded telecommunications companies.

A Florida native, Ms. Anderson began her legal career as an Assistant Broward County Attorney in Fort Lauderdale, Florida, representing the county in land use and environmental matters, including advising the County in regard to 298 water control districts. Ms. Anderson, during her tenure with the County, sat as attorney for and advised the Broward County Water Advisory Board. She also represented the Broward County Port Everglades Department (formerly the Port Everglades Authority) in all matters affecting the Port, including complex real estate and construction matters. She assisted the Port in implementing more stringent security restrictions in coordination with state and federal authorities after September 11, 2001.

After leaving Broward County in 2006, Ms. Anderson continued to represent government entities, including the Village of Royal Palm Beach, the City of Hallandale Beach, and Indian River County. Ms. Anderson has extensive experience in representing government entities in real estate, procurement matters, utilities, contracting, public records, ethics and government in the sunshine law. She has represented government clients in complex land use and environmental matters. As outside counsel for the Village of Royal Palm Beach, Ms. Anderson assisted a coalition of cities, including West Palm Beach and Palm Beach Gardens, in successfully challenging developer proposed changes to the Palm Beach County comprehensive plan.

In 2012, she became the Southeastern Regional Government Relations Counsel for Crown Castle, Inc., a Fortune 1000 telecommunications corporation. In her role as Government Relations Counsel, Ms. Anderson represented the company in telecommunications matters before 28 cities and 3 counties in the state of Florida as well as most major cities in the SE United States, including Atlanta, GA, Nashville, TN, Charlotte, NC and Charleston, SC. Prior to joining the Firm in 2018, Ms. Anderson had her own practice representing several government entities, including Broward County and the cities of West Palm Beach and Lake Worth Beach, as well as private entities.

Ms. Anderson currently represents several of the firm's municipal clients in the area of telecommunications and utility law. She advises the City of Lake Worth Beach water and electric utilities on a variety of issues including telecommunication issues. She is currently responsible for the drafting and negotiation of all pole attachment agreements on behalf of the City with several major telecommunications companies, including AT&T, Comcast, Crown Castle and Hotwire. Ms. Anderson also drafts a variety of contracts for the City of Lake Worth Beach from construction to software agreements. Ms. Anderson is also a Special Magistrate for the Broward County divisions of

consumer protection, zoning and code enforcement, and building code services.

Jennifer Hunecke

Ms. Hunecke was admitted to The Florida Bar in 1997. After clerking for the Fifteenth Judicial Circuit in Palm Beach County, Ms. Hunecke has been exclusively representing municipalities for the past sixteen years.

Immediately prior to joining the firm, Ms. Hunecke was an Assistant City Attorney at the City of West Palm Beach for almost five years. During her tenure at West Palm Beach, she managed the City's involvement in approximately 100 foreclosure actions as both the Plaintiff and Defendant. She drafted contracts related to construction, design/build projects, professional services along with work authorizations, amendments and change orders. Ms. Hunecke advised and represented the City's building official regarding the enforcement of the Florida Building Code and the Unsafe Building Code; handled the City's prosecution of its code enforcement violations and any related appeals; and enforced the collection of liens citywide.

After joining the firm in 2006, her caseload has included representing local municipalities in various administrative matters and advising local governments on a variety of municipal matters related to procurement, contracts, constitutional issues, elections, business tax receipts, lien enforcement, code enforcement and police forfeitures.

Ms. Hunecke has over 14 years' experience prosecuting code enforcement cases and advising code inspectors. For the first six (6) years at the firm, she was the attorney charged with code enforcement responsibilities for the City of Belle Glade, the Village of Palm Springs, City of Lake Worth Beach and the Town of Sewall's Point. Ms. Hunecke was called on weekly to address issues, negotiate stipulations, interpret each municipality's code of ordinances and advise clients regarding the legal requirements, limitations and procedures found in Chapter 162, Florida Statutes. She has experience prosecuting code enforcement violations before both code enforcement boards and special magistrates. Ms. Hunecke was also responsible for the prosecution of municipal ordinance violations in county court for the Village of Palm Springs, City of Belle Glade and the City of Pahokee, and has successfully defended the Village of Palm Springs Sexual Predator Ordinance in both the Fifteenth Judicial Circuit Court (appeals) and the United States District Court for the Southern District of Florida (on a motion to dismiss).

For the Town of Sewall's Point and the City of Belle Glade, Ms. Hunecke's assistance includes researching and drafting various ordinances, resolutions, easements, contracts, license/use agreements, and procurement documents. She has drafted ordinances on topics such as signs, unsafe building abatement, pain management clinics, handbills, rental properties, procurement procedures, sexual predator/offender residency restrictions, and amendments to the setbacks for waterfront property and docks. She recently rewrote and reorganized the Town's code enforcement procedures for compliance with Florida Statutes. She has drafted contracts for the Town related to its securing of

over one million dollars in FEMA Flood Mitigation and Repetitive Flood Loss Programs; various professional services contracts; construction contracts; grants; and utility and landscape maintenance easements.

For the City of Lake Worth Beach, Ms. Hunecke assisted the City with a complete overhaul of its code compliance/enforcement, nuisance abatement and chronic nuisance services ordinances. She works with the City's building official on unsafe building abatements and has also worked with City staff to review and revise the City's invitation to bid for construction documents. She has assisted the City in the levying of Special Assessments.

For the Village of Wellington, Ms. Hunecke reviewed and revised the standard contracts related to construction, professional services, professional consulting, independent contractors, sports officials, performance artists, and sponsorships. She drafted new contracts, such as the Amphitheatre License Agreement, Broadcasting, License Agreement, and the Radio System Maintenance-Facility Usage Trade Agreement, and she reviewed and revised the Village's standard Invitation to Bid for construction to ensure compliance with current Florida laws and construction standards.

Ms. Hunecke provides advice to the Town of South Palm Beach regarding the drafting and negotiation of its municipal contracts, including but not limited to, construction contracts, interlocal agreements, grant agreements, professional services contracts, etc. She also drafts the Town's procurement documents and advises staff regarding proper procurement procedures. She advises the Town regarding code enforcement procedures and enforcement, and recommends updates to the Town's Code of Ordinances to streamline such procedures. Ms. Hunecke has also worked with Town staff and Municode to recodify the Town's Charter and Code of Ordinances. She ensures the Town is in compliance with state, federal and local laws. Emphasis is placed on compliance with the Sunshine Law, public records law, local and state codes of ethics, election issues, and First Amendment issues.

v. List and description of similar municipal engagements satisfactorily performed within the past three (3) years. If you serve as general counsel, please expressly indicate such for each listed municipal client. For each engagement listed, include the name and telephone number of a representative for whom the engagement was undertaken who can verify satisfactory performance.

Below is a list of municipal engagements which the firm has satisfactorily performed and continues to perform. Please feel free to contact the identified representatives who can verify our firm's performance.

Agency	Contact Person	Contact information
City of Lake Worth Beach (serve as City Attorney)	Michael Bornstein, City Manager Pam Triolo, Mayor	7 North Dixie Highway Lake Worth Beach, FL 33460 561-586-1630 mbornstein@lakeworth.org ptriolo@lakeworth.org
Village of Palm Springs (serve as Village Attorney)	Richard Reade, Village Manager Bev Smith, Mayor	226 Cypress Lane, Palm Springs, FL 33461 561-965-4011 rreade@vpsfl.org bsmith@vpsfl.org
City of Belle Glade (serve as City Attorney)	Lomax Harrelle, City Manager Steve Wilson, Mayor	110 Dr. MLK Jr. Blvd. W Belle Glade, FL 33430 561-992-1602 lharelle@belleglade-fl.com dbuff@belleglade-fl.com
City of Greenacres (serve as City Attorney)	Andrea McCue, City Manager Joel Flores, Mayor	5800 Melaleuca Lane Greenacres, Florida 33463 561-642-2017 amccue@greenacresfl.gov jflores@greenacresfl.gov

vi. Any known actual or potential conflicts, including how the Offeror intends to address and resolve.

We are not aware of any actual or potential conflicts regarding our proposed representation of the Town of Loxahatchee Groves.

vii. Whether the Offeror has been involved in litigation within the last five (5) years or any pending litigation arising out of your performance? If yes, please explain and indicate the outcome.

The only litigation in the past five (5) years for which we are involved is the case of *Viera v. City of Lake Worth, Torcivia, Donlon, Goddeau & Ansay, P.A., et al.* (pending in federal court in the Southern District of Florida). The Plaintiff in this case engaged in lengthy litigation against the City of Lake Worth Beach for which we represented the City. After the litigation was settled, the Plaintiff filed two (2) additional lawsuits, one in state court against the City and one in federal court against the City and our firm. The City and our firm are being vigorously represented in this case.

Torcivia, Donlon, Goddeau & Ansay, P.A., 701 Northpoint Parkway, Suite 209, West Palm Beach, Florida 33407
(561) 686-8700 - (561) 686-8764 (facsimile)

viii. Whether the Offeror has been involved in any complaints to the Florida Bar within the last five (5) years arising out of your performance? If yes, please explain, and indicate the outcome.

There have not been any complaints filed with The Florida Bar against the firm or any attorney of the firm in the past five (5) years.

ix. Form retainer agreement that Offeror requests to be used if selected, noting what other public clients are using such agreement.

The proposed agreement is attached and is for a flat hourly rate (using 1/10 of an hour increments for invoicing purposes). Typically, our firm does not enter retainer agreements for flat fee for all legal services provided during a set timeframe; however, we are flexible to the desires of the Town. The proposed agreement is a standard municipal agreement we utilize for many of our municipal clients.

c. PRICING. The Town is flexible with regard to an offer of a fixed price, contract for work performed, or a retainer that provides for specific services and a per hour rate for items not expressed in the retainer.

In the proposed agreement, we are proposing to represent the Town for \$205.00 an hour for attorneys and \$95.00 per hour for our legal assistances preparation of documents or other services which exceed thirty (30) minutes of time.

The Town will also be billed for routine expenses such as postage, copies, etc. (which will be clearly documented on each invoice). The firm will seek reimbursement for non-routine expenses such as those incurred in litigation (e.g., deposition transcripts, subpoena fees, witness fees, court reporter fees, copying of exhibits discovery, etc.), and for mileage at the IRS rate (for travel required outside of Palm Beach County). The firm's hourly rates will be increased by three percent (3%) annually each October 1st, commencing on October 1, 2020.

Continued Attachments:

Attorney Resumes

Proposed Legal Services Agreement

Attorney Resumes

**TORCIVIA, DONLON,
GODDEAU & ANSAY, P.A.**

701 Northpoint Parkway, Suite 209
West Palm Beach, Florida 33407-1950
561-686-8700 Telephone / 561-686-8764 Facsimile
www.torcivialaw.com

Glen J. Torcivia
Lara Donlon
Christy L. Goddeau*
Carolyn S. Ansay*

Jennifer H.R. Hunecke
R. Brian Shutt*
Pamala H. Ryan*
Matthew L. Ransdell
Melissa P. Anderson*

*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

R. BRIAN SHUTT

Experience

Senior Associate, The Law Office of Glen J. Torcivia and Associates, P.A. January 2014 – September 2014; *Torcivia, Donlon, Goddeau & Ansay, P.A.* September 2014 – present

- Assist municipalities with drafting of numerous ordinances and codes related to signs, purchasing, telecommunications, rights-of-way, land use and zoning matters, comprehensive planning, special assessments and charter amendments
- Act as board counsel to various municipalities commissions, planning and zoning boards, board of adjustments, surtax review committees and charter review committees
- Draft numerous agreements for municipalities involving construction, purchasing, interlocal agreements, real estate transactions, professional services, labor and employment, use of public rights-of-way and contracts seeking grant funding
- Draft real estate transaction agreements, unity of title forms, easement agreements, hold harmless agreements as well as other documents related to the use by the municipality of real property
- Provide training and guidance regarding ethics (state and county), sunshine law and public records law to employees, elected officials and appointed board members
- Prosecute code cases in front of a municipality's special magistrate and act as a special magistrate for another municipality
- Monitor outside counsel regarding lawsuits involving the municipality and prosecuting municipal ordinance violation cases in circuit court

City Attorney, City of Delray Beach June 2009 –January 2014

- Managed an office of 3 assistant City Attorney's and 4 support staff
- Acted as the Board Attorney for the City Commission and various other boards
- Drafted various contracts, easements, developers agreements, deeds, ordinances and procurement codes

- Responsible for issues related to employment matters, transient housing, land use, construction and contract disputes
- Defended the City in cases involving excessive force, slip and fall, auto accidents and employment issues

Assistant City Attorney, City of Delray Beach October 1994- June 2009

- Drafted various contracts, easements, developers agreements, deeds and ordinances
- Handled issues related to employment matters, land use, construction and contract disputes
- Defended the City in cases involving excessive force, slip and fall, auto accidents and employment issues

Track Supervisor, Norfolk Southern Corporation September 1989 –August 1991

Assistant Track Supervisor July 1989 – September 1989

Management Trainee July 1988 – July 1989

Field Maintenance Supervisor, Texaco Refining and Marketing, Inc. November 1987 – July 1988

Education

Nova Southeastern University
Fort Lauderdale, FL
Juris Doctor May 1994

Virginia Polytechnic Institute & State University
Blacksburg, VA
B.S. Civil Engineering May 1987

Bar Admissions

Board Certified in City, County and Local Government Law, 2009
Florida Bar 1994
U.S. Southern District 1995
U.S. Supreme Court 2007

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Melissa P. Anderson*

*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

GLEN J. TORCIVIA

Experience

Founder/Shareholder, Torcivia, Donlon, Goddeau & Ansay, P.A.

September 2014 - Present

Founder, The Law Office of Glen J. Torcivia and Associates, P.A.

West Palm Beach, FL

1989-2014

- Founder of a civil practice firm emphasizing local government law, labor and employment law, business and corporate matters, civil rights law, election law and legislative issues.
- Litigation in Federal and State Trial and Appellate Courts, before administrative agencies and arbitrators.
- AV rated by Martindale-Hubbell.

Assistant County Attorney, Palm Beach County Attorney's Office

West Palm Beach, FL

1984-1989

- Represented the County in State and Federal Courts as well as at administrative hearings.
- Responsible for negotiating and drafting contracts, pleadings, ordinances, and legislation.
- Litigation emphasis on labor and employment law, civil rights, and election law.
- Advise Board of County Commissioners and County Departments.
- Represented the Palm Beach County Legislative Delegation.
- Supervised five attorneys and support staff.

Attorney (pro bono), The Children's Services Council of Palm Beach County,
West Palm Beach, FL
1986-1988

- Responsible for all aspects of starting a new independent special taxing district, including levying of millage (TRIM), adoption of budget, drafting policies and contracts.

Associate Attorney, The Law Offices of Zell Davis, Jr.
West Palm Beach, FL
1983-1984

- Responsible for active general practice including personal injury, dissolution, zoning and commercial litigation.

Associate Attorney, Jacoby and Meyers
New York, NY.
1980-1981

- Responsible for active general practice, including Family Court, commercial, real estate and personal injury matters.
- Developed and directed landlord-tenant division, practicing in Manhattan, Brooklyn, Queens and the Bronx.

Education

- Albany Law School of Union University, Albany, NY
Juris Doctorate, June 1979.
- State University College at New Paltz, NY
Bachelor of Arts, Political Science, January 1976 (Cum Laude).
Dean's List for all seven semesters.

Bar Admissions

- State of New York, 1980.
- U.S. District Court, Eastern District of N.Y., 1981.
- U.S. District Court, Southern District of N.Y., 1981.
- State of Florida, 1982.
- U.S. District Court, Southern District of Florida, 1983
- U.S. District Court, Southern District of Florida, Trial Bar, 1985.
- U.S. Court of Appeals for the Eleventh Circuit, 1987.
- United States Supreme Court, 1999.

Affiliations

- Florida Bar Association, 1982 to date.
Chairman of the Legislative Affairs Committee of the Labor and Employment Law Section, 1986-1988;
Chairman of the Employment Law Committee of the Local Government Law Section, 1988-1990.
- Palm Beach County Bar Association, 1983 to date.
Member of the Legislative Committee, 1989 to 2002.
Member of the Local Government Liaison Committee 1989-1997.
Member of the Federal Practice Committee 1996-2001.
- Federal Bar Association, 1999 to 2002.

Community Service

- *Town of Lantana Planning Commission, 1987-1989.* A municipal board responsible for reviewing and considering applications for various proposed developments within the Town. Provided recommendations to the Town Council.
- *Center for Family Services.* A West Palm Beach based non-profit United Way agency providing family and individual counseling as well as Travelers Aid and an Employee Assistance Program. Board of Directors, 1984-1990; President of the Board, 1985-1987.
- *Child Care Resource & Referral.* A Delray Beach based non-profit agency providing education, support and assistance relating to child care issues. Board of Directors, 1986-1991.
- *American Red Cross Palm Beach County Chapter.* Member of the Board of Directors, 2002-2010. Member of the Executive Committee 2003-2004. Member of the Human Resource Committee, 2000 to date, and Chair 2003-2004.
- *YWCA,* Member of the Down South Luncheon Committee 2006-2007.
- *Palm Beach Habilitation Center.* Member of the Board 2010-present. Chair of the Board 2014-2018
- Frequent lecturer before a variety of civic, professional, business, non-profit, government and educational organizations.

TORCIVIA, DONLON, GODDEAU & ANSAY, P.A.

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Christy L. Goddeau*
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R. Brian Shutt*
Pamala H. Ryan*
Matthew L. Ransdell
Melissa P. Anderson*

*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

CHRISTY L. GODDEAU

Experience

Shareholder, Torcivia, Donlon, Goddeau & Ansay, P.A.
September 2014 - present

Senior Associate, The Law Office of Glen J. Torcivia and Associates, P.A.
West Palm Beach, FL
2004 - September 2014

- Litigation in state, federal and appellate courts for local governments.
- Advise local governments on contract, procurement issues and Sunshine Laws.
- Draft and negotiate contracts for complex governmental transactions.

Legal Counsel to the Clerk of the Circuit Court
West Palm Beach, FL
2003

- Advisor to management on all legal issues affecting a constitutional office.
- Conducted extensive research and rendered various legal opinions based on state statute, local ordinances, court rules and other regulatory guidance.

Department of Air Force Contract Attorney-Advisor
Los Angeles Air Force Base, CA
2002-2003

- Lead counsel to major space program directorate with multi-billion dollar budget and diverse procurement requirements.
- Advised leadership in all phases of acquisition process including successful contract awards, modifications, award fee issues and varying appropriations.
- Researched and rendered timely legal opinions on FOIA requests for source

selection materials, proposals and contract documents.

United States Air Force Assistant Staff Judge Advocate

Los Angeles Air Force Base, CA

1999-2002

- Counsel to base contracting division and major space program directorate.
- Chief of Civil Law program requiring research and writing on variety of legal issues affecting base and its command.

United States Air Force Assistant Staff Judge Advocate

Kirtland Air Force Base, NM

1997-1999

- Prosecutor and administrator of largest Air Force Magistrate Court Program.
- Managed four paralegals as Chief of Claims in processing and resolving claims filed by and against the government within an annual budget of \$1 million.
- Lead medical-legal advisor to senior staff of joint Air Force/Veterans hospital.

