

**MINUTES OF THE
SPECIAL CITY COMMISSION MEETING
CITY OF EUSTIS, FLORIDA
JANUARY 24, 2008 at 4:24 p.m.**

**THIS MEETING OF THE EUSTIS CITY COMMISSION WAS HELD AT 10 NORTH GROVE STREET, EUSTIS,
WITH MAYOR EVELYN H. SMITH PRESIDING.**

Mayor Smith acknowledged a quorum was present with all Commissioners seated and confirmed proper notice had been given.

OTHERS PRESENT:

Steve Benetz, Senior Director Leisure Services/Library Director	Rich Hoon, Executive Assistant to the City Manager
Paul A. Berg, City Manager	Ann Isaacs, Director of Human Resources
Fred Cobb, Senior Director of Public Safety/Police Chief	Jim R. Myers, Jr., Finance Director
John Futch, Director of Public Works	Judy Roberts, City Clerk

I. Opening Remarks – Paul Berg

Mr. Berg stated that the eight (8) applicant firms were present and will each be given an opportunity to speak. At the end of the presentations, the Commission will narrow down the choices to three (3) firms for further review. At the January 31, 2008 – Special City Commission Meeting, the finalist will provide a more formal presentation and the Commissioners will ask questions. At this meeting, a final decision will be made and contract negotiation can begin

II. Review Statements of Qualifications

Derek A. Schroth - Bowen Radson Schroth, P.A.

- Legal career began in Eustis, currently works in Eustis.
- Practice primarily focuses on government law and litigation.
- Member of the Middle District Federal Court, and has litigated several cases at the federal court level.
- Firm has experience with circuit court litigation, zoning matters, and appealing government decisions.
- Currently attorney for the Town of Lady Lake (will be meeting on Mondays).
- Would like to be Eustis' City Attorney because of the great opportunity, there has been a lot of changes, and it is an exciting place to be.

Daniel (Dan) W. Langley – Fishback Dominick, P.A.

- Very old law firm (established 1935).
- Firm is AV rated which is the highest standard in quality, competency and ethics.
- Has been practicing municipal law for five (5) years.
- Assistant City Attorney for the City of DeBary and the City of Winter Garden.
- Extensive experienced in all facets of municipal law (real estate development, Comp Plans, rezoning, variances, special exceptions, interlocal agreements).

- Would like to be Eustis' City Attorney because he enjoys practicing law, and has sufficient partners in the firm to cover any unforeseen issues.

James A. (Skip) Fowler – Fowler & O'Quinn, P.A.

- Firm almost exclusively represents cities.
- Over 30 years experience.
- Been with City of Altamonte Springs for 25 years. Also City Attorney for Cocoa Beach and Dunnellon.
- Firm does not represent developers.
- Extensive experience in environmental, land use, and water work.
- Ms. Barice and Ms. Sneed are certified Masters for Code Enforcement actions.
- Ms. Vouis does litigation in the land use areas and in condemnation.
- Would like to be Eustis' City Attorney because they represent governments. It is the kind of work they do and the kind of work he likes to do. It is why he works. Their interest is in municipal affairs/ local government affairs. They have a substantial depth of experience.

Timothy (Tim) P. Hoban, P.A.

- Former Senior Assistant Attorney for Lake County.
- Aided Lake County in implementing smart growth goals.
- Local attorney.
- Would focus on Eustis, solely.

D. Andrew (Drew) Smith, III – Langston, Hess, Bolton, Shepard & Augustine, P.A.

- Would like to be Eustis' City Attorney because he enjoys municipal law, and Eustis fits in well with his other clients.
- Represents five (5) other cities of similar size.
- Familiar with Lake County.

Mark A. Brionez – McLin & Burnsed, P.A.

- No representation

Jason E. Merritt – Shuffield, Lowman, & Wilson, P.A.

- Handed out copies of his firms packet.
- Previously represented the cities of Eustis, Minneola and Fruitland Park with Stone & Gerken, as the Assistant City Attorney.
- Also served as Attorney for Howey-in-the-Hills until 2006 (almost four years).
- February 2004 moved to his current firm. His practice primarily consists of a transactional real estate practice with some land use focus. He has had to continue to be aware of local government issues and municipal issues.
- Firm has a broad range of disciplines (public finance, litigation, corporate, tax and estate planning). He would not anticipate the need to go outside the firm for any issue involving the City of Eustis.

- Would like to be Eustis' City Attorney because Eustis and Lake County are his home (since 1981). Eustis is where he wants to raise his kids and put down roots. He would like to help serve and assist the Commission in crafting the future of Eustis. He enjoyed doing municipal work - the team work approach, the ability to work closely with Staff and the Commission, to achieve a positive result. To be able to shape and mold the character/future of the community is a once in a lifetime chance.

Lionel E. Rubio – Winderweedle, Haines, Ward, & Woodman, P.A.

- Fees are negotiable.
- Would like to be Eustis' City Attorney because it is enjoyable work, and he likes the variety of issues that can arise.
- Practiced municipal law for approximately ten (10) years.
- Firm represents several governmental entities (St. Johns River Water Management District, etc.).
- Personally served as Assistant City Attorney for the City of DeBary, City of Belle Isle, City of Winter Garden (and as City Attorney), and City of Winter Park and its Redevelopment Agency.

Mayor Smith suggested taking a recess so the Commissioners could consider their selections.

Mr. Berg recommended a tally be taken after the Commissioners selected their top three (3) or four (4) firms.

5:03 p.m. - BREAK

5:12 p.m. - RECONVENE

Commissioners' Votes (in no particular order)

Vice-Mayor Ales: Bowen Radson Schroth; Fowler & O'Quinn; Shuffield Lowman.

Commissioner Hale: Shuffield Lowman; Bowen Radson Schroth; Timothy Hoban; Fishback Dominick.

Commissioner Rotella: Bowen Radson Schroth; Fowler & O'Quinn; Fishback Dominick.

Commissioner LeHeup-Smith: Bowen Radson Schroth; Fowler & O'Quinn; Shuffield Lowman.

Mayor Smith: Bowen Radson Schroth; Fowler & O'Quinn; Shuffield Lowman; Winderweedle, Haines, Ward & Woodman.

Mr. Berg read the tallies: Bowen Radson Schroth – 5 votes; Fishback Dominick – 2 votes; Fowler & O’Quinn – 4 votes; Tim Hoban – 1 vote; Langston, Hess, Bolton, Shepard & Augustine – 0 votes; McLin & Burnsed – 0 votes; Shuffield Lowman – 4 votes; Winderweedle, Haines, Ward, and Woodman – 1 vote. The finalist will be Bowen Radson Schroth, Fowler & O’Quinn and Shuffield Lowman.

Commissioner Hale commented that she has concerns with an attorney being as far away as Orlando. Someone local would be much more accessible.

Commissioner Rotella noted that proximity to Eustis, availability and roots in Eustis and length of municipal experience were factors in his decision.


**III. Screening/Selection of City Attorney
(Possible Special Meeting on January 31, 2008 at 4:15 p.m. if needed)**

Mayor Smith thanked all of the applicants for coming. She verified that the next meeting will be January 31, 2008 at 4:15 p.m.

Mr. Berg stated that he would be checking references on the three (3) finalists. He asked the Commissioners to provide questions that they would like to ask of the finalists. As a first order of business at the January 31st meeting, they could confirm which questions they would like to ask.

Commissioner Ales expressed his appreciation for each candidate being present at the meeting.

ADJOURNMENT: 5:20 p.m.



JUDY ROBERTS, CMC
City Clerk



EVELYN H. SMITH
Mayor/Commissioner