

COLIN BAENZIGER & ASSOCIATES

EXECUTIVE RECRUITING

Section 5

Susan M. Garrett

*Fort Pierce City Attorney
Candidate Report*

TABLE OF CONTENTS

	<u>PAGE</u>
COVER LETTER AND RESUME	1
CANDIDATE INTRODUCTION	7
BACKGROUND CHECKS	15
CB&A REFERENCE NOTES	19
INTERNET SEARCH	29

Cover Letter and Resume

Susan M. Garrett
1159 Clydedale Drive
Clarkston, Georgia 30021
(404) 219-2998
susangarrett@mindspring.com

October 17, 2018

Via email to Recruit37@cb-asso.com

Mr. Colin Baenziger
Colin Baenziger & Associates
2055 South Atlantic Avenue
Suite 504
Daytona Beach Shores, FL 32118

Re: *City Attorney for Fort Pierce, Florida*

Dear Mr. Baenziger:

I am writing to express my interest in being considered for the position of City Attorney for the City of Fort Pierce, Florida. A copy of my resume is enclosed.

You may recall that we spoke briefly during the previous 2016 recruitment for this position. At that time I had not begun the Florida Bar admission process and was therefore not eligible for consideration. I subsequently postponed my plans to relocate to Florida because I was tapped to serve as Interim Chief Procurement Officer for the City of Atlanta until a permanent appointment could be made. In August of this year I returned to the Law Department as Deputy City Attorney for the Finance practice group, where I currently oversee financial and land use matters, including transactional work for major redevelopment projects.

I have recently passed the Florida Bar examination and am awaiting certification to complete the admission process, which I expect to occur shortly. I still own a home in the City of Fort Pierce and would welcome the opportunity to make it my full-time residence.

I believe that the depth and breadth of my municipal law experience, together with my personal commitment to the City of Fort Pierce, make me uniquely suited for this position. I would welcome the opportunity to meet with you and with City officials at your convenience as the recruitment process moves forward.

Very truly yours,



Susan M. Garrett

Attachment (resume)

Susan M. Garrett
1159 Clydedale Drive
Clarkston, Georgia 30021
(404) 219-2998
susmgarrett@mindspring.com

Deputy City Attorney, City of Atlanta, Georgia, August 2018 – present.

- Oversee Finance and Land Use practice groups (10+ members).
- Primary legal advisor to Department of Finance, Atlanta Information Management Department, Department of Procurement, Department of City Planning, Department of Parks and Recreation.
- Key legal advisor to Executive Offices (Mayor) and City Council members.
- Responsible for oversight of bond and disclosure counsel, contract solicitations and bid protests, revenue, permitting, franchise and telecommunications matters, annexation, zoning and land use litigation.
- Key team member for major urban redevelopment transactions.

Interim Chief Procurement Officer, City of Atlanta, Georgia, July 2017 – August 2018.

- Interim executive leadership and management of 75+ employee department.
- Responsible for solicitation, contract execution and administration for all city goods, supplies, services and real estate for \$2.2 B annual budget.

Senior Assistant City Attorney, City of Atlanta, Georgia, 2012- 2017.

- Key legal advisor to Department of Procurement, Atlanta Information Management Department, Department of Finance, Department of Planning & Community Development, and Executive Offices.
- General business/financial advice, legislative drafting and document review to all departments.
- Procurement advice, negotiation, drafting and review of technology agreements (hardware, software, licensing, maintenance and support, software as a service).
- Assist with procurement, drafting, negotiation and administration of various other types of contracts, including employee benefits, telecommunications franchise agreements, consulting services, intergovernmental agreements.
- Leadership role in procurement and telecommunications work groups.
- Counsel to Board of Zoning Adjustment and License Review Board.
- Staff counsel for Community Development and Human Services Committee and Zoning Committee.

Assistant City Attorney, City of East Point, Georgia, 2009 - 2012.

- General business advice, legislation, procurement and contract review for all City Departments. City Council and Mayor.
- Counsel to Planning and Zoning Commission.
- Managed outside counsel for litigation and human resources matters.
- Acting City Attorney, January – April 2012.

Susan M. Garrett
Page 2

Private Law Practice, Atlanta, Georgia (1988-1996) and Decatur, Georgia (1996-2008).

- Land use, environmental, zoning, historic preservation; employment, civil rights, and education; business advice, 1988-2008.
- Interim City Attorney, City of Clarkston, 2007.
- Frequent presenter and panelist at seminars on civil rights, employment, zoning, land use, and historic preservation.

Education:

Emory University School of Law, Atlanta, Georgia, J.D. 1987.

- Executive Editor, *Emory Journal of International Dispute Resolution* (now *Emory International Law Review*). Author, *Resolving International Environmental Disputes Between Private Parties and States*, 1 *Emory J. Int'l Disp. Res.* 81 (1987). Summer study in Public International Law at *The Hague Academy of International Law*, The Hague, Netherlands and the *Brussels Institute for European Community Law*. Brussels, Belgium (1985).

New York University, New York, N.Y. and Paris, France.

- Graduate studies in French.

McGill University, Montreal, Quebec, Canada.

- B.A., French; Post-graduate Diploma in Education (French and ESL).

Teaching Experience:

Georgia State University Heritage Preservation Program. Adjunct Professor of graduate course in Preservation Law, 2003 - present.

Georgia State University College of Law. Visiting Professor of Legal Research, Writing and Appellate Advocacy, 2002-03; Fall Semester, 2004; Full-time Instructor, 1987-89.

Emory University School of Law. Adjunct Professor of Legal Research, Writing and Appellate Advocacy, 1994-96.

Charlotte Amalie High School, U.S. Virgin Islands (Secondary English, French).

Antilles School, U.S. Virgin Islands (Secondary English, French).

Montreal Catholic School Commission (Adult Education ESL).

Susan M. Garrett

Page 3

Bar Affiliations and Community Activities:

State Bar of Georgia, 1987 – present;
Diversity Program Committee, 1999;
Individual Rights Section Chair, 1998-2002.
International Municipal Lawyers Association
American Bar Association
City of Decatur Historic Preservation Commission, 1996-1998.
City of Clarkston Planning & Development Commission, 2006-2007.
Memorial Drive Presbyterian Church, Elder, 2004 –present.