Education

- Stetson University College of Law, St. Petersburg, FL
Juris Doctorate, May 1996 (Magna Cum Laude)
- University of Florida, Gainesville, FL
Bachelor of Arts, Criminal Justice, May 1992

Bar Admissions and Certification

- Florida, October 1996 (active)
- U.S. Court of Appeals for the Armed Forces, 1997
- California, December 2002 (inactive)
- U.S. District Court, Southern District of Florida, 2004
- U.S. Court of Appeals, Eleventh Circuit, 2006
- Florida Bar Board Certified City, County and Local Government, 2012

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LARA DONLON

Experience

Shareholder, Torcivia, Donlon, Goddeau & Ansay, P.A.

September 2014 - present

Senior Associate, The Law Office of Glen J. Torcivia and Associates, P.A.

West Palm Beach, FL

2001-September 2014

- Engages in all aspects of civil law practice, including litigation, and appeals in State and Federal Courts.
- Significant emphasis on employment law, including defending discrimination, harassment, Fair Labor Standards Act (overtime and minimum wage), Family Medical Leave Act, and other claims.
- Promotes preventative measures to minimize risk in employment-related decisions.
- Aggressively responds to EEOC charges on behalf of clients.
- Draft and negotiate collective bargaining agreements, adjust grievances, attend pre-determination hearings, and assist in labor-management relations.
- Conducts internal investigations regarding complaints of harassment and discrimination.
- Draft and negotiate employment contracts and non-compete agreements.
- Analyzes position classifications for compliance with Fair Labor Standards Act.
- Presents seminars on a variety of employment law topics including prevention of harassment and discrimination in the workplace, Fair Labor Standards Act, and Family Medical Leave Act.
- Drafts, analyzes and edits employee manuals and personnel policies.

Associate, Bush & Donlon, P.A.

Palm Beach Gardens, FL

2000-2001

- Draft pleadings, appellate briefs, discovery, and research memoranda regarding employment law, commercial litigation and tort cases.
- Attend hearings and depositions.

Civil Litigation Associate, Cole, White & Billbrough

West Palm Beach, FL

1998

- Drafted pleadings, discovery requests, and memoranda regarding wrongful death, employment and condominium law cases.
- Attended hearings and depositions regarding same.

Civil Litigation Associate, Wicker, Smith, et. al.

West Palm Beach, FL

1997-1998

- Drafted pleadings, discovery requests and memoranda regarding automobile accident, premises liability, admiralty, and insurance coverage cases.
- Attended depositions and hearings regarding same.

Law Clerk to the Honorable John W. Dell, Fourth District Court of Appeal

West Palm Beach, FL

1996-1997

- Researched issues presented on final appeal and drafted bench memoranda in civil, criminal and administrative appeals.
- Assisted in drafting and editing opinions.

Agent, Randstad, North America, West Palm Beach, FL

2000

- Acted as liaison between employees and clients to match employees with best job opportunities.
- Responsibilities included interviewing, hiring, developing, counseling and placing employees while developing client relationship through strong sales performance.

Academic Director, Kaplan, Inc., Florida Territory

1998-2000

- Recruited, hired, trained and managed all teachers for South Florida courses.
- Trained public school instructors in groups of over 100 to prepare students for the FCAT.

- Served on various hand-picked, special project teams to develop a company intranet and other teacher-related training devices.

Education

- University of Georgia School of Law, Athens, GA
Juris Doctor, 1996 (cum laude)
- University of Florida, Gainesville, FL
Bachelor of Science, Public Relations, Business Administration Minor, 1990

Bar Admissions

- Florida, 1996
- Georgia, 1998 (inactive)
- Southern District of Florida, 2001
- 11th Circuit Court of Appeals, 2006
- Middle District of Florida, 2010

Civic and Professional Organizations

- President, Human Resource Association of Palm Beach County (2009-2010)
- Treasurer, Human Resource Association of Palm Beach County (2008)
- Treasurer and Legislative Director, Human Resource Association of Palm Beach County (2007)
- Member, Society of Human Resource Management
- Member, Human Resource Association of Palm Beach County
- Member, Palm Beach County Bar Association

Certifications

- Senior Professional in Human Resource (SPHR), 2007 – present
- SHRM Senior Certified Professional (SHRM-SCP), 2015 – present

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CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

CAROLYN ANSAY

Experience

Shareholder, Torcivia, Donlon, Goddeau & Ansay, P.A.
September 2014 – present

- Represents governmental entities and private organizations in environmental and land use matters, contracting, procurement and governmental relations
- Advises municipalities and special districts on issues related to utilities, FEMA disaster assistance, interlocal agreements, procurement, public records and Florida's Sunshine Law

General Counsel, South Florida Water Management District
2011 – August 2014

- Provided legal advice and counsel to the District's Governing Board, executive management, and staff on a wide-range of water resources issues
- Regularly interacted with state and federal leaders in both Tallahassee and Washington D.C.
- Managed the District's 30+ attorneys and professional legal staff as they handled some of the most complicated and significant water issues in the State of Florida
- Worked on large permitting issues involving contracts for water supply and large public-private partnerships involving water resource and water supply development projects

Partner, Doran, Sims

2000 – July 2011 (11 years) West Palm Beach/Daytona Beach

- Served as a City Attorney for the City of Edgewater and as Interim City Attorney for the City of New Smyrna Beach
- Negotiated and prepared interlocal agreements with multiple local governments related to utilities
- Formed and represented a countywide water authority consisting of 17 local governments
- Served as lead counsel in recovery of approximately \$40 million on behalf of the State of Florida, Department of Financial Services
- Served as Special Magistrate to several jurisdictions on land use and code enforcement matters

Education

- University of Florida, Juris Doctor, 1996
- University of Miami, B.S., Economics, 1993

Bar Admissions and Certification

- State of Florida, 1997
- United States District Court for the Southern District of Florida
- United States Court of Appeals, Eleventh Circuit
- Board certified by the Florida Bar in the area of City, County, & Local Government Law

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CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

PAMALA H. RYAN

Experience

Senior Associate, Torcivia, Donlon, Goddeau & Ansay, P.A.
September 2016 - present

- Acts as counsel to city commissions/councils, planning and zoning boards and historic preservation boards for municipal clients.
- Serves as code enforcement counsel for municipal clients.
- Drafts a myriad of contracts and agreements for municipal clients and their departments.
- Drafts ordinances, bid and RFP documents, resolutions, development orders, etc. for municipal clients and their departments.
- Manages litigation in conjunction with risk management for a municipal client.

City Attorney, City of Riviera Beach
Riviera Beach, FL
May 2000-July 2016

- Chief Legal Advisor and Counsel to the Mayor, a five person City Council, City Manager, and Department Directors.
- Represented the City Council in all City, Utility District, and nuisance abatement meetings.
- Handled land use matters and working closely with the Community Redevelopment Agency on revitalization issues within the CRA boundaries.
- Negotiated and drafted contracts on a wide array of issues including telecommunications matters, construction contracts, service agreements, leases, and leases.
- Drafted ordinances, resolutions, deeds, bids and other legal documents

- Managed all litigation in the City.
- Defended the City in employment arbitration cases, labor and other personnel matters.
- Rendered a legal opinions on a wide range of matters relating to municipal government.
- Prepared the City Attorney departmental budget.

Deputy City Manager, City of Riviera Beach

Riviera Beach, FL

June 1999 – May 2000

- Responsible for direct administrative oversight of eight City departments including the monitoring of all departmental activities and projects.
- Assisted in the development of the City's 1999-2000 FY budget and organizational restructuring.
- Worked closely with the city manager on major land development, environmental and capital improvement projects.
- Instituted review of interdepartmental policies and task analyses for the purpose of improving employee and departmental efficiency.

Assistant City Attorney, City of Riviera Beach

Riviera Beach, FL

June 1996-June 1999

- Litigated cases on behalf of the City up to and including trial.
- Represented the City in employee disciplinary hearings and arbitrations.
- Acted as chief negotiator in contract negotiations with citywide employee unions.
- Provided legal representation to the City in E.E.O.C. complaints.
- Served as advising counsel for the City on several municipal boards including Planning & Zoning and Zoning Board of Adjustment.
- Prepared legal memoranda for the City Attorney and rendered formal legal opinions to the City Council, all department heads, and administrative personnel of the City.
- Drafted and reviewed contracts and other legal documents on behalf of the City.

Staff Attorney for the Honorable W. Matthew Stevenson, Fourth District Court of Appeal

West Palm Beach, FL

April 1994-June 1996

- Researched case law and wrote formal bench memoranda on final civil and criminal appeals emanating from six counties for consideration by Judge Stevenson and other judges on the appellate panel.
- Analyzed writs and motions filed in the appellate court.
- Assisted judges in drafting published opinions.

Assistant Public Defender, 15th Judicial Circuit Public Defender's Office
West Palm Beach, FL
October 1993-April 1994

- *Appellate Division*: Wrote felony criminal appeals for indigent clients convicted in trial court. Reviewed transcripts, determined viable issues, researched and briefed arguments to be heard at the appellate level.
- *Trial Division*: Assigned a misdemeanor case load. Created and argued pre-trial motions, conducted discovery, negotiated plea bargains, litigated jury and non-jury trials.

Education

University of Florida College of Law, Juris Doctor
Gainesville, Florida

Purdue University, Bachelor of Science in Economics
West Lafayette, Indiana

Bar Admissions

- Member of the Florida Bar
- United States Southern District of Florida
- Supreme Court of the United States

Civic and Professional Organizations

- The Florida Bar's Board Certification Committee for City, County and Local Government Law, Chairperson 2018-19, Vice Chairperson 2016-18, board member since 2014
- Florida Bar, member of City, County and Local Government Section
- Palm Beach County Bar Association
- Florida Association for Women Lawyers

Certifications

- Florida Bar City, County and Local Government Law specialized certification 2013-present

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*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

MATTHEW L. RANSELL

Experience

Senior Associate, Torcivia, Donlon, Goddeau & Ansay, P.A.
West Palm Beach, FL
May 2017 - present

- Engages in all aspects of civil law practice, including litigation, and appeals in State and Federal Courts.
- Significant emphasis on employment law, including defending discrimination, harassment, Fair Labor Standards Act (overtime and minimum wage), Family Medical Leave Act, and other claims.
- Promotes preventative measures to minimize risk in employment-related decisions.
- Aggressively responds to EEOC charges on behalf of clients.
- Draft and negotiate collective bargaining agreements, adjust grievances, attend pre-determination hearings, and assist in labor-management relations.
- Conducts internal investigations regarding complaints of harassment and discrimination.
- Draft and negotiate employment contracts and non-compete agreements.
- Analyzes position classifications for compliance with Fair Labor Standards Act.
- Presents seminars on a variety of employment law topics including prevention of harassment and discrimination in the workplace, Fair Labor Standards Act, and Family Medical Leave Act.
- Drafts, analyzes and edits employee manuals and personnel policies.

Associate, Akerman, LLP

West Palm Beach, FL and Tampa, FL

Dec. 2013-March 2015/Sept. 2016-April 2017

- Represented management in employment litigation, including Title VII, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Americans with Disabilities Act, the Family and Medical Leave Act, the Florida Civil Rights Act, as well as whistleblower and retaliation claims.
- Worked with clients on employee handbooks, including non-compete and non-disclosure provisions.
- Trained employees on compliance with state and federal laws in the workplace, and provide day-to-day guidance to employers on all matters associated with the workplace.
- Conducted investigations for clients regarding employment law and human resources issues.
- Assisted in nearly 100 separate wage and hour arbitrations, four of which went to final hearings where I was second chair trial attorney. The remaining claims settled on favorable terms after successful arbitrations.

Associate, Jackson Lewis, P.C.

Tampa, FL

March 2015-September 2016

- Drafted employment contracts for various levels and positions within corporations;
- Drafted employee handbooks and other company policies and procedures for all levels of companies.
- Represented management in employment litigation, including Title VII, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Americans with Disabilities Act, the Family and Medical Leave Act, the Florida Civil Rights Act, as well as whistleblower and retaliation claims.
- Trained employees on compliance with state and federal laws in the workplace, and provided day-to-day guidance to employers on all matters associated with the workplace.
- Oversaw a robust case load with minimal shareholder involvement from start to finish.
- Conducted investigations for clients regarding employment law and human resources issues.
- Conducted an ADA discrimination and negligent hiring federal jury trial as first chair trial attorney and gained a complete defense verdict.

Associate, Greenberg Traurig, P.A.

Tampa, FL

December 2011-2013

- Represented clients in labor and employment matters and complex business matters,

including regulatory matters, government investigations, compliance matters, internal ethics investigations.

- Substantial experience in all pre-trial matters, including discovery, depositions, arguing at hearings, and drafting motions.
- Represented management in employment litigation, including Title VII, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Americans with Disabilities Act, the Family and Medical Leave Act, the Florida Civil Rights Act, as well as whistleblower and retaliation claims.
- Drafted and negotiated employment contracts and agreements for all levels of companies.
- Practiced in traditional labor management relations law, including the representation of employers in connection with unfair labor practice, collective bargaining, and employment policies.
- Investigated Foreign Corrupt Practices Act ("FCPA") issues in foreign markets.
- Assisted in the implementation of compliance and anti-corruption programs.
- Traveled extensively to client offices and locations overseas to create and implement FCPA compliance procedures; and trained employees on the FCPA, anti-corruption laws, and company policies and procedures.

Associate, Holland & Knight, LLP

Tampa, FL

January 2010-2011

- Represented clients in commercial litigation, including disputes regarding the sale of commercial goods, real property disputes, shareholder disputes, fraud, bankruptcy, and other general business litigation
- Assisted in representing employers in labor and employment litigation, including restrictive covenant, retaliation, harassment, discrimination litigation
- Assisted in defending clients involved in government investigations, including EEOC and OSHA charges.

Education

- Stetson University College of Law, Gulfport, FL
Juris Doctor, 2009 (summa cum laude)
- Western Kentucky University, Bowling Green, KY
B.A. Political Science/Public Law, Minor in English Composition, 2006 (magna cum laude)

Bar Admissions

- Florida, 2009
- Southern District of Florida, 2012
- Middle District of Florida, 2010
- Northern District of Florida, 2012

- 11th Circuit Court of Appeals, 2013
- Supreme Court of the United States, 2014

Civic and Professional Organizations

- Member, National Order of Barristers
- Member, Society of Human Resources Management
- Member, American Bar Association
- Member, Florida Bar Association

Certifications/Awards

- Recognized by the Super Lawyers publication as a Rising Star in labor and employment in 2015, 2016, 2017, 2018 and 2019.

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*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

MELISSA P. ANDERSON

Experience

Senior Associate, Torcivia, Donlon, Goddeau & Ansay, P.A.

July 2018 - Present

- Over 25 years of experience handling a broad variety of local government issues, including utilities, telecommunications and real estate matters in the state of Florida.
- Represents the City of Lake Worth in all matters related to its Municipal Electric plant, including the drafting and negotiation of pole attachment agreements with several telecommunications companies, including AT&T, Comcast, Crown Castle and Hotwire.
- Special Magistrate for several Broward County divisions, including Environmental and Consumer Protection, Building Code Services, and Zoning and Code Enforcement.

Owner, Law Offices of Melissa P. Anderson, PLLC

June 2016 to July 2108

- Firm provided legal services in all areas of transactional law and local government law, including telecommunications law, real estate, land use, and contract drafting and negotiation.
- Representative clients included Broward County, the City of West Palm Beach, Airbnb, Hugh Anderson Realty, Equity International and The Palisades Group, *inter alia*.

Corporate Counsel, SBA Communications, Inc.

Nov. 2015 to June 2016

- One of the largest providers of wireless telecommunications infrastructure across North, Central and South America.
- Served as general counsel for the company's newly created Distributed Antenna Systems ("DAS") & Small Cells division, which was founded in mid-2015. As general counsel for the

DAS and Small Cells division, duties were wide ranging and included: the drafting and negotiation of complex commercial contracts; advice to the client on all issues involving telecommunications matters which impacted DAS and small cell technologies; staying abreast of all federal, state and local matters as they affected the client; and taking part in the strategy and planning of future business activities.

Government Relations Counsel, Crown Castle, Inc.

July 2012 to Aug. 2015

- Crown Castle is the largest provider of wireless telecommunications infrastructure in the United States and a pioneer in wireless microcellular infrastructure.
- As the Government Relations Counsel for the corporation in the Southeastern United States (Florida, Georgia, Alabama, Arkansas, North Carolina, South Carolina, Tennessee, Mississippi and Puerto Rico), primary duties included advising the client in relation to all regulatory requirements, contract drafting and negotiations, and the handling of all real estate, land use, and environmental matters as they affected the corporation's small cell networks business.

Assistant City Attorney, City of Lake Worth, Florida

November 2011 to July 2012

- Advised the client in relation to all aspects of local government law, with an emphasis on land use, real estate law, labor and employment law, environmental law, utilities, contract drafting and negotiation, administrative litigation, and procurement.

Assistant County Attorney, Indian River County, Florida

June 2010 to June 2011

- Advised the client in relation to all aspects of local government law, with an emphasis on land use, labor and employment law, real estate law, litigation, code enforcement, utilities, procurement, labor, contracts, bankruptcy and emergency services.

Deputy City Attorney, City of Hallandale Beach, Florida

March 2008 to September 2009

- Primary areas of practice included land use, environmental, code enforcement, real estate, utilities, contracts, procurement, labor, police matters, forfeiture, litigation, and appeals.
- Successfully argued *DeFalco v. City of Hallandale Beach* (2009) at trial court level and authored winning brief on appeal at the Fourth District Court of Appeal.

Of Counsel, Weiss Serota, et al, Fort Lauderdale, FL

February 2006 to January 2008

- Attorney in the Municipal Land Use Group where responsibilities included advising various governmental entities, including Aventura, Bal Harbour, Dania Beach, Sunrise, Royal Palm

Beach, Homestead, the Delray Beach Housing Authority and Miami Lakes in land use, real estate, environmental, and general local government law.

- As outside counsel for the Village Of Royal Palm Beach, led a coalition of attorneys representing Palm Beach Gardens and West Palm Beach in defeating a large scale mixed-use residential and commercial Development of Regional Impact in rural western Palm Beach County.

Assistant County Attorney, Broward County, Florida

May 1990 to February 2006

- Represented the Broward County Department of Port Everglades and the Broward County Department of Planning and Environmental Protection.
- Sat with and advised the Broward County Water Advisory Board.
- Advised clients in relation to all aspects of local government law, including “298 Special Drainage” water management districts, real estate, utilities, construction law, procurement matters, maritime law and seaport security, land use, and environmental protection.

