

MEMORANDUM

COLIN BAENZIGER & ASSOCIATES

TO: Mayor and City Council
Fort Pierce, FL

FROM: Colin Baenziger

DATE: November 19, 2018

RE: City Attorney Search Update: Recommended Candidates

The following is a summary of the ten candidates that we are recommending the City consider to be its next City Attorney. We believe all the candidates are very strong and that any one of them would do an excellent job for Fort Pierce. Brief summaries of their credentials follow.

The Recommended Candidates

- **John J. Anastasio:** Mr. Anastasio has had a private law practice in the Treasure Coast community since 1989. His leadership style is that of a servant leader. He believes that the Marine Corps sums it best with its philosophy of “officers eat last” and “lead from the front”. A leader exists not for themselves but to make their team better. One of his successes involved a review of a multi-million-dollar settlement for a minor who had burns over 90 percent of his body from a large commercial plane crash. Mr. Anastasio spent three days reviewing boxes upon boxes of records and was able to reduce the attorney fees by \$250,000 for the young man. Also he recently challenged the validity of the decades old public records retention system of the State of Florida. The Attorney’ General’s office admitted that it was invalid which required the entire system to be re-evaluated. That involved public hearings across the state and the later adoption of valid retention schedules. The twin philosophies of “question everything” and “think outside the box” brought that tremendous litigation victory. Mr. Anastasio has a Bachelor in Government and a Juris Doctor from Seton Hall University. He also completed coursework towards a Masters in Public Administration but discontinued the program to attend law school.
- **Lysia H. Bowling:** Ms. Bowling has been the City Attorney for Pensacola, FL (population 52,590) since 2015. Prior to this she was the City Attorney for San Angelo, TX (population 99,803), for six years and the Assistant City Attorney for Miami, FL (population 416,577), for two years. She has always been regarded as a team player and an integral part of the management. Her goal is to contribute to the success of the management team. She ensures that the office never turns inward or works in isolation and she collaborates with other members of the organization. She has been fortunate to work closely and collaborate with many leaders and professionals from diverse governmental arenas to benefit operations and to improve customer service. To that end, she has successfully proposed and instituted a variety of mechanisms to streamline enforcement programs and facilitate citizen compliance for the good of the community. Ms. Bowling has a Bachelor in Political Science and Latin American Studies from Yale and a Juris Doctorate from the University of Virginia.

- **Cynthia A. Everett:** Ms. Everett was most recently the City Attorney for the City of Fort Lauderdale, FL (population 180,072), for five years. Prior to that she was the Village Attorney for the Village of Pinecrest, FL (population 19,201), for fourteen years. She has a collegial, flexible style of management as she believes that no one style is appropriate for all situations. Employees have different backgrounds and experiences, and those factors must be taken into account. Throughout her legal career she has achieved several “firsts” and had other notable accomplishments. She was the first black, woman division chief in the Miami-Dade State’s Attorney’s Office, the first black woman to serve as the municipal attorney for the Village of Pinecrest (serving there for 13 years), and the first black lawyer and first woman lawyer to serve as the city attorney for the City of Fort Lauderdale. She has had the honor of successfully arguing before the Florida Supreme Court and being elected to The Florida Bar Board of Governors. However, she feels that her greatest achievement to date is being a role model and inspiration to others. Throughout her legal career, students, lawyers, non-lawyers and staff have told her how they admire her leadership, professionalism and career guidance to them over the years. Ms. Everett has a Bachelor in Government from the Florida State University and a Juris Doctor from the George Washington University.
- **Susan M. Garrett:** Ms. Garrett has been with the City of Atlanta, GA (population 486,290), since 2012 and she has been the Deputy City Attorney since August of 2018. Prior to this she was the Assistant City Attorney for East Point, GA (population 35,433), for three years. She also served as the Chief Procurement Officer (CPO) for the City of Atlanta on an interim basis for fourteen months. Ms. Garrett’s management style is collaborative and collegial but not laissez-faire. She assumes full responsibility for setting goals, making decisions, and giving direction in a clear and timely manner. After doing so, she endeavors to step back and allow staff to perform their roles with an appropriate level of autonomy, with advice and oversight from her, but without needless micromanaging. Her greatest achievement in recent years was her tenure Interim CPO (on loan from the Law Department). The Procurement Department was in turmoil after the prior CPO was terminated after being implicated in a federal bribery investigation. It was her first experience leading a large organization and holding a cabinet level position in the City administration. She quickly restored staff morale and improved productivity. She left the department far better than she had found it - running more smoothly and happily than it had in years. Ms. Garrett has a Bachelor in French from McGill University and a Juris Doctor from the Emory University School of Law.
- **Abigail F. Jorandby:** Ms. Jorandby has been the Assistant General Counsel with the Lohman Law Group since 2014, and prior to that, she was the Assistant General Counsel with Corbett White & Davis for five years. Both are well respected firms providing legal counsel to local governments. Earlier in her career, she was an Estates and Trust Associate with the Keane Law Firm for one year, and the Assistant State Attorney for seven years. Her management style is clear, direct and goal-oriented. She likes to set forth the parameters of the project and determine the role that each person will take in order to complete the project. One of her greatest achievements was working with a severely disabled witness in a criminal trial. She was the Felony Prosecutor and the young man, an essential witness to the case, was about twenty years old but had an understanding of an eight-year-old. She worked closely with the witness to prepare him for trial, which included bringing him to the courtroom the day before the trial to see the environment and become familiar with the

surroundings. She was able to qualify him as a witness and his testimony resulted in the defendant pleading guilty before the jury could even deliberate. The witness was very proud of his contribution. Ms. Jorandby has a Bachelor in Spanish from the Florida Atlantic University, a Master in Elder Law from Stetson University, and a Juris Doctor from the University of Florida.