Languages:

English (native speaker); French (fluent); Spanish and German (basic).

Section 5

Candidate Introduction

Susan M. Garrett

EDUCATION

List your degree(s)

B.A., McGill University, Montreal, Canada

Dip. Ed., McGill University (post graduate teaching degree)

J.D., Emory University, Atlanta, Georgia

EXPERIENCE

City of Atlanta Law Department (currently, Deputy City Attorney; previously, 5 years as Senior Assistant City Attorney)

City of East Point, Georgia (Assistant City Attorney, 3 years)

Private Law Practice (Land use, employment, civil rights, municipal law; 15 years)

BACKGROUND

1. Describe the community where you work or have worked recently? Include the population. If you are a private sector, please describe your law firm.

I currently serve as Deputy City Attorney in the City of Atlanta Law Department. The City of Atlanta has a population of approximately 500,000 persons within city limits, in a metropolitan region of approximately 6,000,000. The Law Department is responsible for all civil legal matters for the City, including the Hartsfield-Jackson International Airport. Atlanta is one of the fastest growing metro regions in the United States and is known for its racial and ethnic diversity and its vibrant business climate.

2. Tell us how many employees in the organization and how many employees do you or did directly supervise? Tell us how many attorneys did you supervise?

The City of Atlanta Law Department consists of approximately 35 attorneys and 40 support staff. I am one of four Deputy City Attorneys and I supervise ten attorneys in the Finance and Land Use Practice Groups.

3. Tell us how much of the legal work was performed by your staff versus the work which was contracted out to outside counsel.

My staff and I provide support to the City's Finance, Procurement, IT, Parks & Recreation, and City Planning Departments, along with the Executive (Mayor's)

Offices and City Council. We provide in-house virtually all of the legal advice, legislation, and contract work, staff various boards and council committees, and handle the bulk of the land use litigation. We retain outside bond and disclosure counsel, and engage outside counsel when specialized advice is needed in unusual or exceedingly complex matters.

4. Tell us what the most significant legal issues are that your organization faces.

Currently, the City of Atlanta is grappling with balancing the overall economic benefits of redevelopment opportunities, made possible by the strong economy, with the ongoing needs of disadvantaged sectors of the community, particularly with respect to providing affordable housing. Addressing this problem is challenging due to legal constraints imposed by the State of Georgia that limit the City's ability to regulate for affordable housing. Another significant legal challenge for the City and the Law Department arises from the desire and need to increase overall transparency and public responsiveness by improving the processes for responding to requests for information under the State's Sunshine Laws and implementing technology to support this effort.

GENERAL, MANAGEMENT STYLE AND EXPERIENCE

1. Tell us about yourself and why are you interested in Fort Pierce?

I have owned a home in Fort Pierce since 2012 with plans to eventually move there on a full-time basis as my career plans permit. My family lived briefly in South Florida in the 1980's and I spent several years teaching in the Caribbean, so I am drawn to the environment, culture, and climate of the region. I began visiting Fort Pierce when some close friends moved there in the mid-1990's and fell in love with the City for its beauty, history, local culture, and the balance of historic preservation and forward-thinking development that I saw in and around the City.

2. Describe what do you believe the most important attributes are of a successful City or County Attorney?

To be successful, a City or County Attorney must have a clear sense of how to manage an organizational client and to be appropriately responsive to all the constituencies to whom she reports. She must also be able to provide advice that is firmly grounded in the law and protective of the City's interests, while endeavoring to advance City policy as established by elected and appointed officials. I believe the City Attorney should advise about, but not establish, City policy. Most importantly, I believe that government attorneys have all the same professional and ethical obligations of private sector attorneys, but also have a higher duty to act in the public interest.

3. Tells us your approach to handling law suits filed against your city/town/county?

The best approach to handling lawsuits is attempting to avoid them, or resolve them before they are filed. Any notice of a claim or lawsuit should immediately be investigated, thoroughly and objectively, to determine whether there may, in fact, be any liability on the City's part and if so, how this should be addressed. If a decision is made to defend a lawsuit, the defense should be proactive and vigorous but conducted in a professional and dignified manner. Handling litigation in-house is preferable if the law department has the resources on hand, but consideration should be given to retaining outside counsel where highly specialized expertise is required or insufficient resources are available. Finally, after resolving a claim or a lawsuit, it is important to follow up with lessons learned in order to implement preventive measures for the future.

4. Describe your management style.

My management style is collaborative and collegial, but not laissez-faire. As a leader I assume full responsibility for setting goals, making decisions, and giving direction in a clear and timely manner. After doing so, I endeavor to step back and allow staff to perform their roles with an appropriate level of autonomy, with advice and oversight from me, but without needless micromanaging. I firmly believe that all members of the department, and in fact all City personnel, are on the same team and must work in concert to accomplish the work of the City. When a problem arises we must confront it immediately and honestly, and focus on fixing it -- not on finger-pointing and recriminations. If internal conflicts or performance issues arise, we will deal with them honestly and firmly, but privately. I believe that most employees can perform well if given the right opportunities and encouragement to succeed, along with clearly articulated and enforced expectations.

5. Tell us what information you feel is important for elected officials to have and how you communicate with them. How do you communicate with elected officials?

It is important for the City Attorney to establish a relationship of trust with the elected officials whom she serves. The elected officials should feel confident that they will receive the best possible legal advice and counsel regardless of whether the City Attorney personally agrees with the underlying policy. It is critical for the City Attorney and the elected officials to have a clear understanding of reporting relationships within the City. It is also helpful for the City Attorney to explain to elected officials how she will handle situations where she is being given conflicting direction from various members of the client group.

6. Tell us what you think the elected officials would say about you? What would the City Manager say about you?

I believe that the Atlanta City officials who have worked with me would say that I am responsive, thorough and knowledgeable, and that I understand the relationship and distinction between what is "legal" and what is good policy. The Chief Operating Officer, Deputy COOs and department heads with whom I have worked would say that I am a

pragmatic problem-solver who recognizes practical, economic, and political considerations that must be taken into account while ensuring legal compliance.