Licenses and Certifications

- Member, Florida Bar, in good standing since 1990
- Board Certified Specialist by Florida Bar in City, County and Local Government Law since 1997
- Florida Licensed Real Estate Agent (SL3359351)

Education

- Juris Doctor (JD), University of Florida College of Law, Gainesville, FL
- Bachelor of Arts (BA) in English, University of Florida, Gainesville, FL

Professional Associations and Awards

- Member, Florida Bar’s Environmental and Land Use Law Section, as well as the City, County and Local Government Law Section
- Former Board Member, Florida Bar’s Environmental and Land Use Law Section’s Executive Council
- Former Editor, Florida Bar’s Environmental and Land Use Law Section’s articles in the Florida Bar Journal
- Recipient of the Florida Bar’s Environmental and Land Use Law Section’s Judy Florence Memorial Outstanding Service Award

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CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

JENNIFER H.R. HUNECKE

EXPERIENCE

Senior Associate, Torcivia, Donlon, Goddeau & Ansay, P.A.
September 2014 – present

Senior Associate, The Law Office of Glen J. Torcivia and Associates, P.A.
December 2006 – present

- Practice emphasizing local government law
- Draft ordinances
- Negotiate and draft contracts for complex transactions
- Litigation in State and Federal Court and before administrative agencies
- Municipal ordinance and code enforcement prosecution and related appeals

Assistant City Attorney, City of West Palm Beach, Florida
Oct. 2001-April 2006

- Extensive research and writing, drafting of appellate briefs for Fourth District Court of Appeals and Fifteenth Judicial Circuit, and drafting of ordinances.
- Legal advice to city departments, city boards and mayor on various municipal issues.
- Prosecution of asset forfeiture claims, municipal ordinance violations, vehicle impoundments, and code enforcement violations; provided forfeiture training to West Palm Beach Police Department officers.
- Extensive drafting of pleadings, motions, discovery, and other pre-trial work; second chair at trial.
- Extensive drafting of construction contracts, professional services agreements, design/build agreements, amendments, work authorizations, and change orders;

- ensuring compliance with procurement statutes and ordinance.
- Case management of approximately 100 foreclosure actions and the collection of liens citywide.

Staff Attorney, Fifteenth Judicial Circuit, Palm Beach County, Florida

April 2000-Oct. 2001

- Extensive drafting of orders, bench memos and opinions for civil and criminal appeals.
- Researched civil trial issues including the 2001 presidential election cases, defamation, discovery, etc. and of civil appellate issues including municipal powers, zoning and land use.
- Researched criminal issues including post-conviction motions, extraordinary writs, unlawful arrest, speedy trial, voir dire, etc.
- Bi-monthly presentation of appellate bench memos to the rotating circuit court appellate panel of judges.

Assistant Program Manager, Department of Justice Program B Palm Beach County

Weed and Seed Program

April 1998-April 2000

- Collaborated with multi-governmental and private agency task force to bring law enforcement and social services to high-crime, low socio-economic communities; served the Executive and Steering Committees.
- Worked closely with Program Manager to develop program=s strategic plan.
- Researched and compiled statistics for and drafted the Annual Report for 1998 and 1999.
- Grant research and development in over \$150,000 in requests.
- Supervised professional staff of eight.

Associate Attorney, Miller, Kagan, Rodriguez and Silver, P.A., West Palm Beach, Florida

Oct. 1997-April 1998

- Extensive pre-trial work: drafted pleadings, requested discovery, took depositions, attended mediations, and negotiated settlements.
- Researched worker=s compensation issues.

Program Monitor, Palm Beach County Criminal Justice Commission, Palm Beach County

Summer 1997 (temporary)

- Prepared agenda items, resolutions, interagency agreements, reports, and

- letters to go before Board of County Commissioners.
- Developed, reviewed, monitored and reported on the local disbursement of state and federal grants.

Law Clerk-Internship, Legal Aid Society of Palm Beach County, Florida
Summer 1996

- Extensive research and writing regarding administrative, insurance, and family laws.
- Drafted pleadings and organized case files.
- Performed client intake interviews.

Work Adjustment Training Manager, Palm Beach Habilitation Center, Lake Worth, Florida
Oct. 1993-Aug. 1994 and Jan. 1995-May 1995

- Supervised, coached and trained developmentally disabled adults in preparation for employment.

EDUCATION

University of Florida College of Law, Gainesville, Florida
Juris Doctorate Degree, 1997 - graduated with honors

Nova Southeastern University Shepard Broad Law Center, Ft. Lauderdale, Florida
1995 transferred to University of Florida College of Law

University of Florida, Gainesville, Florida
Bachelor of Arts Degree, Criminal Justice Major, 1991

BAR ADMISSIONS

Florida Bar, 1997
United States District Court for the Southern District of Florida, 2007

*Proposed
Legal Services
Agreement*

LEGAL SERVICES AGREEMENT

THIS LEGAL SERVICES AGREEMENT ("Agreement") is entered on ____ day of _____, 2019, by and between the **TOWN OF LOXAHATCHEE GROVES**, a Florida municipal corporation ("Town") and **TORCIVIA, DONLON, GODDEAU & ANSAY, P.A.**, a corporation authorized to do business in the State of Florida ("Firm").

RECITALS

WHEREAS, the Town issued a Request for Letters of Interest from qualified firms to provide interim municipal legal services to the Town;

WHEREAS, the Firm submitted a Letter of Interest to the Town, which the Town Council desires to accept;

WHEREAS, the purpose of this Agreement is to set forth certain terms and conditions for the provision of legal services by the Firm to the Town.

NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained, the sufficiency of which is hereby acknowledged by the parties, the Town and the Firm agree as follows:

SECTION 1: INCORPORATION OF RECITALS. The foregoing Recitals are incorporated into this Agreement as true and correct statements.

SECTION 2: FIRM'S SERVICES. As more specifically set forth in the Town's Request for Letters of Interest's scope of services, the Firm shall be the Town Attorney and shall provide the Town with general municipal legal services and such other matters of a non-routine legal nature requiring substantial time and effort, subject to prior authorization by a majority of the Town Council or Town Manager.

SECTION 3: TERM AND TERMINATION.

a. Term. The term of this Agreement shall commence upon the approval of this Agreement by the Town Council and shall continue until such time as this Agreement is terminated as stated herein.

b. Termination without cause. Either party may terminate this Agreement at any time with or without cause by giving not less than thirty (30) days written notice of termination.

c. Effect of Termination. Termination of this Agreement shall not affect any rights, obligations, and liabilities of the parties arising out of transactions which occurred prior to termination. Notwithstanding the foregoing, the parties acknowledge and agree that the Town is a municipal corporation and political subdivision of the state of Florida, and as such, this Agreement is subject to budgeting and appropriation by the Town of funds sufficient to pay the costs associated herewith in any fiscal year of the Town. Notwithstanding anything in this Agreement to the contrary, in the event that no funds are appropriated or budgeted by the Town's governing board in any fiscal year to pay the costs associated with the Town's obligations under this Agreement, or in the event the funds budgeted or appropriated are, or are estimated by the Town to be, insufficient to pay the costs associated with the Town's obligations hereunder in any fiscal period, then the Town will notify Firm of such occurrence and either the Town or Firm may terminate this Agreement by notifying the other in writing, which notice shall specify a date of termination no earlier than twenty-four (24) hours after giving of such notice. Termination in accordance with the preceding sentence shall be without penalty or expense to the Town of any kind whatsoever; however, Town shall pay Firm for all services performed under this Agreement through the date of termination.

SECTION 4: COMPENSATION.

a. Compensation. The Town agrees to compensate the Firm at the rate of \$205.00 per hour for services performed by the Firm's attorneys and \$95.00 per hour for the Firm's legal assistances preparation of documents or other services which exceed thirty (30) minutes of time. The firm's hourly rates will be increased by three percent (3%) annually each October 1st, commencing on October 1, 2020.

b. Reimbursements. The Town will reimburse the Firm for any out-of-pocket expenses, including, but not limited to, filing fees, long distance telephone charges, postage charges, courier fees, outside printing, photocopying, court reporting and transcription fees. Payment for some of these fees is outlined more specifically below.

- i. In-house photocopying will be paid at the rate of twenty-five cents (.25) per page (with each invoice specifying the number of copies for which reimbursement is sought).
- ii. The Town will not pay for local facsimile transmissions.
- iii. Long distance telephone calls must state the number of calls, date, length of call, and per minute cost.
- iv. Any travel, per diem, mileage (IRS rate), or meal expenses, which may be reimbursable, must be approved in advance (orally) and will be paid in accordance with the rates and conditions set forth in section 112.061, Florida Statutes.
- v. The Town does not pay for local travel (Palm Beach County), including, but not limited to, attorney's time for such local travel and/or reimbursement for meals.
- vi. For all disbursements, the Town requires copies of paid receipts, invoices, or other documentation acceptable to the Town of Lake Worth Finance Department. Such documentation must be sufficient to establish that the expense was actually incurred and necessary in the performance of legal services provided.
- vii. The Town will not be responsible for the cost of any computerized legal research service that the Firm receives on a fixed or "flat fee" basis. For payment of computerized research on a "per minute" basis, the Town requires copies of transaction reports indicating the total time for each research session, the charge per minute, and a brief description of the issues researched. Any extensive research project (research in excess of three hours whether said research is performed during one session or over several sessions or which is likely to exceed \$300) must be discussed with and approved in advance. Since assignments are made to firms which have been selected for their expertise in particular areas of law, the Town will not pay for research that is routine in nature. The Town will pay only for updating and Shepardizing existing research and/or fact specific research.

c. Invoices. The Firm shall render monthly invoices to the Town for services that have been rendered in conformity with this Agreement in the previous month. The invoices shall specify the services performed and the time spent on such work. All reimbursable expenses shall also be clearly identified on the invoice with supporting documentation. Invoices will normally be paid within thirty (30) days following the Town's receipt of the Firm's invoice.

SECTION 5: INDEMNIFICATION. The Firm, its officers, employees and agents shall indemnify and hold harmless the Town, including its officers and employees from liabilities, damages, losses, and costs, including but not limited to, reasonable attorney's fees (at the trial and appellate levels), to the extent caused by the negligence, of the Firm, its officers, directors, employees, representatives and agents

employed or utilized by the Firm in the performance of the services under this Agreement. The Town agrees to be responsible for its own negligence. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Town or the Firm, nor shall this Agreement be construed as a waiver of sovereign immunity for the Town beyond the waiver provided in section 768.28, Florida Statutes.

SECTION 6: COMPLIANCE AND DISQUALIFICATION. Each of the parties agrees to perform its responsibilities under this Agreement in conformance with all laws, regulations and administrative instructions that relate to the parties' performance of this Agreement.

SECTION 7: PERSONNEL. The Firm represents that it has, or will secure at its own expense, all necessary personnel required to perform the services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with the Town. All of the services required hereunder shall be performed by the Firm or under its supervision, and all personnel engaged in performing the services shall be fully qualified and authorized or permitted under federal, state and local law to perform such services.

SECTION 8: INDEPENDENT CONTRACTOR RELATIONSHIP. No relationship of employer or employee is created by this Agreement, it being understood that Firm will act hereunder as an independent contractor and none of the Firm's, officers, directors, employees, independent contractors, representatives or agents performing services for Firm pursuant to this Agreement shall have any claim under this Agreement or otherwise against the Town for compensation of any kind under this Agreement. The relationship between the Town and Firm is that of independent contractors, and neither shall be considered a joint venturer, partner, employee, agent, representative or other relationship of the other for any purpose expressly or by implication.

SECTION 9: FEDERAL AND STATE TAX. The Town is exempt from payment of Florida State Sales and Use Tax. The Firm is not authorized to use the Town's Tax Exemption Number.

SECTION 10: INSURANCE. Prior to commencing any services, the Firm shall provide proof of insurance coverage as required hereunder. Such insurance policy(s) shall be issued by the United States Treasury or insurance carriers approved and authorized to do business in the State of Florida, and who must have a rating of no less than "excellent" by A.M. Best or as mutually agreed upon by the Town and the Firm. All such insurance policies may not be modified or terminated without the express written authorization of the Town.

<u>Type of Coverage</u>	<u>Amount of Coverage</u>
Professional liability/ Errors and Omissions	\$1,000,000 per occurrence
Commercial general liability (Products/completed operations Contractual, insurance broad form property, Independent Firm, personal injury)	\$1, 000,000 per occurrence \$2,000,000 annual aggregate
Automobile (owned, non-owned, & hired)	\$ 1,000,000 single limits
Worker's Compensation	\$ statutory limits

The certificates shall clearly indicate that the Firm has obtained insurance of the type, amount, and classification as required for strict compliance with this section. Failure to comply with the foregoing requirements shall not relieve Firm of its liability and obligations under this Agreement.

SECTION 11: SUCCESSORS AND ASSIGNS. The Town and the Firm each binds itself and its partners, successors, executors, administrators, and assigns to the other party of this Agreement and to the partners, successors, executors, administrators and assigns of such other party, in respect to all covenants of this Agreement. Except as agreed in writing by all parties, this Agreement is not assignable.

SECTION 12: DISPUTE RESOLUTION, LAW, VENUE AND REMEDIES. All claims arising out of this Agreement or its breach shall be submitted first to mediation. The parties shall share the mediator's fee equally. The mediation shall be held in Palm Beach County. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof. This Agreement shall be governed by the laws of the State of Florida. Any and all legal action necessary to enforce the Agreement will be held in Palm Beach County. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

SECTION 13: WAIVER OF JURY TRIAL. TO ENCOURAGE PROMPT AND EQUITABLE RESOLUTION OF ANY LITIGATION, EACH PARTY HEREBY WAIVES ITS RIGHTS TO A TRIAL BY JURY IN ANY LITIGATION RELATED TO THIS AGREEMENT.

SECTION 14: ACCESS AND AUDITS. The Firm shall maintain adequate records to justify all payments made by the Town under this Agreement for at least three (3) years after completion of this Agreement and longer if required by applicable federal or state law. The Town shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at the Firm's place of business. In no circumstances will Firm be required to disclose any confidential or proprietary information regarding its products and service costs.

SECTION 15: NONDISCRIMINATION. The Firm warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, or sexual orientation.

SECTION 16: AUTHORITY TO PRACTICE. The Firm hereby represents and warrants that it has and will continue to maintain all licenses and approvals required to conduct its business and provide the services required under this Agreement, and that it will at all times conduct its business and provide the services under this Agreement in a reputable manner. Proof of such licenses and approvals shall be submitted to the Town upon request.

SECTION 17: SEVERABILITY. If any term or provision of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, to remainder of this Agreement, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

SECTION 18: PUBLIC ENTITY CRIMES. Firm acknowledges and agrees that a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier or sub-contractor under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list. The Firm will advise the Town immediately if it becomes aware of any violation of this statute.

SECTION 19: NOTICE. All notices required in this Agreement shall be sent by hand-delivery, certified mail (RRR), or by nationally recognized overnight courier, and if sent to the TOWN shall be sent to:

Town of Loxahatchee Groves
Attn: Town Manager
155 F Road
Loxahatchee Groves, FL 33470

and if sent to the Firm, shall be sent to:

Torcivia, Donlon, Goddeau & Ansay, P.A.
701 Northpoint Parkway, Suite 209
West Palm Beach, FL 33407

The foregoing names and addresses may be changed if such change is provided in writing to the other party. Notice shall be deemed given upon receipt.

SECTION 20: ENTIRETY OF AGREEMENT. The Town and the Firm agree that this Agreement sets forth the entire agreement between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in this Agreement may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto.

SECTION 21: WAIVER. Failure of a party to enforce or exercise any of its right(s) under this Agreement shall not be deemed a waiver of that parties' right to enforce or exercise said right(s) at any time thereafter.

SECTION 22: PREPARATION AND NON-EXCLUSIVE. This Agreement shall not be construed more strongly against either party regardless of who was more responsible for its preparation. This is a non-exclusive Agreement and the Town reserves the right to contract with individuals or firms to provide the same or similar services.

SECTION 23: MATERIALITY. All provisions of the Agreement shall be deemed material. In the event Firm fails to comply with any of the provisions contained in this Agreement or exhibits, amendments and addenda attached hereto, said failure shall be deemed a material breach of this Agreement and Town may at its option provide notice to the Firm to terminate for cause.

SECTION 24: LEGAL EFFECT. This Agreement shall not become binding and effective until approved by the Town. The Effective Date is the date this Agreement is executed by the Town.

SECTION 25: SURVIVABILITY. Any provision of this Agreement which is of a continuing nature or imposes an obligation which extends beyond the term of this Agreement shall survive its expiration or earlier termination.

SECTION 26: COUNTERPARTS. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, and will become effective and binding upon the parties as of the effective date at such time as all the signatories hereto have signed a counterpart of this Agreement.

SECTION 27: PALM BEACH COUNTY IG. In accordance with Palm Beach County ordinance number 2011-009, the FIRM acknowledges that this Agreement may be subject to investigation and/or audit by the Palm Beach County Inspector General. The FIRM has reviewed Palm Beach County ordinance number 2011-009 and is aware of its rights and/or obligations under such ordinance.

SECTION 28: PUBLIC RECORDS. The Firm shall comply with Florida's Public Records Act, Chapter 119, Florida Statutes, and, if determined to be acting on behalf of the Town as provided under section 119.011(2), Florida Statutes, specifically agrees to:

- a. Keep and maintain public records required by the Town to perform the service.
- b. Upon request from the Town's custodian of public records or designee, provide the Town with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of this Agreement and following completion of this Agreement if the Firm does not transfer the records to the Town.
- d. Upon completion of this Agreement, transfer, at no cost, to the Town all public records in possession of the Firm or keep and maintain public records required by the Town to perform the service. If the Firm transfers all public records to the Town upon completion of the Agreement, the Firm shall destroy any duplicate public records that are exempt or confidential or exempt from public records disclosure requirements. If the Firm keeps and maintains public records upon completion of the Agreement, the Firm shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the Town, upon request from the Town's custodian of public records or designee, in a format that is compatible with the information technology systems of the Town.

IF THE FIRM HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE FIRM'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, PLEASE CONTACT THE CUSTODIAN OF PUBLIC RECORDS OR DESIGNEE AT THE TOWN OF LOXAHATCHEE GROVES, ATTN: TOWN CLERK, AT (561) 793-2418, LBURCH@LOXAHATCHEEGROVESFL.GOV, 155 F ROAD, LOXAHATCHEE GROVES, FL 33470.

SECTION 29: NO THIRD PARTY BENEFICIARIES. There are no third party beneficiaries under this Agreement.

SECTION 30: SCRUTINIZED COMPANIES.

a. The Firm certifies that it and its subcontractors are not on the Scrutinized Companies that Boycott Israel List and are not engaged in the boycott of Israel. Pursuant to section 287.135, Florida Statutes, the Town may immediately terminate this Agreement at its sole option if the Firm or any of its subcontractors are found to have submitted a false certification; or if the Firm or any of its subcontractors, are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of this Agreement.

b. If this Agreement is for one million dollars or more, the Firm certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in Sudan List, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged in business operations in Cuba or Syria as identified in Section 287.135, Florida Statutes. Pursuant to Section 287.135, the Town

may immediately terminate this Agreement at its sole option if the Firm, or any of its subcontractors are found to have submitted a false certification; or if the Firm or any of its subcontractors are placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or are or have been engaged with business operations in Cuba or Syria during the term of this Agreement.

c. The Firm agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under this Agreement.

d. The Firm agrees that the certifications in this section shall be effective and relied upon by the Town for the term of this Agreement, including any and all renewals.

e. The Firm agrees that if it or any of its subcontractors' status changes in regards to any certification herein, the Firm shall immediately notify the Town of the same.

f. As provided in Subsection 287.135(8), Florida Statutes, if federal law ceases to authorize the above-stated contracting prohibitions then they shall become inoperative.

