

CHARTER REVIEW SUBCOMMITTEE MEETING
OCTOBER 21, 2011

CHARTER SUBCOMMITTEE: Larry Strickler, Chairman
Robert McMillan
Tom Boyko

ATTENDEES: Deputy Clerk Eva Roach

The following is a non-verbatim transcript of the **CHARTER REVIEW SUBCOMMITTEE MEETING**, held at 9:08 a.m., on Friday, October 21, 2011, in Room 3024 of the Seminole County Services Building at Sanford, Florida.

The meeting was called to order by Subcommittee Chairman Larry Strickler who advised the meeting was called in order to develop a short list of attorneys.

Robert McMillan stated he would like to see the survey that he asked for after the first meeting. He stated he submitted an e-mail requesting that the County Attorney's office conduct a survey by contacting the other Charter counties to see what attorneys they used so the CRC can get a sense of someone who does it often and not just those who used a local person that didn't have the expertise. He said Attorney Owen Watts is a person that has the expertise as well as Attorney Paul Googleman. The purpose of the survey is to see if there are names that show up multiple times so the CRC would know that they actually do this regularly. The subcommittee may need to make a formal request that that information be gathered. The subcommittee can also request a copy of the last CRC standard contract, as well as a copy of the contract for the attorney that was hired by the CRC to defend the charter amendments.

Mr. McMillan stated Mr. Coover is concerned about hiring attorneys outside the local area; but he doesn't know that they

ever allowed them to charge for the time they spent in travel. The attorney could charge for the cost of mileage. He stated when they obtain the list, they will have an idea of who they want to narrow it down to. He added he believes there are people who were not on that list that do this regularly.

Tom Boyko stated he wants someone who is aggressive and knowledgeable. He stated he doesn't want an attorney that charges for the time they talk on the phone or write something on paper. The CRC may choose someone that is with a firm and a person in that firm may be associated with someone in the County and he doesn't want that as well.

Mr. McMillan stated there are actual conflicts and there are what he calls philosophical conflicts. He gave an example of cases that weren't tied to the compensation for the property owner, but it was tied to the amount the attorney gets for attorney fees. He stated he prefers to have people that have no conflict with a board or the community.

Upon inquiry by Mr. Boyko, Chairman Strickler advised the list came from the County Attorney's office.

Mr. McMillan stated he sent an e-mail asking where the list come from and how it was developed and he didn't get a response.

Mr. Boyko stated the question was never asked if they have any connections with anything in the County that will disqualify them. The CRC will then have to find that out after they appoint an attorney.

Chairman Strickler stated the survey could include a statement to that effect.

Mr. McMillan stated they could contact the Charter counties to see who their Charter counsel was during each time their CRC met over the last ten years and who represented them.

Chairman Strickler stated he feels that request should go to the County Manager's office.

Mr. McMillan stated the point is there may be two or three that appear multiple times in counties throughout the state and the subcommittee can ask them if they are interested to submit their qualifications. That way, the subcommittee has a mechanism for narrowing the selection that is fact based. He stated the subcommittee can meet in two weeks after they receive the results of the survey in addition to the standard contracts, and then decide how to go from there.

Chairman Strickler stated even if they discuss the attorneys today, they still will not know the background of the firms. It is a beginning point to get a list.

Mr. McMillan stated the subcommittee can review the list and then decide where to go from there.

Mr. Boyko stated he reviewed the list that they have and he found that two people have the experience and the rest of them did not mention anything about charter. He stated Susan Churuti's resume, from the law firm of Bryant Miller Olive, indicates that she has experience in State and U.S. Constitutional law, legislation, charters, eminent domain, elections, risk management, public construction and public finance.

Mr. McMillan stated she was the County Attorney in Pinellas County.

Mr. Boyko stated Attorney Thomas Drage, from the same law firm, used to be in the House of Representatives and he may know what buttons to push or what information to obtain. He stated he would hate to obtain an attorney who is not up to date with legislation that is taking place.

Mr. McMillan left the meeting at this time.

Chairman Strickler stated the CRC should be aware of pending legislation and not just something that has been passed. The Legislature is starting committee meetings because they are going to have earlier sessions in Tallahassee starting in January.

Chairman Strickler recommended that they identify two or three existing names that they want to have on the list and add to the list they receive from the counties, and use that as their pool to start developing a short list.

Mr. McMillan reentered the meeting at this time.

Mr. Boyko stated he feels that they should obtain someone located outside the area.

Chairman Strickler stated there are two things that will increase a probability of a direct conflict of interest and they are the size of the firm and the proximity to this County.

Mr. McMillan stated rather than discussing the merits of the people, he recommended that they obtain the information of the survey first. He stated he is looking for someone that does not have a general background.

Chairman Strickler stated he will ask the County Manager's office to contact the other County Managers to solicit information of what attorneys their CRC's used for charter purposes. He stated at the same time, the subcommittee can peruse this if they want to and then identify a couple of people. If, for some reason, the subcommittee individually identifies two or three people that they feel should be in the mix, they can add them when they get the other big list.

Mr. Boyko stated once they do have someone, they need to make sure that he/she is available to come as they need them.

He stated the person chosen will be asked if he/she has a problem with not being paid for transportation time, and that will be included in the contract.

Mr. McMillan requested that the next meeting be scheduled in two weeks at the same time and same place.

Chairman Strickler stated the next subcommittee meeting will tentatively be scheduled on November 4, 2011 at 9:00 a.m.

Upon inquiry by Mr. Boyko, Chairman Strickler advised the attorneys will not be a major issue for the next meeting. He stated the next meeting will be the public hearing to obtain public input.

Mr. McMillan stated the issues that will probably be brought up are ethics, salaries, and caps on revenue, spending or growth.

Chairman Strickler adjourned the meeting at 9:34 a.m.