7. Tell us what your strengths are?

One of my greatest personal strengths is an ability to establish and maintain a cordial and respectful working relationship with a wide variety of people, without regard to their background, position, or other characteristics. I tend to believe the best about people until and unless they give me reasons to conclude otherwise.

My greatest professional strengths include my ability to quickly digest and analyze complex factual and legal situations; to develop and carry out action plans to solve problems; and to manage time effectively and efficiently.

8. Tell us what your weaknesses are?

I am by nature a somewhat reserved person and, like many people, do not enjoy confrontation. Over the years I have learned that no problem gets better by being ignored or overlooked. It is better to confront issues or conflicts early and get them resolved before the situation deteriorates further.

9. Describe your greatest achievement (success)? Tell us about it.

My greatest achievement in recent years was the 14-month period during which I served as Interim Chief Procurement Officer (“CPO”), on loan from the Law Department. The 80-member Procurement Department was in turmoil after the CPO was terminated for being implicated in a federal bribery investigation. I was knowledgeable about the legal aspects of the procurement process, but it was my first experience leading such a large organization and holding a cabinet level position in the City administration. Based on feedback from both internal staff and external city officials, I understand that I quickly restored staff morale and improved productivity, leaving the department far better than I had found it, and running more smoothly and happily than it had in many years.

10. Describe your greatest failure (or mistake) of your career? What did you learn from it?

Like most everyone, I have made mistakes from time to time, but have learned over the years that if mistakes are addressed quickly and honestly they can usually be transformed into learning experiences. During my early years in private practice, I had to learn not to disregard my instincts when my gut was telling me something was not right. For example, I once agreed to represent a client in an employment discrimination matter against a local government that had terminated his employment. His claims seemed credible, he had some supporting evidence, and the case had undergone investigation by the EEOC, but something bothered me about the case and the client’s demeanor. When the defense counsel took his deposition, it emerged that the client had lied on his employment

application by failing to disclose that he had been terminated from a previous position. We immediately halted the deposition and I was able to reach an agreement with defense counsel that the employer would not seek sanctions or costs if the client would voluntarily dismiss the lawsuit. From this experience I learned to listen to my gut instincts and do additional investigation to allay any concerns before putting myself, my firm, or my client at risk.

11. Describe the approach you use when you find an employee's work is not satisfactory and you feel you may have to terminate the individual's employment. Provide an example of a situation where you had to fire someone.

During my tenure as Interim CPO (see response to #9 above) I had to terminate the employment of two staff members for repeated violations of workplace rules. Fortunately, their immediate supervisors had provided repeated warnings and progressive discipline, and these measures were fully documented. Prior to the terminations we attempted to salvage the situation by counselling and reassigning the employees, to no avail. It was not a pleasant experience, but my leadership team felt comfortable that we had given the employees every possible chance to succeed.

12. Explain what you would do and hope to achieve during the first six months on the job.

During my first six months on the job, I would meet individually with elected officials, the City Manager, and Department Heads in order to become acquainted and get a sense of their needs and priorities. Simultaneously, I would meet collectively and individually with my existing staff in order to establish a rapport and familiarize myself with ongoing legal matters, existing roles and office procedures. After taking into account all of the feedback I have received, I would outline what changes are needed and develop a timeline for implementing those changes on an incremental basis. However, during the first six months I would probably make only those changes that I am convinced are pressing and critical. Meanwhile, I would join the local bar association and seek to establish relationships with my counterparts in neighboring jurisdictions and in the legal community as a whole. I would also seek advice from colleagues about other ways to become fully integrated into the community.

13. Describe how you work with the media, assuming you do.

I have considerable experience in responding to media inquiries either directly or through communications officers. I believe it is important to be responsive and courteous to the media, and to comply with Sunshine Laws. It is also extremely important to be wary about disclosing non-public information or allowing information to be presented inaccurately. Maintaining cordial, respectful, yet cautious relationships with members of the media helps to promote accurate reporting.

14. Tell us what do you do in your leisure time?

Susan M. Garrett

During my leisure time I enjoy travelling, cooking and eating out in ethnic restaurants, going to movies and museums, and moderate outdoor hiking. In Fort Pierce, I love to swim and walk on the beach, and I would like to take up kayaking.

15. If you have ever done anything that would embarrass our client if it became public knowledge, please tell us about the incident.

Like most people, there is personal information about my life that I would not want to have made public simply because it is personal. I have undoubtedly made small mistakes over the years, but I do not believe there is anything scandalous in my background.

16. Is there anything in your background that would embarrass our client if it became public knowledge?

See response to #15 above.

17. When it becomes known in your community that you are a finalist in Fort Pierce, are there any community activists that are likely to contact our client with "the dirt" on you?

No.

REASON FOR WANTING TO LEAVE CURRENT OR MOST RECENT JOB?

Tell us why you want to leave your current or most recent position.

As I enjoy my current position as Deputy City Attorney and have valued my six-year tenure with the City of Atlanta, I was not actively looking for a change before applying for the Fort Pierce position. However, the Fort Pierce City Attorney position presents a unique opportunity to both advance my career and fulfill my desire to relocate permanently to Fort Pierce.

SIX ADJECTIVES OR PHRASES I WOULD USE TO DESCRIBE MYSELF

Tell us what six adjectives or phrases you would use to describe yourself.

Intelligent, even-tempered, fair-minded, no drama, pragmatic, creative.

CURRENT / MOST RECENT SALARY

What is your current/most recent salary?