IN WITNESS WHEREOF, the parties hereto have made and executed this Legal Services Agreement as of the day and year set forth above.

TOWN OF LOXAHATCHEEE GROVES

By: _____
Robert Schorr, Mayor

ATTEST:

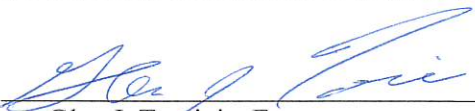
Approved as to form and legal sufficiency:

Lakisha Q. Burch, Town Clerk

Town Attorney

TORCIVIA, DONLON, GODDEAU & ANSAY, P.A.

[Corporate Seal]

By: _____
Glen J. Torcivia, Esq.



WEISS SEROTA HELFMAN COLE & BIERMAN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

Town of Loxahatchee Groves Request for Letter of Interest for Interim Municipal Legal Services

May 20, 2019

Brett J. Schneider, Member

bschneider@wsh-law.com

Weiss Serota Helfman

Cole & Bierman, P.L.

Palm Beach Office

1200 N Federal Hwy., Suite 312

Boca Raton, FL 33432

P: 561-835-2111

F: 305-854-2323

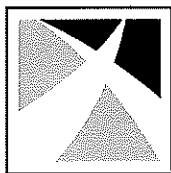
www.wsh-law.com



RECYCLED PAPER



TO REORDER CALL 954-846-9399



WEISS SEROTA HELFMAN COLE & BIERMAN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

BRETT J. SCHNEIDER
bschneider@wsh-law.com

May 20, 2019

VIA HAND DELIVERY

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

Re: Letter of Transmittal – Request for Letter of Interest for Interim Municipal Legal Services

Dear Mr. Titcomb:

The law firm of *Weiss Serota Helfman Cole & Bierman, P.L.* (the “Firm”) is delighted to submit its proposal in response to the Town of Loxahatchee Groves’ (the “Town”) Request for Letter of Interest for Interim Municipal Legal Services (the “RFI”). Our Firm is the preeminent full-service, municipal law firm in South Florida dedicated to serving as the “one-stop shop” for municipalities seeking the services of a municipal attorney, as well as providing specialized legal services in virtually every legal discipline, from Administrative law to Zoning, that the Town might need from time-to-time.

We understand that our role is to counsel and assist Town officials by providing a legal framework for decision-making, enabling them to fulfill their responsibilities and further earn their constituents’ confidence and trust. As such, our practice areas are structured to interact seamlessly with staff and elected officials and to respond to virtually all of the legal needs of public entities and ensure that local governments effectively meet the legal responsibilities and mandates of local, state and federal law, in a timely and cost effective manner.

The Firm’s highest priority is always our clients’ best interests, and we are committed to representing those interests to the maximum possible extent consistent within the ethical parameters that govern the practice of law. With that as our core-governing principal, we have been fortunate to represent leading public and private sector clients in their most critical, complex and sensitive matters. Our Firm’s full-service approach allows you to avoid the need to hire outside counsel on a case-by-case basis eliminating unnecessary expenditures of time, effort and resources, financial or otherwise, to compensate and educate new lawyers. Palm Beach County and larger cities such as West Palm Beach and Boca Raton employ large staffs of lawyers in order to respond to the multiple various complex legal issues that they and all municipal governments

James S. Titcomb – Town Manager
Town of Loxahatchee Groves
May 20, 2019
Page 2 of 2

often face. We provide the same level of specialized knowledge to smaller municipalities in a cost-effective manner. There is virtually no issue that our Firm cannot handle for the Town.

Our General Municipal services include, but are not limited to, all areas of general municipal law, financial compliance, procurement and contracts, code enforcement and liens, parliamentary procedure, sunshine law and public records, constitutional and legislative issues, election and ethics matters, intergovernmental issues, and business issues and economic development. As you will see in our enclosed and more detailed proposal, we humbly believe our proposed fee structure provides the Town with the best range of quality services at the best value.

We would be honored to serve as your Town Attorney. If you have any questions or concerns, please do not hesitate to contact Brett Schneider via email at bschneider@wsh-law.com.

Very truly yours,



Brett J. Schneider

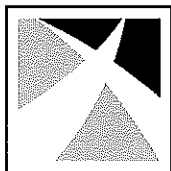
Enclosures



RECYCLED PAPER



TO REORDER CALL 954-846-9399



WEISS SEROTA HELFMAN COLE & BIERMAN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

BRETT J. SCHNEIDER
bschneider@wsh-law.com

May 20, 2019

VIA HAND DELIVERY

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

**Re: Profile of Offeror - Request for Letter of Interest for Interim Municipal
Legal Services**

Dear Mr. Titcomb:

On behalf of the law firm of Weiss Serota Helfman Cole & Bierman, P.L. (the "Firm"), please accept this Profile of Offeror in response to the Town of Loxahatchee Groves' (the "Town") Request for Letter of Interest for Interim Municipal Legal Services (the "RFI").

I. Description of the Firm & Extensive Local Government Experience.

The Firm was created in 1991 with the idea that local governments need the same high level of professional legal representation as for-profit corporations and businesses. Similar to private companies, local governments have budgetary considerations, staffs, complex regulatory schemes and very demanding shareholders, namely, the citizens. Like corporate law, securities law and estate planning, municipal law is a highly specialized and complex area of the law. The Firm is one of the few Florida law firms with a practice primarily focused upon the representation of local governments and public-sector entities.

Our AV rated Firm provides the broadest possible range of high-quality legal services, constantly evolving to meet the needs of municipalities, counties, special districts and other governmental entities throughout Florida. Collectively, our attorneys have centuries of experience in the many legal practice areas that are relevant to running cities and local government entities. Our practice areas are structured to interact seamlessly with staff and elected officials and to respond to virtually all of the legal needs of public entities and to ensure that local governments effectively meet the legal responsibilities and mandates of local, state and federal law.

Our Firm currently has approximately 70 lawyers, most of whom practice primarily or exclusively in the area of municipal law. As such, the Firm and its attorneys have successfully addressed almost any legal issue that has confronted a Florida municipality, including, as

mentioned in the RFI, state laws pertaining to agriculture and the Right-To-Farm Act. The Firm also has one of the premiere municipal labor and employment departments in Florida. Comprised of eight attorneys, the Firm's labor and employment practice group provides labor and employment law services to dozens of municipalities across Florida.

The Firm and the attorneys who would provide legal services to the Town, if selected, satisfy all of the requirements set forth by the Town in Section I(C)(4)(b) of the RFI. Additional information about the Firm, its relevant practice groups, and a list of local governments for which the Firm provides legal services is attached hereto at Exhibit 1.

II. Lead Attorney & the Town of Loxahatchee Groves Team.

The Firm is prepared to assume the position of Town Attorney at the June 4, 2019 Town Council Meeting. If the Firm is selected to provide interim legal services to the Town, the Town will have access to the extensive knowledge of every lawyer at the Firm. This full-service approach will enable us to provide the Town with the depth of specialized municipal knowledge it deserves in an efficient and cost-efficient manner. However, the Town will be primarily served by the following lawyers from the Firm.

Matthew T. Ramenda will serve as lead Town Attorney and is available to attend all Town Council meetings and any other meetings which require the attendance of the Town Attorney. Matt was admitted to the Florida Bar in 2004 and has dedicated the majority of his legal practice to representing municipalities. Matt has provided legal services to municipalities throughout Palm Beach County, including Jupiter, Palm Beach, Lake Park, Gulf Stream, Delray Beach, and Boca Raton. Matt has extensive experience in municipal law and regularly handles litigation (both trial and appellate levels), administrative hearings, code interpretation, government contracts, code enforcement, procurement, utilities, special assessments, public records, sunshine and ethics law issues for local governments. Matt works out of the Firm's Palm Beach Office and resides in Palm Beach Gardens.

Anthony C. Soroka is the current City Attorney for the City of Deerfield Beach and will serve as your Assistant Town Attorney. Anthony has extensive experience representing municipalities throughout the State of Florida and has served as Deputy City Attorney for the City of Marco Island and Assistant City Attorney for the Town of Lauderdale-By-The-Sea and the City of Weston. Anthony works out of the Firm's Palm Beach Office and resides in Delray Beach.

I, **Brett Schneider**, am the head of the Firm's Labor and Employment practice group and the Managing Partner of the Firm's Palm Beach office. I oversee a team of eight labor and employment lawyers with vast experience in servicing the needs of local government entities throughout Florida. Our team regularly negotiate collective bargaining agreements on behalf of cities, handle labor arbitrations and other administrative proceedings, defend cities in employment litigation and provide daily counsel to city managers and human resources professionals on a variety of issues. I am Board Certified by The Florida Bar in Labor and Employment Law and

currently provide labor and employment law services to over 40 local government entities throughout Florida.

Susan L. Trevarthen, who serves as Chair of the Firm's Public Land Use and Zoning Group, will be available to assist the City with any land use and zoning matters, along with the other members of her group, which handle land use matters for many municipalities. Susan is Board Certified in City, County and Local Government Law and is a Fellow of the American Institute of Certified Planners. Susan's practice includes extensive constitutional law in her field, including regulatory taking cases and land use and zoning decisions raising First Amendment issues, including sign codes, regulation of religious uses, Bert Harris Act claims, comprehensive plan challenges and petitions for certiorari.

James E. White, is a seasoned municipal law attorney who is Board Certified by The Florida Bar in City, County and Local Government Law. James practices primarily in the areas of municipal planning and land use, which includes experience with the Florida Right-To-Farm Act and the Private Property Rights Protection Act.

Bios of each of the Firm attorneys listed above and other Firm attorneys who may also assist the Town are attached hereto as Exhibit 2.

III. Location of Primary Office.

The lead attorney, as well as two of the other attorneys on the Loxahatchee Groves' Team, will operate out of the Firm's Palm Beach Office located in Boca Raton.

IV. Similar Municipal Engagements.

As explained above, the Firm is the preeminent municipal law firm in the State of Florida. We have and continue to represent numerous municipalities in various capacities throughout Palm Beach, Broward and Miami-Dade Counties, as well as throughout the rest of the state. A few examples include our serving as City Attorney for the City of Deerfield Beach and the City of Lauderhill. In addition, we provide municipal legal services as Special Counsel for the City of Boca Raton, the City of Delray Beach and the Town of Palm Beach. Our vast experience in serving as City Attorney and Special Counsel for a multitude of municipalities of varying sizes throughout Florida provides us with the experience needed to properly advise the Town on virtually any legal issue that may arise.

V. References of Municipal Clients.

As requested, please find contact information for each of these clients listed below.

1. Joni Hamilton, Esq., Deputy City Attorney
City of Boca Raton
(561) 393-7716
jhamilton@ci.boca-raton.fl.us
2. Azlina Goldstein Siegel, Esq., Former City Attorney
City of Port St. Lucie (The Siegel Law Firm)
(954) 559-0465
asiegel@siegellawfirm.com
3. Charles Faranda, City Manager
City of Lauderhill
(954) 730-3002
cfaranda@lauderhill-fl.gov
4. Amanda Robin, Chief Human Resources Officer
City of Deerfield Beach
(954) 480-4260
arobin@deerfield-beach.com
5. John “Skip” Randolph, Esq., Town Attorney
Town of Palm Beach
(561) 650-0457
jrandolph@jonesfoster.com

VI. Actual or Potential Conflicts.

To the best of our knowledge, the Firm does not have any actual or reasonably foreseeable potential conflicts with the Town.

VII. Disclosure of Firm Involvement in Litigation & Bar Complaints.

Please find enclosed with this letter as Exhibit 3 the Firm’s disclosure with respect to litigation and Bar Complaints that have occurred over the course of the last five years.

VIII. Form Retainer Agreement.

As requested, please find enclosed with this letter and labeled as Exhibit 4 a copy of the Firm’s form retainer agreement.

James S. Titcomb – Town Manager
Town of Loxahatchee Groves
May 20, 2019
Page 5 of 5

IX. Conclusion.

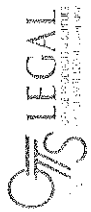
I look forward to providing the Town with a brief presentation at the May 28, 2019 Workshop and Special Council Meeting to further explain why we are perfectly suited to serve as Town Attorney. Additional information about the Firm may be found at www.wsh-law.com. If you have any questions or concerns, please do not hesitate to contact me via telephone at (561) 835-2111 or via email at bschneider@wsh-law.com.

Very truly yours,



Brett J. Schneider

Enclosures



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Municipal Government Law

Local governments not only deserve the same high-level of professional legal services as "for profit" businesses, but they also need a firm sensitive to their public-interest emphasis. Like private companies, local governments are multi-million dollar "municipal corporations" with employees, staffs, complex regulatory systems and demanding stakeholders - namely, the residents and businesses within the community. Most importantly, and distinct from corporations that answer to shareholders, local governments must focus upon achieving the public good to which their very existence is dedicated.

Rather than be a full-service firm with dozens of unrelated practice areas, we instead have chosen to concentrate on a limited number of practice areas to build our expertise. Municipal law has been one of our core areas of practice since we opened our doors in 1991.

Our attorneys in the Local Government Law Division include many former city and county attorneys, and those that are Florida Bar Board Certified in this specialty. With more than 30 attorneys practicing day-to-day municipal law, our Group is one of the largest in the country. Our legal approach supports the twin mission of cities: to provide necessary services to the public and to govern in accordance with law. Our practice areas are structured to operate as a team and interact seamlessly with staff and elected and appointed officials as they strive to perform their public duties and to timely respond to virtually all of the legal needs of cities.

Our Concentration Translates into Client Savings

We don't just dabble in municipal law. Our lawyers have devoted their careers to providing legal services to municipalities, and they are knowledgeable in nearly every area of local government law. This means local government entities that select us as their general counsel almost never need to hire special outside counsel. This saves our clients - and taxpayers - money.

We draft thousands of resolutions and ordinances each year, saving our clients precious taxpayer money. We strive to draft legislation that is both understandable to the general public and able to survive legal challenge.

We keep abreast of the latest legislative and judicial developments in municipal law through a program of in-house training and continuing education. We are frequently requested to publish articles and make presentations to our peers, local bar associations, the Florida League of Cities and other prestigious organizations.

The Group focuses upon providing the full range of legal services at both city hall and the courthouse. We have experience in all aspects of:

- Affordable housing development;
- Animal control;
- Code enforcement and lien law;
- Community redevelopment agency law;
- Constitutional law;
- Construction;
- Contraband forfeiture;
- Elections;
- Eminent domain;
- Environmental law;
- Ethics;
- Foreclosure;
- General municipal representation and legal advice;
- Governmental litigation;
- Home Rule Law;
- Labor and employment;
- Municipal land use;
- Procurement;
- Public contracts;



- Public-private partnerships;
- Public records;
- Real estate transactions;
- Red light cameras;
- Solid waste;
- Sunshine Law;
- Sustainable Development;
- Telecommunications;
- Urban Planning; and
- Utilities law.

There is virtually no legal issue affecting municipalities we have not already handled.

We understand our role is not to make policy, but to counsel and assist our clients by providing a legal framework for decision-making. Our services enable our local government clients to meet their constitutional responsibilities and to earn and retain their constituents' confidence and trust.



Labor and Employment Law

Employers and management in both the private and public sectors are challenged by the constantly evolving complexities of Labor and Employment Law. Our Labor and Employment Law attorneys are both seasoned counselors and trial attorneys. We provide clients with up-to-date guidance concerning labor and employment issues. Our focus is on providing prompt, creative, efficient and responsive legal guidance to our clients tailored to the specific issues that keep our clients up at night.

Labor and Employment is multidisciplinary and cuts across several practice areas and includes the collective knowledge and experience of our litigators, administrative and regulatory lawyers, as well as municipal, appellate and ethics attorneys. All work as a team to provide high-end legal representation.

Employment Litigation and Arbitration

As the laws prohibiting workplace discrimination, retaliation and harassment expand, our attorneys defend employers against these claims brought under various federal, state and local laws, including:

- Title VII of the Civil Rights Act of 1964;
- The Americans with Disabilities Act;
- The Age Discrimination in Employment Act;
- The Family Medical Leave Act;
- The Equal Pay Act;
- The Florida Civil Rights Act; and
- The Florida Whistleblower's Act.

We are, at heart, litigators as well as employment law counselors. We know how to win cases and how to reach favorable settlements. Our goal is to put each client in the best leveraged position at every phase of litigation to make the best decision whether to settle or to try the case.

We defend lawsuits in Federal and State courts across Florida, including class actions and multi-plaintiff cases. Our Group also regularly defends employers against discrimination charges brought before various state and local agencies, including the:

- U.S. Equal Employment Opportunity Commission; and
- The Florida Commission on Human Relations.

We also regularly handle arbitrations and civil service board and other administrative hearings for our public sector clients. We are results-oriented and have a track record of success in all forms of employment litigation.

Labor Relations and Collective Bargaining

Our experience is primarily "owner/management" oriented. Very few firms can match the breadth of our experience and success. We regularly represent both union and non-union employers in traditional labor law matters.

For clients whose employees are represented by a union, we focus on preserving management's right to manage its operations. Our attorneys serve as chief negotiators on behalf of management in collective bargaining or we advise the employer's chief negotiator on bargaining strategy and specific issues behind the scenes. This includes working with staff to help establish wage and benefit levels, developing proposals and making suggested changes to collective bargaining agreements.

We also conduct post-negotiation training of supervisory personnel to assist in ensuring that collectively bargained changes are properly implemented. During the term of an existing contract, we counsel management on the administration of their contracts, including progressive discipline and grievance processing, and provide representation during arbitrations concerning contractual and disciplinary disputes. We have a deep understanding of the inner workings of Federal and State law governing the collective bargaining process, and we work hard to ensure our clients do not run afoul of those laws. We also routinely represent our clients in administrative proceedings involving labor disputes before PERC and the NLRB.



For clients whose employees are not represented by a union and who desire to remain union-free, we provide guidance and counseling to management to ensure positive employee relations to preserve the non-union status.

Counseling and Preventative Services

We are also counselors providing valuable guidance to our clients to prevent claims from arising. We regularly:

- Draft employee handbooks, manuals, policies and procedures governing a wide array of workplace issues;
- Conduct training seminars to ensure employees understand policies and procedures and can protect their employers from employment claims;
- Advise on hiring, discipline and termination, harassment and discrimination complaints, employee compensation and benefit issues and compliance with Federal, State and local laws;
- Conduct internal investigations concerning claims of discrimination, harassment and/or policy violations in a professional, discreet manner;
- Advise our clients on employee drug testing and have been highly engaged in working with clients on how to address the legalization of medical marijuana in Florida; and
- Assist employers with complicated issues when employees request leaves of absence under the Family and Medical Leave Act (FMLA) and other accommodations as a result of their own or immediate family member's health issues.