- **Harlene S. Kennedy:** Ms. Kennedy has been the Senior Assistant General Counsel for the Dallas Area Rapid Transit (DART) since 2013. Prior to this she was Of Counsel for Weiss Serota Helfman for six years and an Assistant City Attorney for the City of San Antonio (population 1,318,000) for eight years. Ms. Kennedy uses a collaborative approach whenever possible and gives credit whenever it is due. She enjoys having an open door and using an unstructured approach whenever possible. She uses an informal demeanor unless circumstances dictate otherwise. A lack of formality and plain friendliness puts people and the public at ease. She is particularly proud of a transaction for DART that will result in interactive Wi-Fi kiosks being placed throughout north Texas. That will provide public transit passengers multiple features that are currently unavailable and should increase ridership as well as benefit the traveling public. A successful project of this nature provides her with satisfaction in providing outstanding public service. Ms. Kennedy has a Bachelor in English from the University of Miami and a Juris Doctor from the University of Oklahoma.
- **Iola Mosley:** Ms. Mosley has been the Senior Assistant City Attorney for Fort Pierce, FL (population 45,581), since 2016. Prior to that she worked for the School District of Palm Beach County for eleven years as a Senior Counsel, in the Office of the State Attorney for the 15th Judicial Circuit for three years, as a Public Defender for nine years, in private practice for four years, and briefly for the City of West Palm Beach. Ms. Mosley's management style uses a team approach. A law office functions best when all of the staff are informed and involved. Shared discussion of issues by staff is an excellent way to develop expertise and proficiency while delivering faster and more efficient service. One tool that she is proud of developing is the form for the routing of legal services. The Request for Legal Services from the Office of the City Attorney provides a timeline for the completion of tasks. She has streamlined the process which has allowed the annual accomplishments of the City Attorney's Office to be more efficiently memorialized. She has also created an enhanced training protocol for Boards and Committees in the areas of Open Government Law (Sunshine), Public Records, and Ethics for Public Officers; which she has presented to the City Boards and to individual Board members upon their appointments. She has a Bachelor in Philosophy and a Juris Doctor from Howard University.
- **Gary K. Oldehoff:** Mr. Oldehoff has been a partner with Lewis Stroud & Deutsch since 2007. In this capacity he has represented the Florida League of Cities, the Palm Beach County Sheriff's Office, and several municipalities in Florida. Prior to that he was the Assistant County Attorney for Sarasota County for five years and worked in the Martin County Attorney's for eleven years rising to the level of County Attorney. Mr. Oldehoff's management style is extremely team-based, and includes a close working relationship with the City Manager. Mr. Oldehoff's greatest achievements include assembling a staff in Martin County that rivaled the best local government attorney's offices in the state. He is also very proud of his work representing the Florida League of Cities and the Florida Association of Counties in the Florida Supreme Court and the United States Supreme Court

in the *Stop the Beach Renourishment v. Department of Environmental Protection*. He also played a large part in drafting the Interlocal Service Boundary/Annexation Agreement between Sarasota County and the City of Venice. Mr. Oldehoff earned a Bachelor in History, Political Science, and Anthropology from State University of New York and a Juris Doctor from the University of Virginia School of Law. He has also completed graduate studies in Estate Planning from the University of Miami School of Law.

Peter J. Sweeney: Mr. Sweeney is currently a Deputy City Attorney for the City of Palm Bay, FL (population 111,657), since 2012. Prior to this he was an Associate Attorney for Vocelle & Berg for eight years. Mr. Sweeney's management style is above all respectful. He has managed various personalities including different generations, ethnicities and educational levels and treated each and every one with respect, dignity, and encouragement. He believes in investing in staff members. His greatest achievement is to have been a key member of the transition team of bringing all risk management litigation in-house. He was specifically hired in 2012 to lead the team and defend the city from all tort lawsuit. The entire program hinged on his ability to efficiently and effectively protect the city and it has been an incredible success. Palm Bay has not lost a single tort case during his tenure and he has saved the city million dollars. He has also had the privilege of leading, mentoring and developing the rest of the team which has been just as important to the overall success of the program. Mr. Sweeney has Bachelor Degrees in both Management and Multinational Business, as well as a Juris Doctor from the Florida State University. He is also the only attorney in Florida that is board certified in both City, County & Local Government Law and Construction Law by the Florida Bar.

- **V. Lynn Whitfield:** Ms. Whitfield has been the president of VLW Enterprise since 2016. Prior to this she was the City Attorney for Hallandale Beach, FL (population 39,624), for five years and the City Attorney for North Miami, FL (population 61,062), for five years. She has a teaching management style. It is important that everyone work together as a team. She notes, the Director is only as good as the people who work with and for them. She likes to acknowledge the good work of the staff and help them learn what they might have done better. Her greatest achievement is becoming an attorney at all. She is the first college graduate and the first graduate of a professional school in her family. She suffered a setback early in her career which resulted in a six-month suspension from the Florida Bar. The fact that she was able to rebuild her career, and have a successful one in government, says much about her determination. Ms. Whitfield has a Bachelor in Sociology from Brandeis University and a Juris Doctor from the University of Miami.

Next Steps

I plan to reach out to you over the next few days to discuss the candidates. I will be in Fort Pierce to help you select finalists on November 26th. The finalists will come to Fort Pierce for a tour, public reception and formal interviews on December 6th and 7th with a selection then or shortly thereafter. In the meantime, if you have any questions, please do not hesitate to call me.