\$165,000

Section 5

CB&A Background Checks

**Background Check Summary for
SUSAN MARIE GARRETT**

Criminal Records Checks:

Nationwide Criminal Records Search	No Records Found
County	
Fulton County, GA	No Records Found
DeKalb County, GA	No Records Found
State	
Georgia	No Records Found

Civil Records Checks:

County	
Fulton County, GA	No Records Found
DeKalb County, GA	No Records Found
Federal	
Georgia	No Records Found

Motor Vehicle

Georgia	No Records Found
---------	------------------

Credit

Excellent

Bankruptcy

No Records Found

Education

Confirmed

Employment

City of Atlanta (2012 – Present)
Private Practice (2009 – 2012)
Georgia State University (2002 – 2015)
Confirmed

City of East Point (2009 -2012)
Verifications Pending

Florida Bar Number

Member in Good Standing
Bar #603899

**Background Check Summary for
SUSAN MARIE GARRETT**

Under the Fair Credit Reporting Act, 15 U.S.C. 1681-1681Y, credit and bankruptcy information are very sensitive and should not be used in the consideration of hiring. The information is included for each candidate because we do not want you to be surprised if third parties raise what they consider to be a concern.

**Background Check Summary for
SUSAN MARIE GARRETT
Personal Disclosure**

Personal Disclosure Questionnaire

Name of Applicant: Susan M. Garrett

The following questions are designed so that we will be able to make full disclosure to our client concerning your background. Please answer them honestly. Cutting corners or misrepresenting your past will result in you being eliminated from all further searches conducted by this firm. We understand that frivolous charges are sometimes made and that charges do not mean you were guilty. We also understand that you may have been wronged and needed to seek compensation. The bottom line is that we want to be certain that our client is fully informed. If you have any questions, please contact us for clarification.

Please explain any yes answers on a separate sheet of paper.

1. Have you ever been charged or convicted of a felony?
Yes No
2. Have you ever been accused of or have been involved in a domestic violence or abuse incident?
Yes No
3. Have you ever declared bankruptcy or been an owner in a business that did so?
Yes No
4. Have you ever been the subject of a civil rights violation complaint that was investigated or resulted in a lawsuit?
Yes No
5. Have you ever been the subject of a sexual harassment complaint that was investigated or resulted in a lawsuit?
Yes No
6. Have you ever been convicted of driving while intoxicated?
Yes No
7. Have you ever sued a current or former employer?
Yes No
8. Do you have a personal My Space, Face Book or other type of Web Page?
Yes No
9. Do you have a personal Twitter Account?
Yes No
10. Is there anything else in your background that, if made public, would cause you, our client or our firm embarrassment if it came to light through the press or any other mechanism?
Yes No
11. Please provide a list of any lawsuits in which you are or have been a party either as plaintiff or defendant.

Attested to: 
Signature of Applicant

Please email this form via PDF DOCUMENT to Lynelle@cb-asso.com or via fax to (888) 539-6531 no later than 5:00 PM PST 11/01/18.
(Note: Please be sure to sign the form with your actual signature if you are sending Fax or PDF Document)

CB&A Reference Notes

**Reference Notes
Susan Garrett**

Dan Gordon – Former COO, City of Atlanta, GA 404-727-3746

Mr. Gordon has known Ms. Garrett since about 2012 while they were both at the City of Atlanta. During this time, he was the Chief Operations Officer and she reported to him when he was Interim Chief Procurement Officer. Her job performance was exceptional, and she really stepped up for the city.

Ms. Garrett enjoyed both law and procurement and combined her knowledge in this role very well. People at the city really liked working with her because she was so approachable and inclusive as a manager. They thought she was a great partner. Ms. Garrett used good judgement when making decisions and solving problems. When she began as the Interim Chief Procurement Officer, she had to fill this role with very short notice. However, with her humble, calm way, put processes and procedures in place to move the department forward. She instilled a high morale with the team and was not deterred by difficulties.

Ms. Garrett was extremely responsive. She provided excellent guidance to the elected board and dealt well with the public. She routinely dealt with right of way issues, public works, and handled complicated matters. Ms. Garrett conducted herself with the highest level of integrity. But at the same time, she recognized that sometimes reasonable risk was necessary in order to move projects forward. She would present her opinion, which was always fair and in the right interest of the common good. Her took a fair and balanced approach but was not so rigid that she could not find the balance between risk and progress.

Ms. Garrett has heavy experience with contracts and utilities; significant experience with development/redevelopment/land use and dealing with the homeless population; and exposure to environmental and labor/personnel issues.

Mr. Gordon would hire Ms. Garrett without reservation. She would make an excellent City Attorney.

Words or phrases used to describe Susan Garrett:

- Capable,
- Smart,
- Composed,
- Honest,
- Fair, and
- Balanced.

Strengths: She works well with all types of people and is a creative problem solver. She has strong legal expertise and the intellect to go along with it.

Weaknesses: None identified.

**Reference Notes
Susan Garrett**

Gerrard Grant – Former Law Department Colleague, Atlanta, GA 407-423-4246

Mr. Grant worked with Ms. Garrett for about five years beginning in 2012. They were both in the Law Department for the City of Atlanta. Mr. Grant was in the Business Transactional Department, in the city of Atlanta while Ms. Garrett was in Land Use. Ms. Garrett is the smartest attorney he has ever worked with. Not only was she a good mentor, but her work product was of the highest quality. She was respected by everyone, from Executive level to peers to the public.

Ms. Garrett is truly an exceptional attorney. She consistently gave good counsel to the elected board and was often the last stop. In other words, if they weighed pros and cons, her opinion was the deciding factor. Or, if an argument was one-sided and Ms. Garrett had another opinion, they would dig in and try not to vary too far from her position. Truth be told, she was pretty much right on everything. People looked to her for advice and it was virtually unheard of for them not to follow her council. The council they currently have has been impressed with her diligence and thoroughness.

Ms. Garrett has strong negation skills. Some attorneys kill deals with the minutia, but Ms. Garrett is thorough while still seeing the big picture. This allows her to figure out how to protect her client and negate any issues that might put them in a bad situation. She is responsive and conscientious of client's issues and deadlines. Ms. Garrett looks for solutions, but is cognizant about whether something cannot happen because of the law. She takes the lead on projects and is very methodical in solving problems. She researches arguments and then presents best case, worst case, and conservative case. It is not her job to say, "This is what I would do"; it is her job to provide options.

Ms. Garrett has experience in constitutional, environmental, utility and labor or personnel law. Her experience in contracts, development, redevelopment and land use is exceptionally strong. Mr. Grant would hire Ms. Garrett as a City Attorney if given the opportunity. Absolutely nothing controversial exists in her background.