Wage and Hour Law

Wage and Hour Law compliance can be vexing to even the most sophisticated clients. We have drilled down on this complex area and have had considerable success in ensuring client compliance and defending these matters. We have years of experience advising our clients regarding compliance with the Fair Labor Standards Act (FLSA). We also regularly defend our clients in single plaintiff and class action litigation arising from alleged FLSA violations. While we vigorously defend our clients in these cases, we take a pragmatic approach that focuses on our client's bottom line.

Non-Compete Agreements and Trade Secrets

The interconnectedness of the global economy is especially acute in the area of employee restrictive covenants and confidentiality/trade secret agreements. Our Group is at the forefront of the substantive requirements of such provisions and how to both draft them and ultimately defend them in courts of law.

We have drafted hundreds of non-compete and confidentiality agreements that comply with Federal, State and local law and that will ultimately be upheld should they be challenged. We also assist our clients in developing strategies to prevent employees from misappropriating trade secrets and other valuable, proprietary information. Where disputes arise, we regularly represent our clients in litigation to enforce or defeat these agreements, including the "trial within a trial" setting of injunction hearings.

Unemployment Compensation

We counsel employers on unemployment compensation with an eye toward providing cost-effective, quality representation. We provide human resources personnel with advice concerning everything from garden-variety issues to obscure matters unique to their organizations, and then advise them on how to contest claims for benefits. We also represent clients in appeal hearings or simply provide behind the scenes advice to management in preparation for hearings. Because these hearings often are a precursor to employment litigation on other grounds, we ensure all critical substantive and procedural defenses and evidentiary issues are preserved.

Accessibility and Accommodations (ADA)

The combination of nettlesome regulations and laws, coupled with opportunistic plaintiff's counsel, have made compliance with accessibility laws and regulations increasingly difficult. Consequently, painstaking planning and collaboration with experienced counsel is vital. Our attorneys regularly counsel clients on all aspects of disability-related employment and accessibility requirements under Federal, state and local law. This includes the integration and application of the ADA.

Occupational Safety and Health (OSHA)

We have participated in the full range of audits conducted by agencies of both Federal and State governments, including the U.S. Department of Labor and the Occupational Safety and Health Administration (OSHA). We represent management interests when citations are issued in proceedings before OSHA, including information conferences, formal evidentiary hearings and judicial appeals.



Land Use and Zoning (Public)

Our Public Land Use and Zoning Practice Group, led by Susan Trevarthen, includes attorneys who are certified planners and Board-Certified experts in the field. We have extensive experience in representing local governments in all aspects of land use, planning and zoning. Using a problem-solving and team approach, we provide advice and counsel to local governments on a range of issues from establishing and amending State-mandated comprehensive plans, small area plans, and land development regulations, to reviewing and approving applications for planned unit developments, plats, site plans and building permits.

We also counsel local governments when they act as developers, either alone or in partnership with a private developer. We pride ourselves on our creativity, knowledge and persistence in ensuring that our local government clients achieve the results that they desire in developing their communities.

We provide advice to local government staff such as planning directors, city managers, comprehensive planners, and building departments. We draft ordinances and resolutions, and sit with boards, councils and commissions dealing with land development matters, such as Planning and Zoning Boards, Local Planning Agencies and Zoning Boards of Adjustment. We advise these boards, individually and collectively, in their handling of public hearings, with particular attention to the quasi-judicial nature of many of the proceedings. When it is apparent that a particular regulation or application may result in a denial or a challenge, we work with our litigators and appellate lawyers to lay the groundwork for a successful outcome for the local government.

In addition to the full scope of land use and zoning advice provided in the general administration of government, we also provide comprehensive help to governmental agencies undertaking public development projects, such as police and fire stations, sports arenas and stadiums, commercial parks, industrial parks, marinas and water/sewer treatment facilities. Partnering with the firm's Real Estate Group and Private Land Use and Zoning Practice Group as needed, we are uniquely qualified in handling such matters, including the most sophisticated large-scale projects and Developments of Regional Impact. We are regarded locally as well as nationally for our knowledge of growth management issues and complex zoning issues, such as "takings," development exactions, impact fees, competitive plans, concurrency, rate of growth controls, urban growth boundaries, and other similar issues facing most governmental agencies.

Not only have we spent years providing advice and counsel to local governments on land use issues, but many of us have actually served as members or chairpersons of local and State planning boards charged with reviewing and evaluating comprehensive plans and land use issues. What these real-world experiences mean is we understand government and its demands and concerns inside and out, and we use these experience to come up with unique and ingenious solutions to vexing local government issues.

Our attorneys have years of experience preparing, interpreting and applying land development regulations, particularly zoning ordinances. We routinely prepare and amend land development regulations and zoning ordinances for local governments. We regularly provide advice to both the elected officials and administrative staff on the application, implementation and interpretation of local land development regulations. We have extensive experience with the regulation of First Amendment-related land uses, such as signs, religious uses, and adult uses, including defending challenges to such regulations in partnership with our Litigation Division. In relation to religious land use regulation, our experience also extends to the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA) and the Florida Religious Freedom Restoration Act.

Examples of our work include:

Land Development Codes

- Advised municipal clients on the development of and/or drafted the first land development codes following incorporation in Villages of Islamorada and Key Biscayne, Cities of Aventura and Weston, and Towns of Cutler Bay and Miami Lakes.
- Revised land development codes.
- Part of consulting team that rewrote the City of Dania Beach Land Development Code, to incorporate several annexation areas and implement form-based principles.
- Currently working for a major city on a form-based code rewrite.

Impact Fees

- Reviewed and advised on the implementation and updating of impact fee ordinances in all of our client municipalities, including an affordable housing linkage fee in the City of Coconut Creek and Village of Islamorada, a transit impact fee for the City of Aventura, and police, public works and parks fees for the City of Homestead.

Comprehensive Plans

Comprehensive Plan Amendments

- Advised the City of Sunrise, and participated in the comprehensive plan amendment process for Tao residential high-rise development, Metropica Transit-Oriented Development and Westerra Local Activity Center.
- Advised the City of Coconut Creek on the Regional Activity Center for the MainStreet development.
- Advised various municipal clients on the development of the first comprehensive plans or plan amendments following incorporation in the Villages of Islamorada and Key Biscayne, the Cities of Aventura, Marathon and Weston and the Towns of Cutler Bay and Miami Lakes.
- Advised all municipal clients on Evaluation and Appraisal Reports and related plan amendments, and other plan amendments necessary to implement new state mandates including school concurrency, water supply planning and greenhouse gas reduction.

Small Area Plans

- Advised the City of Sunrise in the development and implementation of the Western Sunrise Area plan and land development regulations from 1995 to the present.
- Advised the City of Homestead on the adoption of neighborhood plans for redeveloping areas of the City.
- Advised the City of Dania Beach on issues related to a small area plan.

Developments of Regional Impact (DRIs)

- Advised and participated in the DRI review process for the creation or amendment of DRIs for Sawgrass Mills, the Broward County Civic Arena (the BankAtlantic Center), Amerifirst/Metropica/Tao, Sawgrass International Corporate Park and Harrison Park/Westerra for the City of Sunrise.
- Advised and participated in DRI review process for implementation and amendment of the Villages of Homestead for the City of Homestead.
- Developed new zoning districts, comprehensive plan amendments, development agreements and other associated approvals for these projects in Homestead and Sunrise.
- Advised on implementation of the DRI development order for the original area of the City of Weston.

Land Development Regulations

Regulation of First Amendment-protected land uses

Signs

- Updated and revised regulations of signs for City of Sunrise after challenge, and resulting regulations were upheld by the Eleventh Circuit.
- Updated and revised regulation of signs for City of Miramar and, working with our Litigation Division successfully defended the sign regulations in the Southern District of Florida.
- Working with our litigators, successfully defended the City of Boca Raton's sign regulations in the Southern District of Florida.
- Updated and revised regulations of signs for Cities of Dania Beach, Aventura, Homestead, Weston and Pasco County, without challenge.
- Part of consultant team revising City of Coconut Creek sign code.
- Revised sign code for Town of Lauderdale-By-The-Sea and Cooper City.
- Advised Village of Islamorada, cities of Dania Beach, Weston and Fort Myers on billboards on interstate highways.

Sexually-Oriented Businesses

- Updated and revised regulations concerning sexually-oriented businesses in City of Dania Beach. Also, assisted the City and its insurer in successfully enforcing the amortization requirement against three existing, nonconforming locations.
- Updated and revised regulations of sexually oriented businesses in the City of Hallandale Beach, and worked with our

litigators to defend two challenges related to the prior regulations.

- Updated and revised regulations concerning of sexually-oriented businesses for Villages of Wellington and Islamorada, and the Cities of Miramar, Sunrise, and Boca Raton, without challenge.
- Updated regulations of sexually oriented businesses and defended litigation for Village of Islamorada.

Places of Worship and Assembly

- Updated and revised regulations of places of public assembly, and working with our litigators and the Town's insurer, defended the Town of Surfside from challenge to the application of those regulations.
- Updated and revised regulations of places of public assembly and drafted administrative relief procedures for Cities of Cooper City, Sunrise, Miramar, Dania Beach, and Weston, without challenge.

Moratoria

- Drafted and advised on the implementation of targeted moratoria for various purposes in the Cities of Homestead, Hollywood and Hallandale Beach and Town of Cutler Bay, without challenge.

Zoning and Supplemental Regulations

- Developed Planned Unit Development regulations for the Cities of Homestead and Sunrise.
- Developed commercial design guidelines and special zoning districts for neighborhood plans in the City of Homestead.
- Developed specialty business zoning districts and regulations for hotels in the Cities of Dania Beach, Sunrise and Miramar.
- Advised on Joint Land Use Study, developed updated aircraft compatibility regulations and developed vested rights process for City of Homestead in relation to Air Reserve Base.
- Advised on changes to and implementation of regulations of agricultural uses in the City of Parkland, represented the City staff in related code enforcement matters and worked with City's insurer to defend a challenge to the application of its regulations to an agricultural use.
- Developed quasi-judicial hearing procedures for the Firm's municipalities.
- Worked with Village staff to develop and defend regulations of vacation rental properties and formula retail development in the Village of Islamorada, and drafted vacation rental regulations for Town of Lauderdale-By-The-Sea.
- Drafted noise regulations for City of Sunrise and Town of Lauderdale-By-The-Sea.

Areas of Critical State Concern

- Advised Village of Islamorada on building permit allocation system negotiated with state regarding approvals for plan amendments, development orders and development regulations, and defended challenges related to these efforts.

Contested Quasi-Judicial Hearings

- Represented municipal staff or governing bodies for contested quasi-judicial hearing in cities including Parkland, Weston, Hallandale Beach, Miramar, Deerfield Beach, Sunrise and North Bay Village.

Petitions For Certiorari And Consistency Challenges

- Advised our municipalities and defended challenges including projects such as the proposed SuperTarget and WalMart stores in the City of Miramar, the redevelopment of the Sonesta Beach Resort in the Village of Key Biscayne, the redevelopment of the Boca Beach Club at the Boca Raton Resort and Club, and various development decisions for the Village of Islamorada.

Some of our specific areas of practice include:

- Land Use Planning
- Comprehensive Plans
- Evaluation and Appraisal Reports
- Small Area Plans and District Plans
- Water Supply Planning
- Land Development Planning
- Historic Preservation Regulations and Standards
- Rate of Growth Ordinances
- Zoning in Progress and Moratoria
- Areas of Critical State Concern
- Platting
- Variances and Special Exceptions



- Site Plans
- Regulation of Large Scale Commercial Uses and "Big Box" Development
- Transit-Oriented Development Regulations
- Design Guidelines for Commercial Development
- Development Procedures
- Notice and Hearing Requirements
- Land Use Plan Amendments
- Rezoning
- Development Agreements
- Regulations of First Amendment Land Uses
- Adult Use Regulations
- Sign Regulations
- Regulations of Places of Public Assembly, Including Religious Uses
- Exactions and Impact Assessments
- Impact Fees
- Linkage Fees
- Transportation and Transit Concurrency Regulations
- School Concurrency Agreements and Regulations
- Proportionate Share Mitigation Agreements
- Affordable/Workforce Housing Regulations and Programs
- Large Scale Developments
- Developments of Regional Impact
- Planned Unit Developments
- Joint Land Use Studies for Military Bases
- Watershed Planning
- Public-Private Development Ventures
- Litigation
- Bert J. Harris Act Claims (Chapter 70, Florida Statutes) for Compensation
- Part II Dispute Resolution Proceedings Before a Special Master
- Petitions for Certiorari Related to Quasi-Judicial Decisions
- Variances
- Special Exceptions
- Special Use Permits
- Religious Land Use and Institutionalized Persons Act (RLUIPA) Claims
- 42 U.S.C. § 1983 Claims Arising Out of Land Use Approvals
- Procedural and Substantive Due Process
- Equal Protection
- Regulatory Takings/Inverse Condemnation
- First Amendment Retaliation
- Comprehensive Plan Consistency Challenges
- School Facilities Planning
- School Collocation and Joint Use Agreements
- School Concurrency Agreements and Regulations

Reported Group Cases

- *Restigouche v. Town of Jupiter*, 845 F. Supp. 1540 (S.D. Fla. 1993), aff'd, 59 F.3d 1208 (11th Cir. 1995)
- *Schumacher v. Town of Jupiter*, 643 So. 2d 8 (Fla. 4th DCA 1994)
- *Section 28 Partnership, Ltd. v. Martin County*, 676 So. 2d 532 (Fla. 4th DCA 1996).
- *Woodrow Kantner, Trustee, Carolyn Weaver & YMCA v. Martin County*, 929 F. Supp. 1482 (S.D. Fla. 1993).
- *Town of Jupiter v. Michele Alexander*, 747 So. 2d 395 (Fla. 4th DCA 1998).
- *MediaNet of South Florida, Inc. v. City of Miramar*, Case No. 03cv61689 (S.D. Fla. 2002)
- *Florida Outdoor Advertising, LLC v. City of Boca Raton*, 266 F. Supp. 2d 1376 (S.D. Fla. 2003)
- *Renaissance Charter School, Inc. v. Department of Community Affairs and School Board of Miami-Dade County*, Case No. 1D09-2065 (Fla. 1st DCA 2010)
- *Seay Outdoor Advertising, Inc. v. City of Mary Esther, Florida*, 397 F.3d 943 (11th Cir. 2005) (amicus brief for Citizens for a Scenic Florida)
- *City Of Weston, Florida; Village Of Key Biscayne, Florida; Town Of Cutler Bay, Florida; Lee County, Florida; City Of Deerfield Beach, Florida; City Of Miami Gardens, Florida; City Of Fruitland Park, Florida; City Of Parkland, Florida; City Of Homestead, Florida; Cooper City, Florida; City Of Pompano Beach, Florida; City Of North Miami, Florida; Village Of Palmetto Bay, Florida; City Of Coral Gables, Florida; City Of Pembroke Pines, Florida; Broward County, Florida; Levy County, Florida; St. Lucie County, Florida; Islamorada, Village Of Islands, Florida; And Town Of Lauderdale-By-The-Sea, Florida, v. The Honorable Charlie Crist, Governor Of The State Of Florida; The Honorable Kurt S. Browning, Secretary Of State, State Of Florida; The Honorable Jeff Atwater, President Of The Senate, State Of Florida; The Honorable Larry*



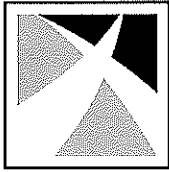
WEISS SEROTA HELFMAN
COLE & BIERMAN

At the Crossroads of Business, Government & the Law

28
YEARS
OF RELATIONSHIP

Cretul, Speaker Of The House, State Of Florida, Case No. 2009 CA 2639 (2nd Judicial Circuit, Fla. 2010)

- *Outdoor Media Group, Inc., and Chance Outdoor, LLC, v. City Of Beaumont, California*, Case No. No. 10-56081 (9th Cir. 2011) (amicus brief for Citizens for a Scenic Florida)

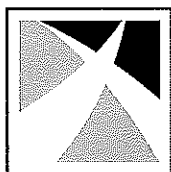


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AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

Representative Municipal Clients

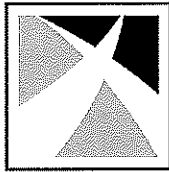
- Bal Harbour Village
- Bay Harbour Islands
- Broward County School Board
- Broward Metropolitan Planning Organization
- Citizens Insurance
- City of Aventura
- City of Boca Raton
- City of Coconut Creek
- City of Cooper City
- City of Coral Gables
- City of Dania Beach
- City of Deerfield Beach
- City of Delray Beach
- City of Doral
- City Of Dunedin
- City of Fort Lauderdale
- City of Florida City
- City of Hallandale Beach
- City of Hollywood
- City of Homestead
- City of Lauderdale Lakes
- City of Lauderhill
- City of Marco Island
- City of Miami
- City of Miami Gardens



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AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

- City of Miami Springs
- City of Miramar
- City of North Bay Village
- City of North Miami
- City of Parkland
- City of Port St. Lucie
- City of South Miami
- City of Sunny Isles Beach
- City of Weston
- Delray Housing Authority
- Florida Department of Environmental Protection
- Florida Department of Financial Services
- Florida Department of Transportation
- Florida Housing Finance Corporation
- Florida Metropolitan Planning Organization Advisory Council
- Green Corridor Property Assessment Clean Energy (PACE) District
- Hialeah Housing Authority
- Hollywood CRA
- Homestead Housing Authority
- Homestead CRA
- Lake Worth Drainage District
- Miami Dade Expressway Authority (MDX)
- Miami-Dade County School Board
- North Collier Fire Control & Rescue District
- Palm Beach Transportation Planning Agency
- Space Coast Transportation Planning Organization



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AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

- The Collins Center for Public Policy, Inc.
- Town of Cutler Bay
- Town of Golden Beach
- Town of Gulfstream
- Town of Indialantic
- Town of Juno Beach
- Town of Lantana
- Town of Lauderdale by the Sea
- Town of Longboat Key
- Town of Manalapan
- Town of Medley
- Town of Miami Lakes
- Town of Palm Beach
- Town of Surfside
- Village of Indian Creek
- Village of Islamorada
- Village of Key Biscayne
- Village of Palmetto Bay
- Village of Pinecrest
- Village of Royal Palm Beach
- Village of Virginia Gardens



RECYCLED PAPER



TO REORDER CALL 954-846-9399



Matthew T. Ramenda

Matt is a Partner in the firm. He is a seasoned civil litigator and municipal attorney with fifteen years of experience representing both private and municipal clients in state and federal courts.

With respect to private litigation clients, Matt has successfully represented his clients in the areas of complex commercial litigation, business law torts and premises liability defense. A sample of his successful representation of private clients includes: obtaining a \$7.75 million jury verdict in a five-week jury trial involving securities fraud pursuant to the Florida Securities & Investor Protection Act (SIPA) with team of two other lawyers; bringing and defending lawsuits based on the Federal and Florida Civil RICO Acts; defending age discrimination claims brought by former employees against employers pursuant to the Age Discrimination in Employment Act (ADEA); representing commercial landlords in numerous eviction proceedings; and successfully appealing the denial of trademark registrations to the USPTO Trademark Trial and Appeal Board.