Words or phrases used to describe Susan Garrett:

- Thorough,
- Direct,
- Prepared,
- Intelligent,
- Knowledgeable, and
- Responsive.

Strengths: She breaks down complex issues to relay them to the lay person.

Weaknesses: None identified.

**Reference Notes
Susan Garrett**

Jeffrey Haymore – Former City of Atlanta Law Department, GA 404-665-1243

Mr. Haymore knew Ms. Garrett from the City of Atlanta Law Department beginning in 2012. They worked on various cases, litigation and zoning in both trial and appellate courts. They were also colleagues on general municipal matters. Ms. Garrett did a great job. She is extremely intelligent and was instrumental and helpful to colleagues. Her knowledge encompassed broad municipal law including zoning. She was made the Interim Chief Procurement Officer, and when she came to the Procurement department, she was given a broad range of assignments, including telecommunications and procurement. Ms. Garrett was hands down one of the most intelligent lawyers in the city.

Ms. Garrett got along very well with the elected body. As Interim Chief Procurement Officer, code required her to submit reports of contracts executed. She did this very well and presented these reports to the council in written form, but also by oral presentation. She reported to the city council committees about contracts that were procured, processes that were put into place, etc. The council has a high regard for her candor. Mr. Haymore cannot recall a time when the council did not follow her advice, but one contract took longer to procure than the council wanted it to take. In this case, Ms. Garrett explained why it was taking longer than anticipated and did a wonderful job explaining why and what they had done to correct it.

On a personal level, Ms. Garrett was always very helpful as a resource to whom Mr. Haymore could go to and bounce ideas. They worked well together and would occasionally collaborate on writing briefs. She is creative in offering ideas and solutions, to the extent that lawyers can be within the constraints of the law. Mr. Haymore never witnessed her behaving in a way that would give him pause. When she was brought on as the Interim Chief Procurement Officer, part of her duties included staffing the procurement office. Her predecessor was removed and pled guilty to bribery. She did an excellent job shoring up the department. The city knew she was above board, and ethical and honest enough to be put into the midst of a sensitive issue. She could step into a City Attorney role without any problem.

Ms. Garrett's knowledge of constitutional law, contracts, development and land use, utilities and labor/personnel issues is strong. Mr. Haymore is not sure what sort of experience she has had with environmental law or homeless populations. Mr. Haymore would hire her without a second thought.

Words or phrases used to describe Susan Garrett:

- Empowering,
- Responsive,
- Direct,
- Great communicator,
- Smart, and
- Truthful.

Reference Notes
Susan Garrett

Strengths: Her candor is respectable. She is direct and to the point without being abrasive. You never need to guess where she stands.

Weaknesses: None identified.

Keith Brooks – Chief Procurement Officer, Atlanta, GA 770-596-5063

Ms. Garrett is one of the attorneys for the City of Atlanta. Mr. Brooks is the Senior Department Chief of Procurement. When Ms. Garrett came to the city of Atlanta in 2012, she was assigned to work with purchasing and procurement. She assisted in drafting contracts, responding to protests and vetting their processes to make sure they were operating according to the APA model. Last year she was the Interim Chief Procurement Officer and then went back to the law department in a different role. Mr. Brooks, and the city leadership in general, recognized the great job she did, both as Interim Chief Procurement Officer, and as providing her opinion for the Department of Purchasing. She was outstanding. Prior to her filling in as Interim Chief Procurement Officer, the Department of Purchasing had been in the news lately. She came in and not only handled the public very well, but also managed the operations.

In her short time in that role, Ms. Garrett made some policy changes. For example, in the public sector, you must be extremely transparent. It seems like a simple thing, but she created a document that summarizes offers and deficiencies. They put that tool on the website so before vendors submitted a proposal, they knew exactly what the city was looking for. This essentially reduced the number of repeat offers by companies who had been deemed nonresponsive. She also did public outreach to see what the public was looking for in their city and implemented those changes.

Internally, Ms. Garrett boosted morale. Purchasing department was going through negative press. She recognized that, and reached out to the public, but also knew internal morale was important to make sure people were motivated to do their job. User agencies also appreciated her. Ms. Garrett is analytical and deals with facts, which is appreciated because they move at a fast pace and so no time to sit and brew. Ms. Garrett provided good advice to the council, but she recognized that she can provide those opinions but they ultimately are at liberty to do what they want. On one occasion, the Chief of Procurement went against her council regarding a contract. He did not accept the contract and dinged it as non-responsive. This action resulted in an extended timeline to award the contract.

Ms. Garrett has experience in constitutional law and development, redevelopment and land use. Ms. Garrett is technologically proficient. Earlier this year, the city had a cyber-attack in which three departments were knocked out. Ms. Garrett's leadership allowed them to be functioning in 24 to 36 hours, as opposed to 72 hours that such an event would have typically taken. The city is still getting kudos from the public as to how they handled the situation. She also has experience dealing with the homeless population. Public Works and Watershed are the 2nd and 3rd largest departments in the city. Those, along with IT were Ms. Garrett's major clients. No dirt exists in

Reference Notes
Susan Garrett

Ms. Garrett's background and Mr. Brooks would absolutely hire her. She would make an excellent City Attorney.

Words or phrases used to describe Susan Garrett:

- Confident,
- Exceptional,
- Motivational,
- Responsive,
- Experienced,
- Bright,
- Creative, and
- Intelligent.

Strengths: She makes sound decisions in a short amount of time.

Weaknesses: A year ago, Mr. Brooks would have said she needed to be firmer with the staff. However, as time went on, the staff gained confidence in her and recognized that she was supportive of them.

John Gornall – Attorney, Atlanta, GA 404-873-8650

Mr. Gornall has known Ms. Garrett since about 2003. He owned a large land zoning partnership and she came highly recommended, so he hired her to represent their company in several zoning issues. A couple of those times they tried to gain zoning, and two times they tried to prevent zoning with adjacent properties. Ms. Garrett did extremely well. She was well organized and knew what arguments to make or not make. She dealt with the public frequently, because their clients consisted of neighborhood groups. Ms. Garrett dealt with opposing council in a professional manner. She gives good presentations in front of the county commission, and zoning and planning commissions.

At the time they worked together, Ms. Garrett was a sole practitioner. His company was disappointed when she took a job with the city of Atlanta. Although at the time, he had a couple of matters with the city. She was able to get their client to the right place and person, and the matter was quickly resolved. He would hire Ms. Garrett in a heartbeat. He works on many Economic Development projects with cities and councils. She stands out as one of the best. She comes at projects in a business-like way because she has a good nose for business and understands public and private sector.

Ms. Garrett was promoted to Interim Chief Procurement Officer while all sorts of allegations about bid rigging and bribery surfaced. She came through the experience unscathed, with absolutely no dirt attached to her name. If he had been the mayor, he would have been very particular about

**Reference Notes
Susan Garrett**

who he brought into the Interim Chief Procurement Officer role during the crisis, but she was exemplary when it came to crisis management.

Ms. Garrett was good at providing creative solutions. For example, his company was faced with some folks who wanted to build a 900-foot radio tower on the boundary line of a piece of their property, which they had planned to turn to a large lot subdivision. She thought about several factors. First, if the tower were to fall, 200 feet of the tower would fall on their own property, but the other 700 feet would fall on his property, which was not fair. She also found out this company had a proceeding in front of the FCC, for which they needed approval. She knew if they intervened with the FCC as they opposed the zoning, this would delay the approval their company was waiting on. Rather than risk the delay, the company decided to place their radio tower elsewhere. This was a creative solution that fell well within legal bounds. He would hire Ms. Garrett again in an instant.

Words or phrases used to describe Susan Garrett:

- Calm,
- Diplomatic,
- Well-spoken,
- Insightful,
- Well-rounded and
- Fair.

Strengths: She is very practical and knows the law extremely well.

Weaknesses: None identified.

Lawrence Neville – Attorney, Atlanta, GA 770-730-0041

Mr. Neville met Ms. Garrett in the late 1980's. At the time, his wife owned a court reporting firm and he met Ms. Garrett at an open house put on by one of the partners. Over the years, he got to know her better and thinks very highly of her professionalism, intelligence and legal brain. Eventually, Ms. Garrett had her own practice. In 2001, his wife had sold the court reporting firm to another court reporting firm owner, who sued them for various grievances. Mr. Neville asked Ms. Garrett to represent them and they fully won the first motion for summary judgement. In addition, they filed a counterclaim and were paid almost everything agreed upon. Ms. Garrett negotiated the whole thing. Mr. Neville sat in on depositions and other items litigated in a state court in Decatur Georgia. She could not have done a better job.

After a while, Mr. Neville recommended Ms. Garrett to a friend of his who was having litigation with a county in the Atlanta area over damages and amounts that should be paid for using his property as the city widened a road. She represented him and got a good result for that. Ms.

**Reference Notes
Susan Garrett**

Garrett was very up to date on Environmental Law. Eventually, she decided to close her practice and became one of the attorneys for the city of Eastpoint GA, and then for the city of Atlanta. He has never seen Ms. Garrett managing an office, but he saw her on tv a few times when Eastpoint was undergoing political disputes. She was not political then or now but handles herself very well. She is an effective manager because she has high standards professionally, but also has a significant amount of tact and human relation skills.

Ms. Garrett would make an excellent City Attorney and has actually bought property in Fort Pierce. Whoever hires her will be extremely lucky.

Words or phrases used to describe Susan Garrett:

- Intentional,
- Effective,
- Organized,
- Competent,
- Trustworthy, and
- Professional.

Strengths: He does a fantastic job building networks and coordinates team efforts. He also builds a deep level of trust with those he works with and for.

Weaknesses: None identified.

Richard Randolph – City Engineer, East Point, GA 404-270-7121

Mr. Randolph first came to Eastpoint in 2009, he was the City Engineer and Ms. Garrett was the City Attorney. He walked into a situation in which he was being sued. Obviously, he was extremely concerned, so went to see Ms. Garrett. She told him, “That’s okay, Richard, I’ve got your back.” She was prepared, and had all the information she needed, which resulted in a positive outcome. She is one of the brightest legal minds Mr. Randolph knows. He has considered it a joy to know her.

At this time, Mr. Randolph was also an attorney who headed up the Board of Commissioners. Several times issues would arise in which they did not know which direction to take. Ms. Garrett spoke to those concerns and always led them in a super direction. He has never seen her get stumped by anything. Her understanding of law was outstanding. However, if she felt like she may have been speaking beyond her scope, she would research and either confirm or ratify any information. Ms. Garrett’s negotiation skills are impeccable. She tries to find the best resolutions for any difficult issues.

**Reference Notes
Susan Garrett**

Ms. Garrett's experience with contracts is exceptional. If he had to rate her on a scale of 1 to 10, she was an 11. She also has experience with constitutional and environmental law, as well as land use and development, labor and personnel issues. She has extensive experience with utility law. Ms. Garrett is very responsive and timely. If she said she would get something done, she always followed through. Even though they no longer work together, he still consults with her because her expertise is invaluable. He would hire Ms. Garrett without question.

Words or phrases used to describe Susan Garrett:

- Fun,
- Methodical,
- Philosophical,
- Detail-oriented, and
- Responsive.

Strengths: She is professional and genuinely loves the work she does. She eats, sleeps and breathes law, but also knows how to have fun.

Weaknesses: None identified.

Prepared by: ASHLY CLARK
Colin Baenziger & Associates

Section 5

CB&A Internet Research

Internet – Newspaper Archives Searches

Susan Garrett

(Articles are in reverse chronological order)

Atlanta Journal-Constitution, The (GA)
September 17, 2018

**City might get bonuses back by suing
Former Mayor Reed, council gave out \$800K at end of last year.**

Author: J.Scott Trubey and Dan Klepal

The city of Atlanta might be able to reclaim some of the \$800,000 in bonuses and prizes handed out by former Mayor Kasim Reed's administration and council members at the end of last year, but it would have to sue city employees to do it. That's the opinion of Attorney General Chris Carr's office, which told The Atlanta Journal-Constitution this week that "any city funds spent inappropriately might be subject to civil recovery efforts." Two investigations have found that the bonuses were not only inappropriate, but illegal.