With respect to municipal clients, Matt has defended numerous municipalities in litigation throughout South Florida in state and federal courts. He has successfully represented his municipal clients in cases involving claims for false arrest, constitutional challenges, public records request violations, premises liability, excessive force, and code enforcement lien foreclosure actions.

In addition to litigation, Matt has extensive experience providing general representation to multiple municipalities, including the Town of Palm Beach, the Town of Jupiter Island, the Town of Jupiter, and the Town of Lake Park. His experience includes representing municipalities at town council meetings, code enforcement board hearings, quasi-judicial proceedings, special magistrate hearings, appeals to the Circuit Court, and in drafting municipal ordinances and resolutions.

Matt was an elected member of The Florida Bar Board of Governors YLD for nine years, where he actively participated in numerous statewide committees and hosted multiple CLE courses.

Professional & Community Involvement:

- Governor, The Florida Bar Board of Governors YLD (2007-Present)
- Chairman, "Practicing with Professionalism" Florida Bar CLE (2008-2014)
- Co-Chair, Florida Bar "Access to Justice" Committee (2015)
- President, Vanderbilt University Alumni Association of Palm Beach and Broward Counties (2008-2012)

Presentations

- "ADA Compliance for Municipal Websites", *Palm Beach County Municipal Clerks Association*, 2/2018
- "Is Your Website ADA Compliant and What is the Law", *Palm Beach League of Cities*, 9-2017

Partner

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Practice Areas

- Business Dispute Litigation
- Code Enforcement
- Employment Litigation and Arbitration
- Governmental Litigation
- Litigation
- Municipal Government Law

Education:

- Vanderbilt University Law School, Doctor of Jurisprudence, 2004
- Florida State University, B.S., Business Administration, cum laude, 2001

Admitted to Practice:

- Florida, 2004
- U.S. Court of Appeals for the Eleventh Circuit
- United States Supreme Court, 2015
- United States District Court for the Southern District of Florida, 2005



Anthony C. Soroka

Anthony provides counsel to local governments, businesses and community associations. Anthony currently serves as the Assistant City Attorney for the City of Deerfield Beach, the City of Parkland, and the City of Weston. Anthony has also served as the Deputy City Attorney for the City of Marco Island and the Assistant City Attorney for the City of Lauderdale-By-The-Sea. Anthony has extensive experience with government contract disputes, procurement, business taxes, implementation of the municipal budget process, telecommunications, and counsel on compliance with public record, sunshine and election laws. He has served as counsel on charter review committees, municipal code reviews and business tax advisory boards and has drafted numerous government contracts, legislative items and administrative policies. Anthony serves as an alternate special magistrate and municipal prosecutor for municipal clients. Anthony's public sector successes include negotiation of a \$100 million solid waste disposal contract, completion of a comprehensive review and rewrite of the City Code of the City of Weston, preparation of the legal analysis that supported overturning a \$65 million no-bid contract, the dissolution of a local special recreation district, and voter approval of Charter amendments that he prepared.

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Practice Areas

- Business Organization and Transactions
- Community Association, Club and Resort Law
- Corporate Law
- Public Finance Practice Group
- Public/Private Transactions (P3)
- Real Estate
- Special Counsel to Local Government

Bar Admissions

- Florida, 2007

Education

- University of Miami School of Law
JD, 2007
- University of Central Florida
BSBA Finance, 2004

Anthony's private sector practice includes assisting entrepreneurs and developers in real estate and business acquisitions, condominium association representation, providing counsel and contract preparation for business entities involved in public-private partnerships, and representation of private clients on matters including competitive bidding disputes, land use and zoning, real estate closings and foreclosures. He currently serves as general counsel for multiple community associations in South Florida. His private sector representations include the successful protest of a \$10 million contract award, successful acquisition of a tax and accounting practice, obtaining a substantial insurance refund from FEMA on behalf of a condominium client, representation on code enforcement matters, counsel to real estate developers on establishment of a condominium association and transfer of association control to unit owners and zoning due diligence for a site acquisition company.

Professional Licenses

- Licensed Florida Real Estate Broker

Professional Associations and Memberships

- The Florida Bar City, County & Local Government Law Section
- Broward League of Cities, Fiscal Stewardship Committee
- The Florida Bar Real Property, Probate and Trust Law Section
- Broward County Bar Association Government Law Section
- Miami Association of Realtors

Presentations

- "Exclusivity and Bulk Billing Agreements for Cable and Video Services in Multiple Dwelling Units," *Florida Association of Telecommunications Officers and Advisors*, June 2008
- "Local Government Communications Services and Wifi Networks," *Florida Association of Telecommunications Officers and Advisors*, June 2009
- "Public Records and the Sunshine Law," *Broward City County Management Association*, March 2015

Awards and Recognitions

- Rising Stars, *Daily Business Review*, 9-26-15
- Most Effective Lawyers Finalist, 2014 (Lobbying and Regulation)

Press Mentions

- "[Delray to Discuss Validity of City's Contract with Tennis Center Operator](#)"
Sun Sentinel 1/5/16
- "Most Effective Lawyers of 2014," *Daily Business Review*, 12/3/14



Brett J. Schneider

Brett is the Managing Director of the Firm's Palm Beach Office and chairs the Firm's [Labor and Employment Practice Group](#). Brett is Board Certified by The Florida Bar in Labor and Employment Law and he represents public and private sector employers in a wide array of labor and employment law matters.

For his public sector clients, Brett represents employers in collective bargaining negotiations, labor impasse hearings, unfair labor practice proceedings and labor arbitrations. In the last several years, he has successfully negotiated collective bargaining agreements on behalf of the Cities of Aventura, Bal Harbour, Deerfield Beach, Hallandale Beach, Homestead, Juno Beach, Key Biscayne, Lauderhill and North Miami. Brett recently has handled labor impasse proceedings for the Cities of Deerfield Beach, Hallandale Beach and Surfside. He also has achieved significant labor arbitration victories for the Cities of Bay Harbor Islands, Boca Raton, Coconut Creek, Deerfield Beach, Golden Beach, Hallandale Beach, Homestead, Key Biscayne, Lauderhill and Miramar.

Brett has successfully represented public and private sector employers in all phases of employment litigation, up to and including trial, on matters arising under Federal, State and local employment laws such as Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Fair Labor Standards Act, the Family and Medical Leave Act (FMLA) and the Florida Civil Rights Act (FCRA). Brett regularly defends employers in wage and hour suits brought under the Fair Labor Standards Act (FLSA) and has successfully navigated a number of employers through Department of Labor Wage & Hour Audits.

Brett represents public and private sector employers before Federal, State and local administrative agencies such as the U.S. Equal Employment Opportunity Commission (EEOC), the National Labor Relations Board (NLRB) and the Florida Public Employee's Relations Commission (PERC). In addition, Brett regularly consults with and advises employers on a wide array of human resources issues, including personnel policies and procedures, discipline and discharge matters, drug and alcohol testing, employee privacy rights and educational and training programs for managers and supervisors, and he has worked closely with employers to ensure that their practices do not run afoul of Federal, state or local law.

Brett is certified as a Senior Professional in Human Resources (SPHR) by the HR Certification Institute and as a Senior Certified Professional by the Society for Human Resource Management. Brett regularly lectures throughout Florida on various labor and employment law and human resources matters and has been on the cutting edge with regard to the impact of the legalization of medical marijuana on Florida employers.

Prior to joining the Firm, Brett practiced labor and employment law at large national law firms in Washington DC, New York and South Florida.

Member

bschneider@wsh-law.com

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Practice Areas

- Labor and Employment Law
- Labor and Employment Law Group
- Police Legal Advisement

Bar Admissions

- Florida, 2005
- New York, 1999
- District of Columbia, 2000
- U.S. District Court, Southern District of Florida, 2005
- U.S. District Court, Middle District of Florida, 2006
- U.S. District Court, Southern District of New York, 2001
- U.S. District Court, Eastern District of New York, 2002
- U.S. District Court, Western District of New York, 2003
- U.S. Court of Appeals, 11th Circuit, 2005

Education

- George Washington University Law School
JD, *cum laude*, 1999
Journal of International Law & Economics
- University of Maryland,
BA, Government and Politics, *with honors*,
1996
Honors: Golden Key National Honor Society

Published Works

- "Bills Would Reform Government Pension Plan," *South Florida Daily Business Review*, March 29, 2011
- "How Employers Can Keep Themselves From Being You-Tubed," *Workforce Management*, May 11, 2009
- "Acting Affirmative Against Harassment," *New York Law Journal Corporate Counsel*, February 4, 2002
- "Employee Privacy 2001 A Review for Employers," *Lawyer Pilot's Bar Association Journal*, Fall, 2001

Professional Associations

- Human Resource Association of Broward County, 2008 - present



- Past-President, 2015
- President, 2014
- President-Elect, 2013
- Legislative Affairs Director, 2011-2012
- The Cooperative Feeding Program, Board-member, 2010 – 2014
- Jewish Federation of South Palm Beach County, Young Adult Division, Board-member, 2012 - 2014
- University of Maryland South Florida Alumni Association, 2010 – Present
- Anti-Defamation League, Glass Leadership Institute, 2008
- Leadership Broward Foundation, Class XXIV, 2005-2006
- South Florida Touchdown Club Foundation, 2005-2006
Board Secretary

Reported Cases

- *Aristyld v. City of Lauderdale*, Case No. 13-12235 (11th Cir. Oct. 23, 2013)
- *Amunraptah v. City of Deerfield Beach*, 93 So. 3d 1040 (Fla. 4th DCA 2012)
- *East Coast Karate Studios, Inc. v. LifeStyle Martial Arts, LLC*, 65 So. 3d 1127 (Fla. 4th DCA 2011)
- *World Rentals and Sales, LLC v. Volvo Construction Equipment Rentals, Inc.*, 517 F.3d 1240 (11th Cir. 2008)
- *Goldberg v. Chong*, 2007 WL 2028792 (S.D. Fla. Jul. 11, 2007)
- *Kaptan v. Danchig*, 796 N.Y.S.2d 706 (N.Y. 2nd Dept., 2005)

Awards and Recognitions

- "Legal Elite", Florida Trend, 2018
- "Super Lawyers," 2018
- "AV Preeminent Rating," *Martindale-Hubbell*, 2017
- "Power Leaders in Law & Accounting," South Florida Business Journal 2017
- "SHRM Senior Certified Professional (SHRM-SCP)," *Society for Human Resources Management*, 2015
- Florida Bar Board Certified in Labor and Employment Law, 2013
- "Senior Professional in Human Resources (SPHR)," *Human Resources Certification Institute*, 2012
- "Florida Rising Star," *Florida SuperLawyers*, 2011-2013
- "Top Up and Comer," *South Florida Legal Guide*, 2009

Presentations

- "Hiring Practice Compliance Issues", HFTP Gold Coast Chapter, 10/17/18
- "Me Too and Harassment Panel Discussion", Florida Public Human Resources Association, July 2018
- "Sexual Harassment Policies and Training", 2018 Florida Municipal Attorneys Association Annual Conference
- "Medical Marijuana and Sexual Harassment in the Workplace", Hospitality Financial and Technology Professionals Gold Coast Educational Breakfast, April 2018
- "2018 HR Insights 2018: HR in a #Metoo World", GMCC, April 2018
- "Employer Drug Testing in the Era of Legal Medical Marijuana", 2018 Connect Business & Leadership Conference
- "Minimizing Employer Liability for Sexual Harassment Claims & Employer Drug Testing in the era of Medical Marijuana", HFTP Gold Coast Chapter Educational Breakfast
- "Medical Marijuana from the Employer's Perspective", Palm Beach County League of Cities General Membership Meeting
- "Medical Marijuana from the Municipal Employer's Perspective", 36th Annual Florida Municipal Attorneys Association Seminar
- "Medical Marijuana and Your City: Facts, Fiction and Moving Forward", Florida League of Cities' Center for Municipal Research & Innovation (CMRI) Summer Research Symposium
- "Drug Alert - Medical Marijuana in the Work Place", 7th Annual TSG Labor & Employment Law Conference



- "Medical Marijuana and Your City: Facts, Fiction and Moving Forward", FLC Medical Marijuana Symposium
- "Medical Marijuana from the Municipal Employer's Perspective", Florida Municipal Attorneys Association, July 27, 2017
- "Overcoming the Haze of Medical Marijuana in Florida", *Human Resource Association of Broward County's Legal Seminar*, May 11, 2017
- "New Medical Marijuana Law", *Democratic Professionals Network*
- "Legislative Changes – Medical Marijuana," *International Public Management Association for Human Resources (South Florida Chapter)*, December 1, 2016
- "Overtime Payment Rules & ADA Accommodations," *International Public Management Association for Human Resources (South Florida Chapter)*, September 13, 2016
- "New Overtime Rules Mean HR Professionals Will Be Working Overtime!!!", *Human Resource Association of Broward County*, May 6, 2016
- "What Should You Do If Something Pops Up In A Background Check That Makes You Reconsider Hiring Them," *Florida Public Human Resources Association*, May 4, 2016
- "What You Should Know About Collective Bargaining Before You Get There," *Palm Beach Counties League of Cities Newly Elected Officials Workshop*, April 27, 2016
- "Legal Considerations in Performance Management," *International Public Management Association for Human Resources (South Florida Chapter)*, April 5, 2016
- "Conducting Harassment Investigations," *Florida Public Employer Labor Relations Association*, February 23, 2016
- "Issues & Pitfalls Associated with Negotiating & Drafting Employment Contracts for Municipal Officials, what Every City Attorney Needs to Know," *Miami-Dade Commission on Ethics & Public Trust Lunch Seminar*, February 18, 2016
- "Planning for Employees Social Gatherings," *International Public Management Association for Human Resources (South Florida Chapter)*, September 9, 2015
- "Solving the ADA/FMLA Compliance Mystery," *Florida Public Human Resources Association*, August 4, 2015
- "EEOC & FLSA Overview," *Florida Public Human Resources Association*, August 1, 2015
- "What Non-Union Employers Need to Know About the NLRA," *Human Resource Association of Broward County*, May 1, 2015
- "Medical Marijuana – Workplace Impact," *International Public Management Association for Human Resources (South Florida Chapter)*, April 7, 2015
- "Got Wellness? Labor Relations Trouble & Legal Pitfalls," *Florida Public Employer Labor Relations Association*, February 9, 2015
- "Newsworthy HR Caselaw," *International Public Management Association for Human Resources (South Florida Chapter)*, December 9, 2014
- "Labor Rights and How They Impact Your Crew," *Florida Public Employer Labor Relations Association 39th Annual Training Conference*, January 29, 2013
- "Hiring and Terminating Employees in the Current Economy," *Fundamentals of Employment Law* (Sterling Education Seminar), November 13, 2012
- "FLSA/Wage and Hour Critical Issues," *Fundamentals of Employment Law* (Sterling Education Seminar), November 13, 2012
- "FLSA 101," *Florida Public Personnel Association Annual Conference*, July 29, 2012
- "Legal Updates," *Florida Public Personnel Association Annual Conference*, July 29, 2012
- "HR Case Update," *International Public Management Association for Human Resources (South Florida Chapter)*, June 28, 2012
- "Avoiding Liability for overtime under the FLSA," *Certipay HR Seminar*, May 15, 2012
- "HR Update," *International Public Management Association for Human Resources (South Florida Chapter)*, March 15, 2012
- "EEOC Investigations," *Florida Public Employer Labor Relations Association*



38th Annual Training Conference, February 6, 2012

- "What's Up with the Supremes and other Must-Know Legal Developments for HR Professionals," *Human Resource Association of Broward County*, October 14, 2011
- "Conducting Investigations from A to Z," *Florida Public Personnel Association Annual Conference*, July 25, 2011
- "How to Effectively Redesign Benefit Plans," *Florida Government Finance Officers' Association*, June 27, 2011
- "What Constitutes an Enforceable Past Practice," *International Public Management Association for Human Resources (South Florida Chapter)*, May 12, 2011
- "Mandatory vs. Permissive Subjects of Collective Bargaining Negotiations," *Florida Public Employer Labor Relations Association 36th Annual Training Conference*, February 9, 2010
- "Labor Relations Update," *Miami-Dade County City Manager's Association Luncheon*, November 20, 2009
- "The Specifics of Ricci v. DiStefano," *International Public Management Association for Human Resources, South Florida Regional Meeting*, August 25, 2009
- "Recent Legal Developments Affecting Florida Public Employers," *International Public Management Association for Human Resources (South Florida Chapter)*, April 28, 2009
- "What is New with Labor Law," *Miramar / Pembroke Pines HR Consortium*, April 16, 2009

Press Mentions

- "Legal Alert: Paying Police Employees: Eleventh Circuit Rules Certain Prep And Travel Time Is Not Compensable", July 20, 2018
- "Midsize and Small Law Firms Skip the Lockstep Pay Dance", *Daily Business Review*, 6/20/2018
- "Avoiding an Ageism Suit", *Human Resource Executive*, April 17, 2018
- "Zero Tolerance: Be Proactive About Sexual Harassment Policies", *Construction Today*, 2/2018
- "Employers Reinforce Anti-Harassment Policies", *Sun Sentinel*, 12/10/2017
- "Attorney Brett Schneider Presents at Three Conferences" - (1) 36th Annual Florida Municipal Attorneys Association Seminar - "Medical Marijuana from the Municipal Employer's Perspective", (2) Florida League of Cities' Center for Municipal Research & Innovation (CMRI) Summer Research Symposium - "Medical Marijuana and Your City: Facts, Fiction and Moving Forward", (3) 7th Annual TSG Labor & Employment Law Conference - "Drug Alert - Medical Marijuana in the Work Place", *Attorney At Law Magazine*, 9/1/2017
- "Delivery Dudes expands despite growing pains" *Sun Sentinel* 8/1/16
- "New OT rules to hit Retail Hospitality Cos. hardest" *Law 360* 5/19/16
- "Will Gay Weddings Lead to Fewer Domestic Partnership Benefits?," *Sun-Sentinel*, 1/22/15
- "Medical Marijuana Could Cost Employees Their Jobs," *Sun-Sentinel*, 10/30/14
- "News and Notes," *The Florida Bar News*, 2/1/14
- "Legal People," *Daily Business Review*, 1/16/14
- "Weiss Serota Helfman Attorney Brett Schneider Becomes Board Certified in Labor & Employment Law," *CityBizList*, 6/19/13
- "People on the Move," *South Florida Business Journal*, 6/19/13
- "People," *Daily Business Review*, 1/3/13
- "Business Monday: Movers," *Miami Herald*, 12/31/13
- "People on the Move," *South Florida Business Journal*, 12/26/12
- "News & Notes," *The Florida Bar News*, 10/1/11
- "Bills Would Reform Government Pension Plans," *Daily Business Review*, 3/29/11



WEISS SEROTA HELFMAN
COLE & BIERMAN
AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

28
YEARS
OF RELATIONSHIPS



Susan L. Trevarthen, FAICP

Susan handles land use, planning and zoning matters for governments and is a municipal attorney. Her work includes negotiating development agreements and approvals, drafting municipal codes and plans, advising municipal staffs, managers and attorneys, defending challenges to municipal regulations and decisions, handling public hearings and counseling elected officials, as well as advocating for municipalities on legislative issues in her field. She serves as Town Attorney. She also serves as the Chair of our Public Land Use and Zoning Group, which handles all of the land use matters for the Cities of Cooper City, Weston, Miramar, Aventura, Medley, Doral, Marco Island, Indialantic and Homestead; the Towns of Cutler Bay and Lauderdale-By-The-Sea; and the Villages of Bal Harbour, Key Biscayne and Pinecrest. The Group also provides outside counsel services on planning, zoning and land use matters to additional South Florida cities on an as needed basis. In recent years, these cities have included Boca Raton, Delray Beach, Deerfield Beach, Wellington, Lauderhill, Juno Beach, Pompano Beach, Sunrise, Hallandale Beach, Parkland, Hollywood, Coconut Creek, Vero Beach, Plant City, Miami Beach, Dania Beach, Cape Coral, Coral Gables and Miami Springs.

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Practice Areas

- Administrative and Regulatory Law
- Appellate Law
- Code Enforcement
- Municipal Government Law

Bar Admissions

- Florida, 1991
- U.S. District Court, Southern District of Florida, 1993
- U.S. Court of Appeals, 11th Circuit, 1997
- U.S. Court of Appeals, 9th Circuit, 2011
- U.S. Supreme Court, 2003

Education

- University of North Carolina School of Law JD, 1991
- University of North Carolina MRP, 1991
- Duke University
AB Public Policy Studies, *cum laude*, 1986

Susan's practice includes extensive constitutional law in her field, including regulatory taking cases and land use and zoning decisions raising First Amendment issues, including sign codes, adult use regulations, and regulation of religious uses, Harris Act claims, comprehensive plan challenges and petitions for certiorari.

Susan also has extensive experience with school planning and facilities issues and mandatory school concurrency, and she has represented local governments and school boards across the state on these issues.

Susan has held leadership positions in The Florida Bar's Section for Environmental and Land Use Law and Section for City, County and Local Government Law. She is a member of the Board of Directors of 1000 Friends of Florida. She has been recognized as one of the top land use attorneys in the state in publications such as Florida Trend Magazine and SuperLawyers, and she has an AV rating (highest attainable) from Martindale Hubbell. A member of the College of Fellows of the American Institute of Certified Planners and Board Certified in City, County and Local Government Law by The Florida Bar, Susan speaks and publishes frequently on planning, zoning and land use issues. Susan grew up in Boca Raton, Florida.

Significant Matters

Regulation of First Amendment-protected land uses

Signs

- Representing the American Planning Association, co-author of the amicus brief addressing the interests of the American Planning Association, National League of Cities, International Municipal Lawyers Association, US Conference of Mayors, National Association of Counties, International City/County Management Association, and Scenic America, Inc., in the 2015 U.S. Supreme Court case of *Reed v. Town of Gilbert*.
- Updated and revised regulations of signs for City of Sunrise after it was challenged, and resulting regulations were upheld by the Eleventh Circuit. Advised the City on the implementation and interpretation of the sign code as it related to the Broward County Civic Arena and other developments.
- Updated and revised regulation of signs for City of Miramar and, working with the Litigation Group, successfully defended the sign regulations in the Southern District of Florida.
- Working with the Litigation Group, successfully defended the City of Boca Raton's sign regulations in the Southern District of Florida.
- Updated and revised regulations of signs for Cities of Weston, Coconut Creek and Dania Beach, Town of Lauderdale-By-The-Sea, and Pasco

County, without challenge.

- Updated regulations of signs following Reed for Parkland, Weston, Lauderdale-by-the-Sea, New Port Richey and Pinecrest.

Sexually Oriented Businesses

- Updated and revised regulations of sexually oriented businesses in City of Dania Beach, changed the zoning districts in which they are located, established an amortization requirement for nonconforming locations, and assisted the City and its insurer in successfully enforcing the amortization requirement against the three existing, nonconforming locations.
- Updated and revised regulations of sexually oriented businesses in the City of Hallandale Beach, and worked with Litigation Group to defend two challenges related to the prior regulations.
- Updated and revised regulations of sexually oriented businesses for Villages of Wellington and Islamorada, and the Cities of Miramar, Sunrise, and Boca Raton, without challenge.
- Revised regulations and advised on defense of challenge in Lauderhill.

Places of Worship

- Updated and revised regulations of places of public assembly, and working with the Litigation Group and the Town's insurer to defend Town of Surfside from challenge to the application of those regulations.
- Updated and revised regulations of places of public assembly in Cities of Cooper City, Sunrise, Miramar, Dania Beach, and Weston, without challenge. Advising the City of Lauderhill with code revisions in response to a Department of Justice investigation related to regulation of religious uses. Drafted procedures for reasonable accommodation and zoning relief for several municipalities.
- Drafted amicus brief for American Planning Association on Religious Freedom Restoration Act challenge in California.

Zoning Districts and Supplemental Regulations

- Drafted and advised on the implementation of targeted moratoria for various purposes in the Cities of Homestead, Hollywood and Hallandale Beach, without challenge.
- Drafted vacation rental regulations for several municipalities before preemption, and have defended challenges and advised several municipalities on the ability to amend grandfathered regulations or adopt new regulations compliant with state law.
- Drafted regulations of medical marijuana uses for several municipalities and was the appointee of the Florida Municipal Attorneys' Association to statewide working group of local government and public safety interests.
- Developed Planned Unit Development regulations for the Cities of Homestead and Sunrise, and created a form-based overlay with Dover Kohl & Partners for the Planned Area Development District in City of Coral Gables.
- Developed commercial design guidelines and special zoning districts for neighborhood plans in the City of Homestead.
- Developed specialty business zoning districts and regulations for hotels in the Cities of Dania Beach, Sunrise and Miramar.
- Advised on Joint Land Use Study, developed updated aircraft compatibility regulations and developed vested rights process for City of Homestead in relation to Air Reserve Base.
- Advised on changes to and implementation of regulations of agricultural uses in the City of Parkland, represented the City staff in related code enforcement matters, and worked with City's insurer to defend a challenge to the application of its regulations to an agricultural use.
- Developed quasi-judicial hearing procedures for our municipalities, and routinely administer, interpret and advise on quasi-judicial hearing procedure.
- Represented municipal staff or governing bodies in numerous contested quasi-judicial hearings in cities including Parkland, Weston, Hallandale Beach, Miramar, Deerfield Beach, Sunrise and North Bay Village.
- Advised our municipalities and defended challenges to quasi-judicial



decisions including projects such as the proposed SuperTarget and WalMart stores in the City of Miramar, the redevelopment of the Sonesta Beach Resort in the Village of Key Biscayne, the redevelopment of the Boca Beach Club at the Boca Raton Resort and Club, and various development decisions for the Village of Islamorada.

- Drafted noise regulations for City of Sunrise and Town of Lauderdale-By-The-Sea.
- Revised, implemented and represented staff at hearings on telecommunications facilities.
- Reviewed and advised on the implementation and updating of impact fee ordinances for municipal clients, including an affordable housing linkage fee in the City of Coconut Creek and Village of Islamorada, a transit impact fee for the City of Aventura, and police, public works and parks fees for the City of Homestead.
- Part of consulting team that completely rewrote the City of Dania Beach Land Development Code.

Comprehensive Plans

- Advised the City of Coral Gables on comprehensive plan amendment to enable form-based regulation in the Planned Area Development District.
- Advised the City of Sunrise, and participate in the comprehensive plan amendment process for Tao residential high-rise development, Metropica Transit-Oriented Development, and Westerra Local Activity Center.
- Advised the City of Coconut Creek on the Regional Activity Center for the MainStreet development.
- Advised municipal clients on applicants' plan amendments, and related rezonings.
- Advised municipal clients on Evaluation and Appraisal Reports and related plan amendments, and other plan amendments necessary to implement State statutes.
- Advised the City of Sunrise in the development and implementation of the Western Sunrise Area plan and land development regulations from 1995 to present.
- Advised the City of Homestead on the adoption of neighborhood plans for redeveloping areas of the City.
- Represented a coalition of Broward County municipalities and the Broward League of Cities in advocating for changes to the 2004 Broward County Evaluation and Appraisal process and potential changes to charter authority over land use.

Public School Facilities

- Advised the Department of Community Affairs as part of the consulting team preparing technical assistance documents for the implementation of school concurrency, including a model concurrency management system and model proportionate share mitigation agreement for school facilities.
- Advised the pilot communities in Sarasota County and Walton County on the implementation of school concurrency, including drafting and review of all pilot deliverables, including the public school facilities element and the school interlocal agreement.
- Advised Sarasota County School Board 10 years later on updates to their system.
- Drafted school interlocal agreements, reviewed public school facilities elements, and advised on the implementation of school concurrency for Cities of Sunrise, Miramar, Weston, Dania Beach and Hallandale Beach and the Collier County School Board.
- Represented the Miami-Dade School Concurrency Task Force in its development of a recommended approach to school concurrency, and represented the Miami-Dade County School Board in its negotiations with Miami-Dade County over the school interlocal agreement, and related to implementation of school concurrency.
- Advised City of Cooper City on issues with proposed public school boundary

changes and assisted in developing alternatives.

- Advised Town of Miami Lakes and the Cities of Homestead and Sunrise on issues with review and approval of charter school facilities.

Developments of Regional Impact

- Advised the City and participated in the DRI review process for the creation or amendment of DRIs for Sawgrass Mills, the Broward County Civic Arena (the BankAtlantic Center), Amerifirst/Metropica/Tao, Sawgrass International Corporate Park, and Harrison Park/Westerra in the City of Sunrise.
- Advised the City and participated in DRI review process for implementation and amendment of the Villages of Homestead in the City of Homestead. Also developed new zoning districts, comprehensive plan amendments, development agreements and other associated approvals for these projects.

Development Agreements

- Represented the City of Hallandale Beach in the Development Agreement and project approvals for BeachWalk condo hotel and related public-private partnership for development of Hyde Park Kitchen, a public restaurant and recreational facilities on the city's beach.
- Represented the City of Coral Gables in the Development Agreement and project approvals for Mediterranean Village, a 7-acre mixed use infill development designed with form-based regulations.
- Represented the City of Sunrise in the land use aspects and related approvals for Development Agreements for several major projects including Metropica and Westerra.
- Represented Village of Bal Harbour on a Development Agreement with the Bal Harbour shops.

Certifications and Specialties

- The Florida Bar Board Certified, City, County and Local Government Law
- College of Fellows of American Institute of Certified Planner (FAICP)
- American Institute of Certified Planners (AICP)

Memberships

- American Planning Association
- Citizens for a Scenic Florida, Board of Directors Vice President
- Florida Bar Section of Environmental and Land Use Law, Former Executive Council Member
- Florida Bar Section of City, County and Local Government Law, Former Executive Council Member
- 1000 Friends of Florida, Member of Board of Directors

Publications

- "Best Practices in First Amendment Land Use Regulations," *Planning and Environmental Law*, Volume 51, 2009
- "Perspectives on the 2009 Growth Management Legislation" and "Municipal Perspectives on Senate Bill 360, Version 2.0," *The Florida Bar Journal*, Volume 83, No. 9, October 2009 "Senate Bill 360 Refined: The Impact of the 2007 Legislative Session on Local Government Growth Management, Part I," *The Florida Bar Journal*, Co-Author with Michelle Vos and Chad Friedman, Volume 81, Number 10, 2007
- "Senate Bill 360 Refined: The Impact of the 2007 Legislative Session on Local Government Growth Management, Part II," *The Florida Bar Journal*, Co-Author with Michelle Vos and Chad Friedman, Volume 81, Number 11, 2007.
- "Senate Bill 360: Growth Management Reform Arrives and It Is All About Infrastructure," (Co-Author), *The Florida Bar Journal*, Volume 79, No. 9, October 2005
- "Advising the Client Regarding Protection of Property Rights: Harris Act and Inverse Condemnation Claims," *The Florida Bar Journal*, Volume LXXXVIII,

- No. 7, July/August 2004 "Alternatives to Takings: Procedural Due Process, Equal Protection and State Law Doctrine in Taking Sides on Takings Issues: The Public and Private Perspectives," ABA, Roberts, Thomas Ed., 2001
- *Special Editor*, "Inverse Condemnation and Impact Fees Chapters," Florida Environmental and Land Use Law, February 2001
- "Florida Supreme Court Decides That Comprehensive Plan Amendments are Legislative," *Florida Planning*, May/June, 1997
- "Defensible Exactions After *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*" (Co-Author), *XXV Stetson Law Review*

Presentations

- "Planning in the Courts," APA Florida's 17th Annual Public Policy Workshop, 2/7/2019
- "Medical Marijuana And Its Impact On Our Communities", *Florida City and County Management Association*, June 2018
- "Building an Ethical Organizational Culture", [APA Florida](#) Eleventh Annual Ethics Seminar: THE ETHICAL ORGANIZATIONAL CULTURE, November 2017
- Legislative Panel Luncheon for the Broward Section of the *Florida Chapter of the American Planning Association*
- "Land Use-Murr v. Wisconsin Part II", International Municipal Lawyers Association (IMLA), July 27, 2017
- "Medical Marijuana Issues Affecting Local Government Including Land Use And Labor Issues", *Florida City and County Management Association*, 2017
- "Effects of Marijuana on Cities", *Broward County Bar Association's Medical Marijuana Legalization Summit 2017*
- "Signs in the aftermath of *Reed v. Town of Gilbert*," *International Municipal Lawyers Association*, October 2015 and April 2016
- "Law Planning and Plain English" and "Managing Protective Planning Commission and Zoning Board Meetings," *APA National Conference*, 2016
- "Planning 101," 2-Part webinar for the *Florida City and County Managers Association and Florida Institute of Government*, April and May 2016
- "Planning Official Training," *APA Florida Conference*, annually
- "*Reed v. Town of Gilbert* and sign codes," *American Bar Association*, *American Planning Association*, *Lorman Educational Services*, *Strafford*, and *1000 Friends of Florida* webinars, 2015
- "Planning and the Courts," *APA Florida Conference*, September 2015
- "Quasi-Judicial Hearings" and "Municipal Land Use: Hot Topics," *CLE International Land Use Law Conference*, August 2015
- "Medical Marijuana" and "Signs," *Florida Municipal Attorneys Association Annual Meeting*, July 2015
- "Changes to Growth Management Laws Affecting School Facilities," *Florida Educational Facilities Planners Association*, July 2015
- "Ethics Laws Affecting Florida Local Government Elected Officials," *Good Government Initiative*, August 2014 and 2015
- State-mandated ethics training for elected officials, *Space Coast League of Cities and Palm Beach County League of Cities*, 2015
- "Planning and the Courts," *APA Florida Public Policy Workshop*, February 2013-2015
- "What Are Cities Doing To Deal With Problematic Vacation-Rentals?" *Florida League of Cities Webinar*, December 2014
- "The Sharing Economy," *Florida League of Cities Legislative Conference*, November 2014
- "Counsel as Ethical Counselor," *8th Annual Ethics Seminar of Palm Beach Planning Congress*, November 2014
- "Medical Marijuana," *Broward League of Cities*, October 2014
- "Marijuana: What Does it Mean for Your City?" *Palm Beach League of Cities*, October 2014
- "Land Use Regulations of Marijuana Related Uses," *Miami-Dade County Bar Local Government Section Seminar*, September 2014
- "Quasi-Judicial Hearings" and "RLUIPA," *CLE International Land Use Law Conference*, August 2014
- "Planning Ethics." *1000 Friends of Florida Webinar*, June 2014



- "School Facilities," *APA National Planning Conference*, April 2014
- Rewrote the course materials and taught land use course for Florida league of cities Advanced Institute for Elected Municipal Officials, November 2013
- "School Concurrency Unplugged," *APA Florida Conference*, September 2013
- "The Politics of Sustainability," Sustainable Zoning and Development Controls, *Planners Training Service, American Planning Association*, 2011
- "Planning in the Courts, Senate Bill 360 Challenge," *9th Annual APA Florida Public Policy Workshop*, 2011
- "Regulating Political Signs and Speech - Strategies for Local Governments Responding to First Amendment and Land Use Challenges," *Strafford Webinar with Interactive Q&A*, 2010 "Regulating First Amendment Land Uses," *National Conference of the American Planning Association*, New Orleans 2010 and Boston 2011
- "Unfunded Mandates and the Constitutional Challenge to Senate Bill 360," *Florida On-Line Academy on Planning & Growth Topics*, 2009
- "The Local Government Attorney's Guide to Successful Regulation of First Amendment Land Uses," *Florida Municipal Attorneys' Association*, 2009 and City, County and Local Government Law Section of the Florida Bar, 2009
- "School Concurrency," *25th Annual Growth Management, Energy, Climate Change, and the Environment Short Course*, Florida Chamber of Commerce, 2009
- "Issues in Implementing the Harris Act," *Eminent Domain Committee*, The Florida Bar, 2005
- "What Local Governments Can Do About School Overcrowding," *City, County and Local Government Law Section of The Florida Bar*, Orlando 2004

Classes Taught

- Adjunct Professor, Environmental and Growth Management Law, Florida Atlantic University, Department of Public Administration, 1992 - 1993
- Frequent guest lecturer at University of Miami School of Law, St. Thomas University School of Law, Florida Atlantic University School of Urban Planning on land use, zoning and planning matters

Professional Associations

- The Florida Bar, City, County and Local Government Section Executive Council
- The Florida Bar, Environmental and Land Use Law Section Executive Council
- American Institute of Certified Planners (AICP)
- City of Boca Raton Environmental Advisory Board, 1994-2000
- Vice President and Board of Directors, Citizens for a Scenic Florida
- Mezzo-Soprano, Master Chorale of South Florida/Florida Philharmonic Orchestra
- The City of Boca Raton Environmental Advisory Board, 1994 - 2000

Reported Cases

- *Restigouche v. Town of Jupiter*, 845 F. Supp. 1540 (S.D. Fla. 1993)
- *Schumacher v. Town of Jupiter*, 643 So. 2d 8 (Fla. 4th DCA 1994)
- *Section 28 Partnership, Ltd. v. Martin County*, 676 So. 2d 532 (Fla. 4th DCA 1996)
- *Woodrow Kantner, Trustee, Carolyn Weaver & YMCA v. Martin County*, 929 F. Supp. 1482 (S.D. Fla. 1993)
- *Town of Jupiter v. Michele Alexander*, 747 So. 2d 395 (Fla. 4th DCA 1998)
- *MediaNet of South Florida, Inc. v. City of Miramar*, Case No. 03cv61689 (S.D. Fla. 2002)
- *Florida Outdoor Advertising, LLC v. City of Boca Raton*, 266 F. Supp. 2d 1376 (S.D. Fla. 2003)
- *Renaissance Charter School, Inc. v. Department of Community Affairs and School Board of Miami-Dade County*, Case No. 1D09-2065 (Fla. 1st DCA 2010)
- *Seay Outdoor Advertising, Inc. v. City of Mary Esther, Florida*, 397 F.3d 943 (11th Cir. 2005) (amicus brief for Citizens for a Scenic Florida)



- *City Of Weston, Florida; Village Of Key Biscayne, Florida; Town Of Cutler Bay, Florida; Lee County, Florida; City Of Deerfield Beach, Florida; City Of Miami Gardens, Florida; City Of Fruitland Park, Florida; City Of Parkland, Florida; City Of Homestead, Florida; Cooper City, Florida; City Of Pompano Beach, Florida; City Of North Miami, Florida; Village Of Palmetto Bay, Florida; City Of Coral Gables, Florida; City Of Pembroke Pines, Florida; Broward County, Florida; Levy County, Florida; St. Lucie County, Florida; Islamorada, Village Of Islands, Florida; And Town Of Lauderdale-By-The-Sea, Florida, v. The Honorable Charlie Crist, Governor Of The State Of Florida; The Honorable Kurt S. Browning, Secretary Of State, State Of Florida; The Honorable Jeff Atwater, President Of The Senate, State Of Florida; The Honorable Larry Cretul, Speaker Of The House, State Of Florida, Case No. 2009 CA 2639 (2nd Judicial Circuit, Fla. 2010)*
- *Outdoor Media Group, Inc., and Chance Outdoor, LLC, v. City Of Beaumont, California, Case No. No. 10-56081 (9th Cir. 2011) (amicus brief for Citizens for a Scenic Florida)*
- *Atwater v. City of Weston*, 64 So. 3d 701 (Fla. 1st DCA 2011)
- *Reed v. Town of Gilbert*, 135 S.Ct. 884, 190 L.Ed.2d 701, 83 USLW 3365, 2015 WL 2473374 (June 18, 2015) (co-authored amicus brief for American Planning Association)

Awards and Recognitions

- "MDCLC President's Municipal Service Award", *MDCLC*, 4/13/2017
- "Super Lawyers", *Super Lawyers* 2015 - 2018
- AV Rated
- Avvo Rating "10.0"
- "Florida SuperLawyer," *Florida SuperLawyers*, 2010-present
- Legal Elite
- Burns Fellowship in Development Planning
- Cited with favor by Florida's First District Court of Appeals in *M&H Profit, Inc. v. City of Panama City*, 28 So.3d 71 (Fla. 1st DCA 2009) for article on Harris Act:
<https://www.floridabar.org/divcom/jn/jnjournal01.nsf/Author/29DBBCF7355AE81F85256.EC20049ADD1>.