The giveaways, awarded in the midst of a federal corruption investigation of City Hall, ranged from five top-level executives in Reed's administration getting \$15,000 each, to relatively small prizes of less than \$1,000 given away to front-line staffers in raffles and contest prizes during holiday parties. A report last month by City Auditor Amanda Noble and City Ethics Officer Jabu Sengova found the payments violated both city code and state law governing gratuities, which are government giveaways without a return for taxpayers.

The report found equal fault with bonuses awarded by council members to their staffs and described top city officials working together to bypass internal financial controls in a manner that violated those laws. It said Reed "lacked the legal authority" to give away city tax dollars, and former Chief Financial Officer Jim Beard "abused his position" in awarding himself a \$15,000 bonus. Reed and Beard dispute those conclusions.

Council President Felicia Moore said it's unlikely the city would sue past or present employees to get bonuses back but said they could ask that the money be returned. "The AG's opinion at least lets the council know the possibility is there," Moore said. "But I'm sure we'd have to hire outside (lawyers) and how much money would it cost?" The internal investigation on the bonuses followed a \$150,000 outside investigation by the Thompson Hine law firm, that also determined the awards from Reed's office and council violated state law. That report recommended that the city concentrate on shoring up city code and ensuring improper bonuses aren't awarded in the future, rather than trying to recoup the money.

Mayor Keisha Lance Bottoms said her administration is going to follow recommendations in the reports. William Perry, of Georgia Ethics Watchdogs, said council should absolutely fix the city code, but it shouldn't give up on getting back taxpayer money. He said city employees who now know the awards were wrong should be lining up to return the money. And if not, Perry said elected leaders should try shaming them: "Use the bully pulpit. Ask for the money back."

As of June, five senior city officials had returned the money -- out of 140 employees who received either bonuses or prizes, according to the joint audit and ethics report. Each of the five

Internet – Newspaper Archives Searches**Susan Garrett***(Articles are in reverse chronological order)*

who returned the money received \$10,000 bonuses. They were former Renew Atlanta General Manager Faye DiMassimo; former interim procurement chief **Susan Garrett**; Planning Commissioner Tim Keane; Police Chief Erika Shields; and Assets Management Officer Jalal Slade.

The size of each bonus was based on a formula tied to salary; \$15,000 bonuses went to the highest earning staffers. A spokesman for former Human Resources Commissioner Yvonne Yancy said she returned her \$15,000 bonus last month, which a city spokesman confirmed. Yancy also awarded \$57,500 in bonuses to 11 members of her staff just days before she left City Hall for the private sector.

The top bonuses paid out by Reed were to his five most senior executives -- \$15,000 each to CFO Jim Beard; City Attorney Jeremy Berry; Chief of Staff Candace Byrd, Chief Operating Officer Dan Gordon; and Yancy. Another 19 of Reed's managers received \$10,000 bonuses that were not returned.

The AJC attempted to contact several former members of the Reed administration, some of whom are holdovers under Mayor Bottoms, who have not returned their bonuses. They include Beard, former Reed spokeswomen Jenna Garland and Anne Torres, new city CFO Roosevelt Council and Watershed Commissioner Kishia Powell. None immediately returned messages seeking comment.

Tom Sabulis, a former AJC opinion editor who later joined the Reed administration as a speechwriter and who still works in the mayor's office, ended a conversation and walked away from a reporter when asked if he would return his \$5,000 bonus.

At a press conference last week, Parks and Recreation Commissioner Amy Phuong wouldn't offer a direct answer when asked if she would repay her \$10,000 bonus. "I feel like I can't really answer that right now," Phuong said. "I'm just going to continue to support the mayor's vision, Mayor Bottoms' vision, [of] running a very transparent and connected government."

Some council members say they worry about how the bonuses are viewed by the public. For the past three years, City Hall has been under a federal corruption investigation that spans all eight years of the Reed administration. "There's enormous loss of trust in government when things like this happen," Councilwoman Jennifer Ide, who joined the council in January, said in a recent committee meeting. But Moore said her colleagues on council would have to decide to pass a resolution asking that the money be returned. "I just haven't seen any interest in doing that," she said.

Internet – Newspaper Archives Searches
Susan Garrett
(Articles are in reverse chronological order)

Atlanta Journal-Constitution, The (GA)
August 1, 2018

City of Atlanta's transparency push hits bumps
Author: Stephen Deere

Atlanta Mayor Keisha Lance Bottoms unveiled her open checkbook initiative in April, promising to "set a new standard for government transparency." But nearly four months later, the program that will allow citizens to track city spending to the penny via an online portal is not operational. And Tuesday, the chairman of the city council's finance committee questioned the manner in which the software was purchased.

"The irony here is that the service we are trying to procure is going to provide a whole lot more transparency into city financing," said City Councilman Howard Shook. "I would think if there is ever any proposal that we are going to enter into an agreement with, regarding transparency, certainly the nature of the procurement itself has to be kind of a model procurement."

Bottoms' announcement about the portal came just as a federal corruption investigation at City Hall was gaining momentum. Allowing the public to view all city payments online, she said, would help restore trust. Though the idea had been proposed by council members earlier, it was resisted by former Mayor Kasim Reed's administration.

The new administration planned to purchase software and maintenance services from the company Socrata through a cooperative purchasing agreement, an arrangement that allows local governments to buy goods and services that have already undergone a competitive bidding process. The city council approved the \$50,000 cooperative purchase in May.

However, the administration later learned that it was not purchasing the software directly from Socrata, but instead from a reseller of the company's products. That reseller wasn't part of the cooperative agreement, which would usually require open bidding. Rather than go through that, the administration opted to purchase the software through another method: special procurement, which allows the city to bypass the bidding process if the chief procurement officer determines doing so is in the public interest.

On June 29, the interim Chief Procurement Officer **Susan Garrett** signed a document authorizing the special procurement. But Shook said the document doesn't provide enough detail about why competitive bidding would have not been in the public's interest. "My guess is we will be comfortable with it once we get an explanation," he said. "There are cases that call for special procurements."

Sara Henderson, executive director of the government watchdog group Common Cause Georgia, said the process shouldn't have been used in this instance. "Going around the procurement process is exactly got us into the trouble and the mess at the airport and with other contracts around the city," Henderson told Channel 2 Action News. The whole purpose of the open

Internet – Newspaper Archives Searches

Susan Garrett

(Articles are in reverse chronological order)

checkbook initiative is "to be open and transparent, but yet in that (**Garrett's**) letter ... you certainly don't see that process playing out in awarding the contract of who's going to keep up with this system." In a statement to Channel 2 Action News, a city spokesperson said that the purchase was less than \$100,000 and did not require council approval.

Internet – Newspaper Archives Searches
Susan Garrett
(Articles are in reverse chronological order)

Atlanta Journal-Constitution, The (GA)
November 30, 2017

Approval of airport vendors may face delays
Bidding process scrutinized as political pressure mounts.

Author: Kelly Yamanouchi

Several companies have been selected for lucrative contracts running retail shops at the world's busiest airport, though the city has not yet moved the deals forward for approval amid controversy surrounding the contracting process. Atlanta procurement officials earlier this year said they planned to get the contracts, which are worth tens of millions of dollars, finalized before Mayor Kasim Reed's term ends in January.

But that effort has become more tenuous as a federal corruption probe into the city continues, and after questions about a conflict of interest with a concessionaire prompted the city to put an airport executive on leave. It's all happening while a mayoral election between two Atlanta City Council members looms on Dec. 5, putting a harsh spotlight on airport contracting and raising the political stakes of city council members' votes.

On Wednesday, at the last regularly scheduled meeting of the council's transportation committee that oversees the airport, Reed administration officials were noncommittal about whether the concessions contracts at Hartsfield-Jackson would move forward.

When questioned by City Councilwoman Felicia Moore, Reed's deputy chief of staff Katrina Taylor Parks said, "There is nothing scheduled to come before this body as I stand here today." She had earlier this week told The Atlanta Journal-Constitution that "everything is under review." The uncertainty comes after the Atlanta's procurement department this month wrote notification letters for the contracts for retail shops.

The biggest contracts would go to The Marshall Retail Group and to a Hudson Group joint venture called HG ATL Retailers Joint Venture, based on the city's recommendations for contracts. But the city also recommended Hojeij Branded Foods for a contract and Business Traveler Services for a contract with several small vending locations. Another company, Select Food Group, was recommended for two small contracts.

Meanwhile, the airport said it would rebid four other retail shop contracts after finding too many companies were disqualified. The letters to the winning firms signed by interim chief procurement officer **Susan Garrett** start with "Congratulations," and say the city has completed its evaluation of proposals for the projects and that the city procurement department and airport will recommend to the city council and mayor that contracts be awarded to the companies selected.

Internet – Newspaper Archives Searches

Susan Garrett

(Articles are in reverse chronological order)

However, the retail concessions contracting process has come under scrutiny amid the mayoral race, after multiple candidates prior to the general election called for a halt to the process. They cited the current federal investigation into cash-for-contracts scandals at City Hall.

Concessionaires also complained that the process was too rushed as the city sought to get the deals approved before the end of the year. More recently, an Atlanta airport deputy general manager has been put on leave after the city found that his wife owns a company that does business in Washington with Hojeij Branded Foods. People and entities linked to Hojeij have been big contributors to top candidates for mayor, giving at least \$66,450, according to an AJC analysis.

A spokeswoman for Reed said last week that the city is "in the process of reviewing all current and pending contracts with the vendor." Hojeij said in a statement, "We believe in the integrity of the procurement process and are confident that any awards to HBF will be made based on the merits of our proposal." Hartsfield-Jackson General Manager Roosevelt Council said an investigation is ongoing.

On Wednesday, the concessions contracts were not on the transportation committee's agenda. "We are looking into everything in a thorough manner," Taylor Parks said. The administration could seek last-minute approval from the city council at their full meeting scheduled for Monday or at a special meeting. But that, too, is up in the air. "I cannot say one way or another whether we will be bringing anything to you for approval," Taylor Parks said.

Internet – Newspaper Archives Searches
Susan Garrett
(Articles are in reverse chronological order)

October 13, 2006

MONTEREY COMMUNITY COUNCIL et al. v. DeKALB COUNTY PLANNING COMMISSION et al.

637 S.E.2d 488 (2006)
Court of Appeals of Georgia.

October 13, 2006

Attorney(s) appearing for the Case

Susan Garrett, Susan M. Garrett, P.C., Decatur, for Monterey Community Council.
Melanie Wilson, Eugene Reed, Jr., Assistant County Attorney, Decatur, David Flint, Mark Forsling, Schreeder Wheeler & Flint, Atlanta, Robert Burroughs, Burroughs & Keene, LLC, Lithonia, for DeKalb County Planning Commission.

RUFFIN, Chief Judge.

Legacy Investment Group, LLC ("Legacy") sought approval from the DeKalb County Planning Commission to develop a subdivision of 124 townhomes. The Monterey Community Council, Johnnie Fogle, and Jamie White (collectively, "property owners") opposed the development, asserting that it violated several DeKalb County ordinances.

[637 S.E.2d 489]

Nonetheless, the Planning Commission approved the plan in February 2005.1

The property owners filed an action for declaratory judgment and injunctive relief in DeKalb County, seeking to clarify the validity of the plat approved by the Planning Commission. Specifically, the property owners contend that because the Planning Commission did not comply with relevant DeKalb County Ordinances ("DCOs") regarding the plat-approval process, its approval of the plat was void and ultra vires. In the alternative, the property owners filed a petition for certiorari, challenging the Planning Commission's approval of the plat. The crux of the property owners' complaint was that the Planning Commission's approval did not comport with applicable ordinances. The property owners filed an amended complaint thereafter, raising a constitutional challenge to the DCO that governs appeals from the Commission's decisions.

[CB&A Note: The remainder of the case can be read here:

<https://www.leagle.com/decision/20061125637se2d48811091>]

Research Compiled by: Cara Slade
 Colin Baenziger & Associates