Press Mentions

- "Local regulations mixed bag for pot dispensaries" *News Service of Florida* 8/2/2016
- "The Fallout from the Supreme Court's Sign Ordinance Ruling" *The National Law Journal* 8/14/15
- "With Ruling, It's Time to Revisit Municipal Sign Ordinances," *Daily Business Review*, 7/2/15
- "Old Liens May Still Haunt in Zombie Forclosures," *Daily Business Review*, 11/4/14
- "Municipalities Have Much to Address with Digital Billboards," *Daily Business Review*, 1/3/13
- "House Passes Growth-Management SB360 Do-Over Bills," *Florida Tribune*, 3/16/11
- "The Next Generation of Florida's Growth Management," *The Miami Herald*, 7/25/11
- "Growth Law Challenge Leads to Recommendation to Clarify 'Unfunded Mandates'," *The Current*, 9/16/11
- "Signs of the Times: New Frontier," *Florida Trend*, December 2011



WEISS SEROTA HELFMAN
COLE & BIERMAN
AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW



James E. White

James works with the Firm's Municipal Planning and Land Use Group focusing in the areas of land use and zoning, comprehensive planning, general municipal, administrative and constitutional law. In addition to his law degree, James has a master's degree in Urban and Regional Planning from the University of New Orleans. He is Board Certified by The Florida Bar in City, County and Local Government Law.

Partner
jwhite@wsh-law.com

200 E. Broward Blvd.
Suite 1900
Fort Lauderdale, Florida 33301
P: (954) 763-4242
F: (954) 764 7770

Practice Areas

- Administrative and Regulatory Law
- Code Enforcement
- Constitutional Law
- Land Use and Zoning (Public)
- Land Use and Zoning Group (Public)
- Special Counsel to Local Government
- Special Districts

Bar Admissions

- Florida, 2003

Education

- Michigan State University
JD, 2003
- University of New Orleans
Masters of Urban and Regional Planning,
with honors, 1998
BGS, 1995

He has extensive experience in negotiating and drafting development agreements, affordable and workforce housing agreements; concurrency-related proportionate share agreements; public-private partnerships agreements; and the drafting of various municipal ordinances related to land development regulations and First Amendment issues; military compatibility; the Florida Right to Farm Act; Areas of Critical State Concern; urban infill and adaptive reuse projects; and historic preservation matters.

James also has extensive experience in representing firm clients in quasi-judicial proceedings, administrative proceedings, land use litigation, as well as claims under the Bert J. Harris, Jr., Private Property Rights Protection Act.

Additionally, his experience includes advising clients on local government public records and meetings laws. James serves as legal counsel to various local government committees, boards and legislative bodies. He also appears before the Florida Governor and Cabinet, Cabinet Aides, Division of Administrative Hearings, State agencies and local government bodies on a broad range of land use issues.

Prior to practicing law, James served as both a private land use consultant and municipal planning director. He is certified by the American Institute of Certified Planners (AICP) and lectures throughout the State on various planning, zoning, and land use matters.

Professional Associations

- State and Local Government Section of the American Bar Association
- City, County and Local Government Law Section of The Florida Bar
- Environmental and Land Use Law Section of The Florida Bar
- American Institute of Certified Planners
- American Planning Association
- Legislative Policy Committee Member for Broward County Section, Florida Chapter of the American Planning Association

Memberships

- Member, National Trust for Historic Preservation
- Executive Board Member, Broward Trust for Historic Preservation

Presentations

- "2012 Legislative Session Update," legislative workshop presented for the Broward Section of the Florida American Planning Association (BAPA)
- "Bridging the Attorney-Planner Gap," 2012 American Planning Association (APA) Conference
- "Planning in the Courts," Florida American Planning Association's (FAPA) 2012 Public Policy Workshop
- *Land Use Law Update: What's New in Land Use and Local Regulatory Strategies*, presented at the 2011 Florida American Planning Association (APA) Conference
- *The Future of DCA and Pending Growth Management Changes for 2011*, legislative workshop presented for the Broward Section of the Florida American Planning Association (APA)
- 2010 Fall Semester and 2011 Spring Semester, Florida Atlantic University (FAU) guest lecturer on Florida Growth Management Law for students in

urban planning program

- "Florida Right To Farm Act: Sword or Shield," 2009 Florida American Planning Association (APA) Conference
- "Affordable Housing and Sustainable Communities: An Affordable Housing Ordinance From Start to Finish," 2008 Florida American Planning Association (APA) Conference
- *The Florida Right to Medical Marijuana Initiative-Constitutional Amendment 2*, presented at the 2015 Florida APA Public Policy Workshop
- *Planning for Medical Marijuana: Is Florida Ready*, presented at the 2014 Florida Planning & Zoning Association (FPZA) Conference
- *Cannabusiness: Planning For Medical Marijuana In Florida*, presented at the 2014 Florida American Planning Association (FAPA) Conference
- *Land Use Entitlement And Legal Issues*, presented at the 2014 University of South Florida Certificate Program In Community Real Estate Development
- *Reforming Florida's Code Of Ethics For Public Officers And Employees: What Was (And Was Not) Achieved*, presented at the 2013 South Florida Seventh Annual Ethics Seminar
- *Florida 2013 Legislative Session Summary*, presented at the 2013 Legislative Workshop for the Broward Section of the Florida American Planning Association (BAPA)

Press Mentions

- "News and Notes," *The Florida Bar News*, 7/15/13
- "2013 Legislative Update," *Planner's Perspective*, Second Quarter 2013
- "News and Notes," *The Florida Bar News*, 12/14/12
- "Talk of the Town," *Attorney at Law Magazine*, 11/20/12
- "News and Notes," *The Florida Bar News*, 11/1/12
- "People," *Daily Business Review*, 9/19/12
- "People on the Move," *South Florida Business Journal*, 9/17/12
- "Legal Review," *Daily Business Review*, 1/19/12
- "Weiss Serota Promotes Attorney," *Miami Today*, 1/19/12
- "People on the Move," *South Florida Business Journal*, 1/27/12

Certifications and Specialities

- The Florida Bar Board Certified, City, County and Local Government Law



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TO REORDER CALL 954-846-9399

Statement of Malpractice Claims / Bar Complaints

Listed below are a summary of the malpractice claims and/or bar complaints taken about the Firm and/or its attorneys during the last five years:

Lawsuits

1. *George Pierson, William Mantesta vs. Weiss Serota Helfman Cole & Bierman, P. L. and Jamie Cole*; Broward County, Florida Case No. 16-011927. This case concerned an allegation that the Firm improperly represented both the City of Miramar and several of its former police officers in an action brought by an individual for false arrest. After discovery, the plaintiff determined that the case was not viable and it was settled by the Firm's insurance company for a small amount. In connection with the settlement, the plaintiffs agreed that, based on discovery, there did not appear to be any evidence that the Firm's representation constituted a conflict of interest or that its representation fell below the applicable standard of care.
2. *Dr. James Eric McDonough, Individually and in his capacity as an investigative journalist for photographyisnotacrime.com vs. Eric Stettin, individually and in his capacity as attorney for the City of Homestead; Samuel Zeskind, individually and in his capacity as attorney for the City of Homestead; Weiss Serota Helfman Cole & Bierman, a Corporation in the State of Florida; and the City of Homestead, a Florida Municipal corporation collectively*; Miami-Dade County Case No. 17- 17151CA01. In this case, plaintiff asserted that the City of Homestead's specific responses to nine of his over one hundred records requests purportedly violated Chapter 119, the Public Records Law and that various City employees (including City Manager Gretsas, Police Chief Rolle And City Clerk Sewell) and our Firm (including two of its attorneys, Sam Zeskind and Eric Stettin) violated the Miami-Dade County Charter by allegedly making misrepresentations. On May 21, 2018, the Complaint against the Firm and its attorneys was dismissed with prejudice in its entirety.
3. *Raul Pedraza vs. Lawrence Slade & Weiss Serota Helfman*; Superior Court of California case # BC 722353. Complaint for damages arising from one of our attorneys referring Mr. Pedraza's California matter to a California Attorney who appears to have missed deadlines. On February 8, 2019, the Complaint was served on the Firm.

Bar Complaints

1. Barbara Sheheen against Stephen Helfman; Florida Bar File 2019-70,394 (11B) filed December 27, 2018. Disposition: Mr. Helfman replied to the complaint on February 14, 2019, and we fully expect the complaint to be dismissed. The complaint is currently pending before the Florida Bar.

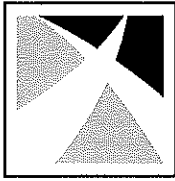
2. Regina L. Dayton against Alan Gabriel; Florida Bar File 2019-50,172 (171). Disposition: On February 6, 2019, the Florida Bar ruled there was no evidence attorney Gabriel violated any rules and they closed their file.
3. Isalmis Olivera against Edward Guedes; RFA# 19-8269. Disposition: On January 4, 2019, the Florida Bar dismissed the complaint.
4. Michael Serao against Eduardo Soto; Florida Bar File 2017-70,439 (11M) Disposition: On June 1, 2017, the Florida Bar dismissed the complaint.
5. Thomas O. Wells against Michael John Kurzman; Florida Bar File 2017-50,274 (17D); Disposition: On May 12, 2017, the Florida Bar dismissed the complaint.
6. Melanie Weit against Eric Lawrence Stettin; Florida Bar File 2016-50,440(17D) Disposition: On March 2, 2016, the Florida Bar dismissed the complaint.
7. Roberto Jeudine against Eric Lawrence Stettin; Florida Bar File 2015-51,184(17D); Disposition: On September 16, 2015, the Florida Bar dismissed the complaint.
8. Patrick A. Neptune against Laura Keats Wendell; Florida Bar File 14-17520. Disposition: On April 16, 2014, the Florida Bar dismissed the complaint.



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WEISS SEROTA HELFMAN COLE & BIERMAN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

BRETT J. SCHNEIDER, ESQ.
BSCHNEIDER@WSH-LAW.COM

May 28, 2019

VIA E-MAIL (jtitcomb@loxahatcheegrovesfl.gov)

James S. Titcomb
Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

Re: Retainer Agreement

Dear Mr. Titcomb:

We are pleased that the Town of Loxahatchee Groves (the "Town") has decided to engage this Firm to serve as interim Town Attorney for the Town. We apologize in advance for the formality of this letter, but it is our Firm's policy to enter into a written retainer agreement with new clients. From our experience, we have found that clients appreciate a frank and open discussion and understanding of the services that we will perform and the basis upon which they will be expected to pay for those services. This letter is intended to set forth our understanding as to the nature and scope of the legal services we have agreed to render for the Town, the amount of our fees for those services, the manner in which our fees for those services shall be determined and the terms upon which the Town will make payment.

1. Nature of Legal Services. The Town has engaged us to serve as interim Town Attorney for the Town.

2. Fees for Services. With regard to the fees and costs incurred for our services, the Town will be charged and agree to pay for our services on the basis of our discounted hourly rates. The Firm will charge a rate of \$250 an hour for all attorney time. It is our practice to charge for actual time expended on your behalf, but not less than 2/10ths of an hour for each activity. Our rates will increase by two percent (2%) on October 1 of each year, unless we agree in writing to waive such increase in any given year.

3. Costs. In addition to the attorneys' fees discussed in paragraph 2, certain routine expenses will be incurred on your behalf ("Routine Expenses"). Routine Expenses include photocopying charges, fax charges, postage, long distance telephone calls, computerized research charges, tolls, courier charges and express mail charges, filing fees, recording costs, out-of-Town travel expenses, court reporter costs (including the costs of transcripts and court reporter's fee for attendance), court costs (such as filing fees, service of process, subpoena costs, witness fees, etc.), mediator fees, accounting and appraisal fees, expert fees and expenses, trial/hearing exhibit costs and investigation costs (if any), will be itemized and billed to you.

4. Payment of Fees and Costs. Our invoices will be submitted to the Town on a monthly basis and each invoice will be due and payable when rendered. The Town must understand that if any invoice remains unpaid for more than 30 days after it is rendered, we reserve the right, in our discretion (subject to court approval, if necessary), to cease to provide further legal services to the Town. The Town will, however, be liable to us for the payment of any fees earned and any costs incurred by us to that time, together with any applicable taxes. In the event we are ultimately required to bring suit to collect any undisputed unpaid fees and costs, the Town understands that it will be required to pay reasonable attorneys' fees as well as legal interest on the amount of any fees and costs due us. The Town further understands that we have the right to retain any and all files, papers and other property coming into our possession in connection with our engagement without any liability to the Town until we have been paid all costs, fees and interest due us under this agreement. Interest at the rate of 12% per annum will be added to any invoice which remains unpaid for more than 30 days after it is rendered.

5. Withdrawal from Representation. We reserve the right to withdraw from representing the Town if it misrepresents or fails to disclose material facts to us, or if we disagree about the course of action which should be pursued.

6. Advance Fees and Costs Deposit. In order to retain services of this Firm, we customarily require a retainer fee; however, we are waiving this requirement for this representation.

7. Disputes. Any dispute arising from this Agreement shall be resolved through final and binding arbitration in Palm Beach County, Florida and the Agreement shall be governed by Florida law.



8. Representation of Other Clients. We are bound by rules of legal ethics not to represent any client if the representation of that client will be directly adverse to the interests of another client unless each such client consents to such representation after consultation. If this letter is addressed to more than one person, your signature of this letter will constitute such consent from each of you with respect to the matter or matters specifically described in the paragraph of this letter entitled "Nature of Legal Services."

9. Fees for Other Services. In the event the Town asks us to render legal services with respect to other matters, in the absence of a written agreement specifically addressing that representation, the other matters will be handled on an hourly basis, and fees and costs will be payable under the same terms and conditions as provided for in paragraph 2 of this letter.

10. Commencement of Representation. If the foregoing is agreeable to you, please acknowledge your understanding and agreement by signing this letter and forwarding it back to me.

We appreciate your confidence in our Firm and assure you that we will make every effort to perform our services in a prompt and efficient manner. If you have any questions or comments concerning this engagement letter, please let me know. Otherwise, please indicate your agreement with the foregoing by signing this engagement letter and returning it to me.

Very truly yours,
WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.

Brett J. Schneider

AGREED AND ACCEPTED on this _____ day of May, 2019.

Town of Loxahatchee Groves

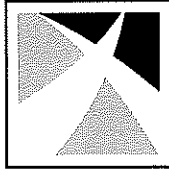
By: _____
James S. Titcomb, Town Manager



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TO REORDER CALL 954-846-9399



WEISS SEROTA HELFMAN COLE & BIERMANN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

BRETT J. SCHNEIDER
bschneider@wsh-law.com

May 20, 2019

VIA HAND DELIVERY

James S. Titcomb, Town Manager
Town of Loxahatchee Groves
155 F Road
Loxahatchee Groves, FL 33470

**Re: Proposed Fee Structure - Request for Letter of Interest for Interim
Municipal Legal Services**

Dear Mr. Titcomb:

Pursuant to Section I(C)(4)(c) of the Town of Loxahatchee Groves' (the "Town") Request for Letter of Interest for Interim Municipal Legal Services (the "RFI"), please accept this Proposed Fee Structure on behalf of the law firm of Weiss Serota Helfman Cole & Bierman, P.L. (the "Firm").

Proposed Fee Structure: Weiss Serota Helfman Cole & Bierman, P.L.

We propose a blended hourly rate of \$250.00 per hour for all attorney time. We believe that we can perform the Town's legal work remotely from the Firm's Palm Beach Office in Boca Raton. However, when the Town requests that one of our attorneys attend a meeting in the Town, we will not bill for attorney travel time.

In addition to our fees, we would bill the Town for our costs associated with representation of the Town, including but not limited to, recording costs, court reporter costs (including the costs of transcripts and the court reporter's fee for attendance), court costs (including filing fees, service of process, subpoena costs, witness fees, etc.), mediator fees, accounting and appraisal fees, expert fees and expenses, trial/hearing exhibit costs, investigation costs, and charges for photocopying, faxes and postage.

Should the Town wish to consider an alternative fee arrangement, such as a fixed monthly retainer for general municipal law services, the Firm is willing to negotiate such an arrangement with the Town.

James S. Titcomb – Town Manager
Town of Loxahatchee Groves
May 20, 2019
Page 2 of 2

Please do not hesitate to contact me at (561) 835-2111 or via email at bschneider@wsh-law.com regarding any questions or concerns you may have with respect to the Firm's proposed Fee Structure.

Very truly yours,



Brett J. Schneider



WEISS SEROTA HELFMAN
COLTON & BIERMAN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW