

COLIN BAENZIGER  ASSOCIATES

EXECUTIVE RECRUITING

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*Section 4*

*Cynthia A. Everett*

*Fort Pierce City Attorney  
Candidate Report*

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*Cover Letter and Resume*

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**CYNTHIA A. EVERETT**

cae@caeverett.com  
(305) 598-4454

October 17, 2018

**Via E-Mail Only**  
**Recruit37@cb-assoc.com**

Mr. Colin Baenziger  
Colin Baenziger & Associates  
2055 S. Atlantic Avenue, Ste. 504  
Daytona Beach, FL 32118

Re: City Attorney, City of Fort Pierce

Dear Mr. Baenziger:

Enclosed is my résumé for consideration for the position of City Attorney for the City of Fort Pierce.

As a seasoned attorney with significant experience, my qualifications for the position of city attorney include previous experience as the chief legal officer for the Florida municipalities of Opa-locka, Pinecrest and Fort Lauderdale as their municipal attorney. I have also served as an Assistant State Attorney for Miami-Dade County and an Assistant United States Attorney for the Southern District of Florida.

These positions have provided me with experience in litigation, managing and directing professional and support staff employees, preparing budgets, drafting documents, interacting with elected and appointed officials, the public and the media, and as a municipal attorney, regularly providing advice and opinions on substantive, local government law issues in the areas of land use and zoning, public works, public safety, public finance, human resources, civil forfeitures, ethics, conflicts, public meetings and public records.

I welcome the opportunity to further discuss my qualifications for this position and to answer any questions. I may be contacted by telephone at (305) 598-4454 or by email at [cae@caeverett.com](mailto:cae@caeverett.com).

Very truly yours,

  
Cynthia A. Everett

**CYNTHIA A. EVERETT**

(305) 598-4454 | cae@caeverett.com

**PROFESSIONAL EXPERIENCE**

**City Attorney, City of Fort Lauderdale, Fort Lauderdale, Florida**

2013 – 2018

Served as chief legal officer for city of 165,000 and as general counsel for the City of Fort Lauderdale Community Redevelopment Agency. Managed a staff of eleven attorneys and multiple support personnel; supervised outside counsel; developed annual budgets; prepared and reviewed ordinances, resolutions, contracts and related legal documents in the areas of land use and zoning, labor and employment, real estate, public works, public safety, public finance, grants, and economic development; provided legal advice and opinions to the City Commission, executive officers and department directors, provided guidance and opinions in the areas of ethics, conflicts of interest, elections, public records and government in the sunshine issues; attended all City Commission and Board meetings, conducted, and assisted in, investigations of complaints of local, state and federal laws as requested, and represented the City in legal matters before state and federal courts, and administrative agencies.

**Cynthia A. Everett, P.A., Miami, Florida**

**Managing Attorney**

**Village Attorney, Village of Pinecrest, Pinecrest, Florida**

1999-2013

**General Counsel, Our Kids of Miami-Dade/Monroe, Inc., Miami, Florida**

2005-2011

Practiced in the areas of labor and employment, local government and insurance defense law. Served as Village Attorney and chief legal officer for the Village of Pinecrest, Florida (1999-2013). Provided legal advice to the Village Council, Village officials and Village staff; attended all regular and special meetings of the Village Council; attended code enforcement and planning board meetings and handled litigation matters involving land use and zoning, contractual matters, civil forfeitures and appeals. Conducted and assisted in investigations of complaints of violations of local, state and federal laws. Served as Special Counsel for the City of Miami Civil Service Board and the City of North Miami, as an investigator for the City of Hallandale Beach, and served as special magistrate for code enforcement for the Town of Miami Lakes.

**Adjunct Law Professor, Florida International University College of Law, Miami, Florida**

2004 – 2008

Taught upper division courses in Employment Discrimination and Local Government Law.

**EXPERIENCE (continued)**

**City Attorney, City of Opa-locka, Opa-locka, Florida**

1997 - 1999

Served as chief legal officer for city of 17,000. Provided legal advice to city officials and department heads. Handled litigation matters involving labor and employment law, tort and contractual matters, as well as zoning and other municipal issues.

**Law Offices Williams & Associates, P.A., Miami, Florida**

Senior Associate, 1995 - 1997

Practiced in federal and state courts in the following areas: personal injury, medical malpractice, commercial litigation, employment law, including discrimination and wrongful termination. Represented parties in administrative hearings before the Florida Public Employees Relations Commission and the U.S. Equal Employment Opportunity Commission. Served as a Hearing Examiner for bid protest matters for Miami-Dade County.

**United States Attorney's Office for the Southern District of Florida, Miami, Florida**

Assistant United States Attorney (Civil Division), 1989 - 1995

Defended the United States in civil lawsuits involving personal injury, medical malpractice, employment discrimination and other general civil cases. Prosecuted civil fraud, contract, labor and civil forfeiture cases.

**Miami-Dade County State Attorney's Office, Miami, Florida**

Assistant State Attorney, 1982 - 1989

Prosecuted criminal cases in county, juvenile and circuit courts. Served as Felony Division Chief (1987-1989). Supervised three attorneys; prosecuted homicide and other specially assigned criminal cases.

**BAR ADMISSIONS AND CERTIFICATIONS**

- Admitted to The Florida Bar
- Admitted to the District of Columbia Bar
- Admitted to the District Court for the Southern and Middle Districts of Florida
- Admitted to the United States Court of Appeals for the Eleventh Circuit
- Admitted to the United States Supreme Court
- Supreme Court of Florida Certified Civil and Appellate Mediator
- Florida Bar Board Certified in Labor and Employment Law

**EDUCATION**

**The George Washington University, Washington, D.C.**  
Juris Doctor, 1982

**The Florida State University, Tallahassee, Florida**  
Bachelor of Arts, December 1978  
Major: Government

**PROFESSIONAL AFFILIATIONS**

- Florida Municipal Attorneys Association, President-elect, 2017-2018
  - The Florida Bar:
    - Leadership Academy Committee, 2013-2016
    - Annual Convention Committee, 2011-2013
    - Executive Council City, County and Local Government Law Section, 2004-2011
    - Labor and Employment Law Certification Committee, 2000 to 2002
    - Elections Committee, 1999-2000
    - Long Range Planning Committee, 1999-present
    - Executive Council Trial Lawyers Section, 1997 to 2003
    - Board of Governors Special Committee on Election Reform, 1998
    - Trial Lawyers Section and Labor and Employment Law Section, 1996 to present
    - City, County and Local Government Law Section, 1997 to present
    - Grievance Committee, 1991-1994, Chair, 1993-1994
    - Student Education and Admissions to the Bar Committee, 1992-1995
    - The Florida Bar Board of Governors, 1994 to 1998
    - Rules Committee Chair, 1997-1998
    - Pro Bono Legal Services Committee Chair, 1997-1998
    - Disciplinary Review Committee, Chair, 1996 to 1997
    - Board Review Committee on Professional Ethics, Vice-Chair, 1995-1996
    - Special Committee to Study Board Composition, 1997
    - President's Special Task Force on Advertising, 1995-1997
  - National Bar Association:
    - Region XI Director, 2006 to 2007
    - Special Assistant to the President, 2005-2006
    - Chief of Staff to the President, 1994-1995
    - Chair, Resolutions Committee, 1994-1995
  - National Black Prosecutor's Association
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**PROFESSIONAL AFFILIATIONS (continued)**

- Virgil Hawkins Florida Chapter National Bar Association General Counsel, 2004-2005  
Treasurer, 1993 to 1997
- Dade County Bar Association
- National Bar Association-Women Lawyers Division, Dade County Chapter k/n/a  
Gwen S. Cherry Black Women Lawyers Association, President, 1989 to 1991
- State of Florida:
  - Eleventh Judicial Circuit Nominating Commission, 2004-2008
  - State of Florida Third District Court of Appeal Judicial Nominating  
Commission, 1991 to 1995
- United States District Court, Southern District of Florida:
  - Magistrate Judge Merit Selection Panel, 2009
  - Ad Hoc Committee on Court Annexed Mediation, 2007-2017
  - Ad Hoc Committee on Rules and Procedures, 2005-present
  - Ad Hoc Committee on Attorney Admissions, Peer Review and Attorney  
Grievance, 1997-1999
- Florida Association for Women Lawyers
- Black Lawyers Association, k/n/a Wilkie D. Ferguson, Jr. Bar Association:
  - President, 1999-2000
  - Co-Chair Election Committee, 2000-2001
  - Chair-Issues Committee, 2004-2005.
- Dade County Bar Put Something Back Program
- Volunteer Lawyers Project-Southern District of Florida

**CIVIC AND COMMUNITY AFFILIATIONS**

- Chair, Board of Directors, Cherry Bar Foundation
- Miami-Dade County League of Cities City Attorney's Advisory Committee
- Miami-Dade County Ethics Task Force Member
- United States Selective Service Board Member
- Gwen Cherry Park Foundation: Board Member and Treasurer
- Big Brothers Big Sisters of Greater Miami
- United Way of Dade County: Board of Trustees/1993 Campaign Cabinet
- NAACP, Life Member
- Kings Creek Village Townhouse Association, Inc., Board of Directors
- Miami Partners for Progress
- Mentor, University of Miami School of Law, Professional Opportunities Program
- Literacy for Every Adult in Dade/JUMP Advisory Council
- Cities in Schools of Miami, Inc.

### PROFESSIONAL AND CIVIC ACTIVITIES

- Moderator, "Election Trends and What you Should know When Considering a Run for Public Office", 5<sup>th</sup> Annual Women of Color Empowerment Conference, September 2015
- Moderator, "Sober News about Sober Houses", Miami-Dade County League of Cities Third Annual Best Practices Conference
- Guest Speaker, "Conflict Resolution", Alpha Kappa Alpha Pi Delta Omega Chapter Annual Weekend Retreat, 2013
- Panelist, American Bar Association, Emerging Issues In Healthcare Law Conference
- "Breast Cancer Legal Advocacy Workshop", February 2013
- Speaker, Florida International University College of Law, Professionalism Workshop, January 2011
- Panelist, Miami-Dade FAWL Luncheon - "Taking Control of Your Career", Jan. 2011
- Member, Miami-Dade County League of Cities, City Attorney's Advisory Committee 2011-2013
- Fund-raising Committee, Miami-Dade County Law Library, 2008
- Co-Chair, 2007 Anti-Defamation League Jurisprudence Luncheon
- Co-Chair, National Bar Association Mid-Year Conference, 2007
- Law Day keynote speaker, Lawson E. Thomas Courthouse Center, Judge Rippingille, May 2005
- Panelist, Florida Bar Minority Bar Summit, January 2005
- Panelist, Eleventh Judicial Circuit, New Judges Orientation, Fall 2004
- Panelist, Rachlin Cohen & Holtz LLP The 7<sup>th</sup> Annual Governmental Symposium, October 2001
- Speaker, Stetson University College of Law and The Florida Bar Labor & Employment Section Fifteenth National Conference on Labor and Employment Law, September 2001
- Participant, Florida Board of Bar Examiners Symposium for Bar Admission Strategies, March 2001
- The Florida Bar Trial Advocacy Seminar, February 2000
- Seminar Workshop Leader, 1999 International Association of Black Professional Firefighters, Inc. Fall Conference
- Speaker, The Florida Bar Government Lawyer Section and American Bar Association Government and Public Sector Lawyers' "Professionalism Under the Palms" Seminar, May 1999
- Speaker, Nova University College of Law Symposium on Professionalism, 1998

### **PROFESSIONAL AND CIVIC ACTIVITIES (continued)**

- Panelist, 1997, the Florida Bar All Bar Conference, "Increasing Membership & Inclusivity In Your Bar Organization"
- Presenter, "An Overview of Non-Compete Agreements", National Bar Association Corporate Counsel Conference, New York, New York, 1997
- Speaker, "Women In The Law" Luncheon, Southern Regional Black Law Students Association Convention, 1995
- Member, Florida Bar Meritorious Public Service Award, 1994
- Steering Committee, The Women's Hemispheric Conference, 1994
- Chief of Staff to President, National Bar Association, 1993-1994
- Instructor, U.S. Department of Justice Civil Trial Advocacy Course, Washington, D.C., 1993

### **HONORS AND AWARDS**

- T.J. Reddick Bar Association Achievement in the Profession Award, 2018
  - Gwen S. Cherry Black Women Lawyers Association Community Pillar Honoree, 2018
  - The Florida Bar City, County, Local Government H. Hamilton "Chip Rice", Jr. Award, 2013
  - U. S. District Court for the Southern District of Florida Black History Month Committee Legal Trailblazer Award, 2011
  - Wilkie D. Ferguson, Jr. Bar Association Foundation Distinguished Honoree Award 2010
  - Miami-Dade Florida Association of Women Lawyers 2009 Mattie Belle Davis Award
  - Alpha Kappa Alpha, Pi Delta Omega Chapter 2009 Spirit Award
  - Equal Opportunities in the Profession Award, The Florida Bar Equal Opportunities Law Section, 2006
  - Put Something Back Pro Bono Service Award, July 1999
  - Delta Sigma Theta, Sorority, Inc., Miami Alumnae Chapter, Outstanding Achievement in Law Award, March 1999
  - Champions of Change Award, St. Thomas University Black Law Students Association, 1998
  - Black Lawyers Association, Inc. Honoree, 1996
  - University of Miami Black Law Students Association Nelson Mandela Award, 1995
  - Member, Florida Bar Meritorious Public Service Award, 1994
  - National Bar Association Presidential Award, 1994
  - Florida Trend Florida's Legal Elite
  - Florida Super Lawyers®
  - South Florida Legal Guide Top Attorney
  - AV Rated-Martindale Hubbell
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*Candidate Introduction*

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Cynthia A. Everett

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**EDUCATION**

The George Washington University, Washington, D.C., Juris Doctor Degree  
The Florida State University, Tallahassee, Florida, Bachelor of Arts in Government

**EXPERIENCE**

City Attorney, City of Fort Lauderdale, Fort Lauderdale, Florida 2013 – 2018  
Managing Attorney, Cynthia A. Everett, P.A., Miami, Florida  
Village Attorney, Village of Pinecrest, Pinecrest, Florida, 1999-2013  
Corporate Counsel, Our Kids of Miami-Dade/Monroe, Inc., Miami, Florida, 2005-2011  
Adjunct Law Professor, Florida International University College of Law, Miami, Florida  
2004 – 2008  
City Attorney, City of Opa-locka, Opa-locka, Florida, 1997 - 1999  
Law Offices Williams & Associates, P.A., Miami, Florida, Senior Associate, 1995 - 1997  
Hearing Examiner for bid protest matters for Miami-Dade County, 1995-1997 (approximately)  
Assistant United States Attorney (Civil Division), United States Attorney’s Office for the Southern  
District of Florida, Miami, Florida, 1989 - 1995  
Assistant State Attorney, Miami-Dade County State Attorney’s Office, Miami, Florida,  
1982 - 1989

**BACKGROUND**

Fort Lauderdale, Florida is the eighth largest city in the State of Florida and describes itself as the Venice of American due to its many waterways. Its population is approximately 177,000. It is the largest city in Broward County, Florida and serves as the government, business and transportation hub for the County. It may be best known for its marine and yachting industry, its beaches, the International Swimming Hall of Fame, the Executive Airport and the movie, “Where the Boys Are”.

The City of Fort Lauderdale has approximately 2,800 employees. As city attorney, I supervised 24 employees, of whom 13 were support staff and 11 were attorneys. Prior to my tenure as city attorney, the majority of significant litigation work was contracted to outside counsel. During my tenure, a litigation division was established and I estimate that at the time of my departure, approximately 25 percent of litigation matters were handled by the City Attorney’s Office. Outside counsel were retained to handle public finance, employment administrative matters (EEOC complaints, grievances and arbitrations), and labor (union negotiation) matters.

The most significant legal issues handled by my office related to:

- Elections/Charter: The election of a commissioner was challenged and at a later date there were issues regarding scheduling the date of an election;

Cynthia A. Everett

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Environmental issues: There is an ongoing lawsuit that was instituted prior to my tenure regarding an alleged toxic waste site;

Land development: There is ongoing conflict between residential communities and developers as to the location, height and density of development particularly on Fort Lauderdale Beach;

Transportation: The City recently resolved an issue relating to building a downtown street car system. A change in the City Commission eliminated support for the system, but the City had existing agreements with partners with binding financial obligations. Ultimately, the project was abandoned due to the high cost.

**GENERAL, MANAGEMENT STYLE AND EXPERIENCE**

I am at least a third generation Floridian on my father's side and have spent most of my adult life in Florida. My father, who was born and raised in Cocoa, Florida, served in the United States Army as an air defense officer and retired as a lieutenant colonel. My mother is a retired educator and moved with her parents from Georgia to south Miami-Dade County when she was in elementary school. Both of my parents graduated from Florida A & M University and maintained Florida as their residence during my father's military career. I was born in Connecticut and graduated from high school in Brooklyn, New York before attending college at Florida State University. After graduating from law school, I came to South Florida where I have continually practiced law.

Fort Pierce and St. Lucie County are not unknown to me as I have relatives and friends who live in both St. Lucie and Indian River Counties. Many of the issues and concerns of Fort Pierce are the same or similar to the issues and concerns that I dealt with in Fort Lauderdale such as redevelopment, homeless and related public safety issues, increasing cultural arts venues and environmental and infrastructure concerns. My experience includes working for smaller municipalities as well as a mid-sized city such as Fort Lauderdale, and a transition to a city such as Fort Pierce does not pose a problem or concern for me.

I believe that the most important attributes of a successful city attorney are the ability to communicate clearly and effectively with the City Commission and other charter officers; the ability to understand and to appreciate the political concerns of the City Commission and recognizing the role of the city attorney which is to provide relevant, cogent legal advice which will assist the city in accomplishing its goals.

When my governmental entity is sued, I first want to know the date that the matter was filed, when we were served and when a response to the lawsuit is due. I then assess the nature of the lawsuit and determine whether the matter should be handled by in-house counsel or outside counsel. Depending on the nature of the lawsuit and the desire of the entity, notice of the lawsuit is provided

Cynthia A. Everett

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to appropriate parties. Each lawsuit is then assessed to determine what should be an appropriate resolution and once that is determined, steps taken to achieve the desired outcome. Some cities have a risk management division or department which takes an active role in helping to manage and resolve litigation and in those cases, I or the assigned attorney will work with the risk division to achieve the desired result.

I have a collegial, flexible style of management. In my experience, no one style is appropriate for all situations. Everyone does not communicate in the same manner. Employees have different backgrounds and different experiences and those factors must be taken into account when managing people. I try to be open and transparent in my communications and I expect the same in return. I encourage employees to come to me with any issues and emphasize that I have to know about issues in order to address them. I encourage feedback and proposed solutions, and I believe strongly in training and career development.

When it comes to elected officials, my philosophy is not to allow them to be surprised by anything. I want my elected officials to be fully informed at all times so that they can be prepared and can make informed decisions. I communicate with elected officials in the manner that they indicate is best for them and that is consistent with maintaining confidentiality, privilege, and public records.

Though I cannot tell you what either the members of the Fort Lauderdale City Commission for whom I worked or the City Manager would say, I can tell you that at my last evaluation in June 2017, all five commissioners voted to give to me the maximum merit increase. I think that they and the City Manager should say that I am intelligent, fair, ethical, hard-working, inquisitive, forthright, resourceful and supportive, especially of my employees. Similarly, in addition to those qualities, I see my strengths as being someone who is energetic, accountable, personable, collegial, service-oriented, and who has a sense of humor. As for weaknesses, I find that I hold myself to exceptionally high standards and I am sometimes too willing to accommodate the needs of others.

Throughout my legal career I have achieved several “firsts” and had some notable accomplishments. I was the first black, woman division chief in the Miami-Dade State’s Attorney’s Office, I was the first black woman to serve as the municipal attorney for the Village of Pinecrest and served there for 13 years. I was the first black lawyer and first woman lawyer to serve as the city attorney for the City of Fort Lauderdale. I have had the honor of successfully arguing before the Florida Supreme Court and being elected to The Florida Bar Board of Governors. However, I feel that my greatest achievement to date is being a role model and inspiration to others. Throughout my legal career, students, lawyers, non-lawyers and staff have told me how they admire my leadership, professionalism and my career guidance to them over the years.

I think that my greatest mistake to date was as a new lawyer, I relied on the representation of an opposing counsel in a litigation matter. I learned of the misrepresentation before any action was taken and my client did not suffer as a result, however, the experience taught me to confirm and verify information in all situations before taking an action.

Cynthia A. Everett

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When I find that an employee's work is not satisfactory, my approach is to let the employee know my thoughts as soon as I can. An employee should not be surprised at an annual evaluation, or when discipline is imposed, to find that there have been one or more episodes of unsatisfactory performance. In addition to timeliness, documentation of the problem or problem areas should be presented at the time of notice.

In a recent situation, I did provide an employee with notice that I would have to terminate the employee if the employee's performance did not improve. The employee worked for an attorney in my office and the attorney informed me that the employee's job performance was unsatisfactory. I asked for documentation which was provided. A meeting was held with the employee, the employee's immediate supervisor, the attorney and me. I decided to delay the employee's annual evaluation for three months (an informal improvement plan) to see if the performance improved. The performance did not improve and the employee received a low performance evaluation. The employee was advised at that time that if the employee's performance problems continued, the employee would no longer be employed in the office. The employee's performance continued the downward trend and the employee was given a date by which the employee was to resign or be terminated. The employee was fortunate enough to find another position within the organization by the deadline.

During the first six months I would meet with the City Commissioners, charter officers and department directors (if deemed appropriate by the city manager) to assess their needs and desires. My initial goal would be to determine whether the City Attorney's Office has been effectively meeting the needs of the City and if not, what changes, if any, needed to be made. At the end of this initial period, I would hope to have achieved a collegial working relationship with all City stakeholders, be well-versed in understanding how the City Attorney's Office will aid in the long-term plans of the City and be well on my way to becoming integrated into the City of Fort Pierce.

As a city attorney, I generally do not comment on specific legal matters unless instructed to do so by my client. When appropriate, I do provide factual information or an explanation of a legal or government proceeding or decision to aid the media in producing a report. In my last position, the city had a public information division which handled most media requests. I or a member of my office would provide the public information personnel with whatever information was needed to provide a response.

In my leisure time, I visit with family and friends, travel and attend cultural events. I have not done anything that would embarrass the City of Fort Pierce, nor is there anything in my background that would embarrass the City of Fort Pierce. I do not know of any community activists that are likely to contact anyone with negative information on me.

**REASON FOR WANTING TO LEAVE CURRENT OR MOST RECENT JOB**

I did not plan to leave my position as City Attorney for the City of Fort Lauderdale. At the first meeting, following the election of a new Mayor and City Commission, the new Commission voted

Cynthia A. Everett

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to terminate my contract on a vote of 3-2. The same Commission voted to terminate the City Manager's contract six months' later.

**SIX ADJECTIVES OR PHRASES I WOULD USE TO DESCRIBE MYSELF**

I would describe myself as fair, reasonable, candid, intelligent, energetic and loyal.

**CURRENT / MOST RECENT SALARY**

My final compensation at the City of Fort Lauderdale was \$237,000.00.

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*CB&A Background Checks*

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**Background Check Summary for  
CYNTHIA ANN EVERETT**

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**Criminal Records Checks:**

Nationwide Criminal Records Search	No Records Found
County	
Broward County, FL	No Records Found
Miami-Dade County, FL	No Records Found
State	
Florida	No Records Found

**Civil Records Checks:**

County	
Broward County, FL	No Records Found
Miami-Dade County, FL	No Records Found
Federal	
Florida	No Records Found

**Motor Vehicle**

Florida	No Records Found
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**Credit**

Excellent

**Bankruptcy**

No Records Found

**Education**

Confirmed

**Employment**

Confirmed

**Florida Bar Number**

Member in Good Standing  
Bar #350400

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  
CYNTHIA ANN EVERETT  
Personal Disclosure**

**Personal Disclosure Questionnaire**

Name of Applicant: Cynthia A. Everett

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.  
See attached supplement.

Attested to:   
Signature of Applicant

Please email this form via PDF DOCUMENT to \_\_\_\_\_ or via fax to \_\_\_\_\_  
(888) 539-6531 no later than 5:00 PM PST/PSL 11:00 AM

(Note: Please be sure to sign the form with your actual signature if you are sending Fax or PDF Document)

**Background Check Summary for  
CYNTHIA ANN EVERETT  
Personal Disclosure Explanation**

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**Personal Disclosure Questionnaire Supplement**

11. Lawsuits.

*Earl K. Mallory v. John Harkness, et al.*

Case No.: 95-8319-Civ

As a member of The Florida Bar Board of Governors, I and all of the members of the board, were sued individually by Mr. Mallory who objected to a Florida statute which governed the composition of judicial nominating commissions. The court granted Mr. Mallory the relief he sought.

*David Solomon v. Supreme Court of Florida, et al.*

Case No.: 00-007024 CA 01

As a member of The Florida Bar Board of Governors, I and all of the members of the board, were sued individually by Mr. Solomon. I do not recall why Mr. Solomon sued and the online docket does not provide access to documents. The lawsuit was dismissed by the court.

*Zenaida Gomez, v. Cynthia A. Everett, individually and Cynthia A. Everett, P.A.,*

Case No.: 13-13246 CA 24

This was an action for malicious prosecution and abuse of process. The lawsuit stemmed from a forfeiture action in which I, through my firm, represented the Village of Pinecrest as its village attorney. This lawsuit was dismissed by the court.

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*CB&A Reference Notes*

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Reference Notes  
Cynthia Everett

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**Robert Vaughan - Esquire, Kim Vaughan Lerner LLC, FL 954-527-1115**

Mr. Vaughan has known Ms. Everett on a professional level since about 2002. He was hired as outside counsel for Ms. Everett during 2018 to work on constructive bid practices while she was City Attorney for Fort Lauderdale. As a litigator for businesses, Mr. Vaughan found her to be very knowledgeable and experienced. Ms. Everett is adept in balancing the needs of her elected officials with those of her community. She is practical, having the city's best interest always in mind. Her extensive experience and skills are highly regarded in the legal community of Florida.

Ms. Everett understands and is experienced in many areas of city law such as contractual. She understands commercial litigation and easily handles settlement discussions. As a thorough individual who pays close attention to details, Ms. Everett leads by example and is always well prepared. Mr. Vaughan found her staff to be equally equipped. Whenever Mr. Vaughan was asked to present in front of the commission, he appreciated her timely responses and assistance, allowing an easy flow of information. Her willingness to aid in finding and supplying the correct documents required was greatly appreciated.

Balancing the desires of both the individual commissioner, with those of city leadership as a whole, is another of Ms. Everett's strengths. For example, some of the commissioners would require a detailed analysis of a particular dispute, while others required a more political view and its potential affects. She ensured her lawyers were prepared and well versed, mindful of the requirements of all commission members, able to answer all potential questions. Ms. Everett displays the appropriate amount of perseverance with respect when advising her city leadership. She is strong yet diplomatic.

Mr. Vaughan has the highest respect for Ms. Everett's abilities as a City Attorney. Although at times her passion may be taken as disrespect, she is knowledgeable and experienced making her opinions of great value. Her decisions are always well thought out and detailed. She readily researches to gather appropriate and thorough information before offering advice. With these talents, Ms. Everett is an excellent negotiator able to know when it is best to litigate to resolve a dispute or negotiate a resolution.

Ms. Everett is a talented Attorney with a passion for her work yet a caring attitude towards those she serves. With a newly elected city leadership for Fort Lauderdale who desired changes in the current structure of government, Ms. Everett resigned. She remains highly respected by those she interacted with and the legal community. She is professional in all aspects of her life, encouraging the same in those around her. Mr. Vaughan is confident she will be an asset to any city or county attorney position, bringing with her extensive knowledge and experience.

Reference Notes  
Cynthia Everett

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**Words or phrases used to describe Cynthia Everett:**

- Thorough,
- Detailed,
- Strong willed,
- Strong work ethic,
- Knowledgeable, and
- Experienced.

**Strengths:** Well rounded professional with extensive experience in all areas of city law.

**Weaknesses:** At times her passion and strong will may be difficult for individuals to handle. Mr. Vaughan has always found her respectful and professional.

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**Harold Pryer - President, TJ Reddick Bar Association, FL 954-947-0335**

Mr. Pryer first met Ms. Everett in 2014 while working together on municipal ordinance violations for the city. She is a highly competent lawyer who knows all aspects of the law, aware of the simplest to the most complex violations. She is a skilled negotiator, maintaining a fair yet tough approach. Fort Lauderdale is a large and demanding city, requiring the talents and experience of an attorney such as Ms. Everett. Her passion and dedication as a lawyer have been of great benefit to the city.

Ms. Everett's knowledge of all areas of municipal law is extensive. Mr. Pryer has admired her ability to connect local laws, their implications and use, with constitutional law. When dealing with the many contracts a city is involved in, her knowledge of all judicial aspects, along with her willingness to research, allowed for well orchestrated documents to be drafted. She smoothly balances the requirements of elected officials with those of the law, efficiently presenting all information before decisions are made.

As a coastal city, Fort Lauderdale deals with major flooding issues. Ms. Everett's experience with environmental law has benefited those residents and beaches constantly affected. She has helped to establish ordinances to help maintain and sustain these areas. Her understanding and willingness to listen to the community while ensuring observance to laws protecting the environment, has been greatly appreciated.

Another challenge for the city is the increase in development. Once again, her experience and knowledge of the legalities involved in land use and redevelopment is extensive. For example, Mr. Pryer and Ms. Everett have worked closely in revitalization of downtown Fort Lauderdale. Historically many minorities reside in this area often resulting in a contentious environment for those seeking to revive a once flourishing city center. Ms. Everett has been instrumental in fostering amicable relationships with current residents and potential developers. She cares about

Reference Notes  
Cynthia Everett

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her community and has helped to ensure all party's needs are met while helping to promote needed revitalization.

Mr. Pryer's legal focus is with the telecommunication for the city. He values Ms. Everett's expertise and understanding of the separate roles all parties play when negotiating contracts. She adeptly balances local government with those on the business side with ease. Mr. Pryer values her attention to detail and her focus on responsiveness, ensuring she meets all deadlines in a timely manner. When offering legal advice, she will adhere to the letter of the law but will seek amicable solutions while doing so.

Ms. Everett has been of value to the City of Fort Lauderdale. Mr. Pryer is confident had there not been a change in elected leadership, she would have been retained as City Attorney. She is a leader and highly regarded amongst the law community. As one of the first African American females to work as a City Attorney, she is a role model and mentor to others. Mr. Pryer is confident she will be an asset to any city or county.

**Words or phrases used to describe Cynthia Everett:**

- Persistent,
- Loyal,
- Smart,
- Resourceful,
- Dedicated, and
- Professional.

**Strengths:** Bright, very intelligent individual with extensive knowledge of all aspects pertaining to municipal law.

**Weaknesses:** Strong willed and passionate, at times she would benefit from stepping back from a situation to relax.

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**Lee Feldman – City Manager, City of Fort Lauderdale, FL 954-828-5959**

Mr. Feldman worked closely with Ms. Everett from 2014 until 2018. She is an intelligent very knowledgeable attorney with extensive experience. Dedicated and passionate about municipal law, Mr. Feldman appreciated her input and advice in making the best possible decisions for the city. He valued her willingness to tirelessly give of her time and efforts in fulfilling her responsibilities.

In a large growing city, development and redevelopment is a high priority. Ms. Everett has extensive experience in these areas. She is good in contract negotiations due to her previous experience in a growing community. In addition, Mr. Feldman appreciated her knowledge of labor

Reference Notes  
Cynthia Everett

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employment law as often in a large city there are continuous issues in this area. He found her thorough and detailed when litigating all labor matters. Her willingness to research, seeking additional legal advice when deemed necessary, resulted in accurate information with all specifics covered.

When addressing any audience, Ms. Everett is clear and concise. She is professional able to present information in an easily understood manner. Most all city meetings are televised and Ms. Everett stays composed even when discussions become stressed. Although she is a good manager, with the challenges of covering the judicial needs of a large city, she struggles to delegate responsibility to her subordinates, often resulting in increased stress for herself and those who work for her.

The City of Fort Lauderdale has had a difficult leadership creating a challenging atmosphere. Ms. Everett navigated this environment well, remaining balanced while ensuring her responsibilities were covered. However, with a change in leadership, Ms. Everett resigned as City Attorney in May of 2018. Mr. Feldman is confident the additional skills gained while serving in Fort Lauderdale will just add to her value as an attorney for any future city or county she is employed with. She will bring a vast knowledge of all aspects pertaining to municipal law and a passion for the work which will benefit whoever she serves.

**Words or phrases used to describe Cynthia Everett:**

- Passionate,
- Thoughtful,
- Professional,
- Detailed, and
- Dedicated.

**Strengths:** Extensive knowledge and experience.

**Weaknesses:** Work balance, she struggles to trust others can be as thorough and detailed as she is.

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**Evelyn Greer - Mayor, Village of Pinecrest, FL 305-794-6922**

Ms. Greer served as the Mayor, working closely with Ms. Everett from 1996 until 2004. Ms. Everett is a careful, deliberate lawyer who brings a solid understanding of government law. She was of great value to the village as it underwent massive growth and changes in becoming a city. Willing to give extra effort when researching all aspects of such a transition to ensure all details are covered is one of Ms. Everett's strengths. She pays close attention to detail and is thorough in all she does. Ms. Greer has the highest respect for Ms. Everett's abilities as an attorney.

**Reference Notes  
Cynthia Everett**

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As the first Mayor of a newly establishing city, Ms. Greer heavily relied on Ms. Everett's expertise. Land development was one of the first focuses. Ms. Everett assisted in the adoption of a regulatory process, and the creation of ordinance zoning codes. The Village of Pinecrest acquired a five part governmental deal which included a park. As a result, the creation of ordinances and code enforcement for the park was necessary. In addition, the acquisition of a city hall also entailed negotiations with architects and contractors. In all these areas Ms. Everett proved to be a valuable negotiator balancing elected officials, outside council and everyday contract labor.

When presenting information, whether to city leadership or citizen groups, Ms. Everett is calm and tactful paying close attention to all. In open forum meetings where questions are asked, she has a talent for assessing the framework of the question, then responding with an immediate well thought out response. Ms. Greer appreciated Ms. Everett's attention to detail when preparing for meetings, often having a memo covering every topic to be addressed. As mayor, Ms. Greer usually deferred to Ms. Everett's expertise. Only for political reasons or issues would Ms. Greer and her council not follow Ms. Everett's advice. In these cases, she and Ms. Everett's good working relationship lent to creative solutions all could come to agreement on.

Ms. Everett's dedication, passion and knowledge of municipal law was of great benefit for the Village of Pinecrest. Ms. Greer has the highest respect for Ms. Everett as a talented individual able to navigate diverse groups of people. She is direct in her interactions, always thorough and detailed in all she does. Although not a political person she shows respect for those in leadership and professional in all areas of her life. She will be an asset to any city or county attorney position she dedicates herself to, bringing a passion and determination to any project she is tasked with. Ms. Everett's talents have been greatly missed by Ms. Greer and her community.

**Words or phrases used to describe Cynthia Everett:**

- Professional,
- Deliberate,
- Conscientious,
- Knowledgeable, and
- Loyal.

**Strengths:** Strong in all areas of municipal law.

**Weaknesses:** Although Ms. Everett has learned to navigate the political environment her position as City Attorney requires, she prefers honest straight forward individuals who share her passion in focusing on what is in the best interest of the community.

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**Cindy Lerner - Mayor, Village of Pinecrest, FL 305-992-3433**

Ms. Lerner began working with Ms. Everett in 2008. As a talented, experienced attorney, Ms. Everett was easy to interact with. Her dedication to those she works with and those she serves was

**Reference Notes  
Cynthia Everett**

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greatly appreciated. Ms. Lerner trusts and respects Ms. Everett, confident in her ability to thoroughly accomplish any task she is given. She was an asset to the Village of Pinecrest and its leadership.

One of the strengths Ms. Lerner admired in Ms. Everett was her willingness to bring in outside council to ensure all aspects of a project were covered. Well respected in the legal community, she always knew when or where to seek assistance. For example, when negotiating with utility services such as Florida Power and Light, Ms. Everett mediated with other legal experts to assist in creating a municipal bond.

In addition, Ms. Everett's negotiating skills were helpful in many other areas. When dealing with a developer, she adeptly navigated the issues, often alleviating the need to litigate deeper. She is good with diverse groups of people from citizens to elected officials able to interact in a caring yet straight forward manner. Ms. Lerner sought Ms. Everett's legal advice often, valuing her expertise, usually never veering from it. Although Ms. Lerner can not attest to Ms. Everett's ability to be successful as a City Attorney, she is confident she will bring a valuable set of skills to any city or county she serves. Ms. Everett is well respected by her fellow attorneys and the law community. Her talents and efforts were of great value for the Village of Pinecrest and its citizens.

**Words or phrases used to describe Cynthia Everett:**

- Knowledgeable,
- Comfortable,
- Detailed,
- Good with diverse groups of people,
- Professional, and
- Thorough.

**Strengths:** Dedicated and thorough in all she does.

**Weaknesses:** None identified.

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**Peter Sampo - Attorney, Allen, Norton and Blue, FL 305-798-2633**

Mr. Sampo had been working as outside counsel on labor negotiations when Ms. Everett was hired as City Attorney in 2013. Although their interactions were limited to labor, union contracts and issues in those areas, he found her to be knowledgeable in all aspects of labor law. Her dedication and passion for her position allowed for efficiency in completing all projects thoroughly with an attention to detail.

Ms. Everett is a skilled negotiator. During collected bargaining meetings, where agreements would be ratified, Mr. Sampo admired the professional manner with which she conducted herself.

**Reference Notes  
Cynthia Everett**

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When speaking Ms. Everett was clear and concise. She smoothly navigated the diverse groups of people involved showing equal respect for each individual's position. Often in negotiations, disagreements arise. Ms. Everett remains calm, offering her expert counsel when asked. On one particular occasion, when her opinion did not align with that of the City Manager, she handled it well remaining poised and cool.

Also adept in analyzing state and municipal laws, Ms. Everett has proven valuable on many occasions. For example, Mr. Sampo needed Ms. Everett's advice on what the legal ramifications were in administering a merit pay increase, whether it should be given in a lump sum or in increments. Even though her opinion leaned toward a decision opposite of Mr. Sampo's, upon study and a comparison of the different laws, she realigned her decision. She is humble and willing to consider alternatives to ensure the best decision is made.

Mr. Sampo respects and admires Ms. Everett's many talents as a skilled attorney. Their interactions, though limited, were successful and efficient due in part to her straight forward approach. She conducts herself as a professional in all situations even when confronted with a change in city leadership who wanted to hire their own staff, resulting in her dismissal. Mr. Sampo is confident however, Ms. Everett will be a valuable addition to any smaller city as their attorney. She brings extensive experience and knowledge along with a passion for her field. As an individual with an attention to detail and a drive to be thorough in all she does, she will be of great benefit to an area experiencing increased development.

**Words or phrases used to describe Cynthia Everett:**

- Smart,
- Tough,
- Business like demeanor,
- Competent,
- Thorough, and
- Dedicated.

**Strengths:** Extensive knowledge of municipal law.

**Weaknesses:** Although Mr. Sampo appreciated Ms. Everett's straightforward approach, some may find her harsh and impersonal.

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**Pamala Ryan - Attorney, Torcivia Donlon Goddeau Ansay, FL 561-686-8700**

Ms. Ryan first met Ms. Everett while serving on the city, county, local government State bar committee in 2004 and have kept a close relationship to the present. Ms. Everett is experienced and knowledgeable in all aspects of the law. She is often the person others seek for advice about

Reference Notes  
Cynthia Everett

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legal issues. Ms. Ryan has valued their relationship relying on Ms. Everett on numerous occasions for guidance.

Ms. Everett is a clear concise communicator. Ms. Ryan has attended numerous city commission meetings for Fort Lauderdale and has always found Ms. Everett to be intelligent, prepared and confident, able to articulate in a manner diverse groups of individuals can easily understand. Another of her talents is knowing how to balance respect for those in leadership with firmness when giving legal counsel. Even in a difficult environment, Ms. Everett remains calm but direct. When researching information, she is thorough giving the additional effort to ensure all details are covered before presenting her findings. She listens to alternative and creative ideas as long as they adhere to the law.

Possessing extensive knowledge in all areas of the law, has allowed Ms. Everett to be a successful City Attorney. When handling a continuing problem with the homeless population in downtown Fort Lauderdale, Ms. Everett balances the need for redevelopment with the rights of each individual citizen. She knows constitutional law and laws pertaining to development. As with all cities, there are continuous challenges with contracts whether with developers, labor, or utilities. Ms. Everett is adept in negotiating and writing various agreements ensuring all legal details are included. Even Ms. Ryan, at one time, sought Ms. Everett's advice when handling vacation rental contracts. She is approachable and willing to share her expertise with anyone who asks.

Another of Ms. Everett's strengths is her managerial talents. She leads by example and is professional in all aspects of her life. Truly caring for those who work for her, Ms. Everett believes in supporting her staff even in their family life. She is supportive and encourages a balance between family and work. Ms. Ryan has always found Ms. Everett's staff to be happy and efficient. She is an excellent leader who cares for her community and its citizens.

Even though Ms. Everett has strong interpersonal skills, she is often direct which is at times difficult for some personalities to accept. Having served as a City Attorney, Ms. Ryan appreciates Ms. Everett's honest straight forward demeanor, feeling it is a valuable talent when in city leadership positions. As a trait Ms. Everett is aware of, she is continuously working on recognizing when a subtler approach should be used. In 2018, Fort Lauderdale experienced a change in city leadership, Ms. Everett was asked to resign as City Attorney.

Ms. Ryan has the greatest respect for Ms. Everett as an accomplished leader and attorney. As a lawyer with vast experience in many areas, her expertise is sought by others within the law community. She is active in several professional organizations holding numerous leadership positions. Her strong confident demeanor along with her extensive knowledge, make her an ideal candidate for any city or county attorney position. After her tenure with a large city such as Fort Lauderdale, Ms. Ryan is confident Ms. Everett would do well in a challenging smaller city where her valuable skills will be well utilized.

Reference Notes  
Cynthia Everett

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**Words or phrases used to describe Cynthia Everett:**

- Very professional,
- Knowledgeable,
- Has wisdom,
- Sympathetic,
- Supportive in balancing work and family, and
- Talkative.

**Strengths:** Very experienced and knowledgeable attorney with valuable set of skills.

**Weaknesses:** Ms. Everett is direct in her responses which at times can be taken as offensive. Ms. Ryan is confident it is dependent on the personality of whom Ms. Everett is addressing. Many individuals like her straight forward approach and find it an important attribute for a city government position.

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**Eugene Pettis - Attorney, Haliczer, Pettis, Schwamm, FL 954-523-9922**

Mr. Pettis has known Ms. Everett for over twenty years as a professional and was part of the search committee who recruited her as the City Attorney for Fort Lauderdale in 2013. With a broad spectrum of experience in law, Ms. Everett brought a valuable set of skills to her position. She is an excellent communicator able to speak to diverse groups of individuals in a manner easily understood by all. When interacting with elected officials she is straight forward and confident. She has been an asset to the city's leadership.

Ms. Everett brings extensive knowledge to her position as city attorney and the various areas requiring her services. For example, one of her strengths is her experience with all things pertaining to the constitution and the laws which uphold it. With an ever growing homeless population, the legalities of maintaining their rights while relocating them out of the downtown area of Fort Lauderdale has continued to be a focus of city leadership. Ms. Everett's legal prowess has been of great benefit. Her attention to detail while advising the council before decisions are made, ensures all results are judicially sound.

As an experienced litigator, along with her varied experiences as a lawyer, Ms. Everett smoothly navigates the process involved in lawsuits. On numerous occasions Mr. Pettis has seen Ms. Everett handle cases where her extensive knowledge of state and federal laws is of utmost importance. One such case Ms. Everett adeptly handled was a 1983 issue involving the law enforcement department. She is knowledgeable, calm and articulate in the court setting, confidently navigating the environment.

In addition, Mr. Pettis has witnessed Ms. Everett's talents in contract negotiations with city utilities, land use, development and redevelopment. Like most cities, Fort Lauderdale is in a

**Reference Notes  
Cynthia Everett**

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constant state of flux, often which requires the legal assistance of Ms. Everett. Her extensive experience has been of great benefit in negotiating, drafting, and reviewing the numerous contracts involved. Mr. Pettis is confident she is thorough, covering all details necessary.

Ms. Everett is highly respected within the law community. She has held numerous positions of leadership in professional associations such as the Florida State Bar Association. As an experienced, talented attorney, her advice is often sought by others in her profession. Mr. Pettis confidently endorses and would hire Ms. Everett again for any city or county attorney position. She will bring valuable skills and diverse experiences which will be of benefit.

**Words or phrases used to describe Cynthia Everett:**

- Strong,
- Leader,
- Smart,
- Experienced,
- Professional, and
- Knowledgeable.

**Strengths:** Unique and diverse experience in all areas of the law.

**Weaknesses:** None identified.

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**Prepared by:** **Beth Nestman**  
Colin Baenziger & Associates

## **Section 4**

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*CB&A Internet Research*

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**Internet – Newspaper Archives Search**  
**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
March 21, 2018

**New Fort Lauderdale commission delays vote on The Wave**

Author: Brittany Wallman

The newly seated Fort Lauderdale commission took swift aim at The Wave streetcar project Tuesday, saying the city will cancel its agreements and kill the multimillion-dollar proposal. But three of the five City Commission members, who had pledged to kill The Wave at their first meeting, didn't go that far, delaying a vote until May 1. "I'm disappointed, for sure," said Stan Eichelbaum, a downtown civic leader who got candidates to sign pledges that they "commit to voting to cancel The Wave at the first meeting of the newly elected Commission." He added, "But we are moving forward, and we have three votes." New Mayor Dean Trantalis and new commissioners Ben Sorensen and Steve Glassman, all elected March 13, said they do not support The Wave, a mass transit streetcar that would run on embedded rails, powered by overhead electrical lines, amid traffic on downtown roads.

In a meeting buzzing with controversies, the three also voted to fire City Attorney **Cynthia Everett**, and made plans to vote in two weeks to consider canceling a lease for gun shows at the city-owned War Memorial Auditorium. Heather Moraitis, who was unopposed, and Robert McKinzie, who was re-elected in the January primary, also were sworn in as commissioners on Tuesday. Both support The Wave and voted against firing **Everett**. Commissioners rode into office on a wave of voter discontent with the status quo, including the rapid pace of development, plans for The Wave, failing water-sewer infrastructure, important city votes taking place in the wee hours of the morning, and a highly visible homeless population. Former Mayor Jack Seiler told the incoming group that "this will be the greatest job you've ever had." "We're at the dawn of a new day in Fort Lauderdale," Trantalis told the crowd at Parker Playhouse, after he was sworn in, and Seiler and departing Commissioner Romney Rogers said their goodbyes. "There was a mandate, clearly there was a mandate, to tell us one thing: We need to get things done." Departing Commissioner Bruce Roberts, who lost the mayoral race to Trantalis, didn't make it to the swearing-in. Seiler said Roberts is in the hospital.

The new commission dove right into the biggest controversies, including debating whether to terminate City Manager Lee Feldman. Trantalis said he was ready to do it Tuesday night. "I think we should take a fresh approach," he said. Glassman and Sorensen said it's important for the mayor and manager to work well together. "I am not inclined to sit here for three years and watch the mayor and city manager butt heads," Glassman said. But Sorensen said Feldman has been "responsive" to him so far, and he suggested Trantalis lay out his expectations and allow Feldman a chance to meet them. Sorensen made a motion to fire **Everett**, citing high turnover in her office, a poor working relationship with the public, and sluggish turning around of contracts. Trantalis said he thought she wasn't up to the demands of the job, but is a "wonderful" person. "I'm more than competent to handle this job," **Everett** said before the vote. She said she was proud of the legal team she built, and her office's accomplishments. She was placed on paid administrative leave and replaced for now with assistant city attorney Alain Boileau. She picked up her purse and walked off the dais shortly after the vote to terminate her.

**Internet – Newspaper Archives Search****Cynthia A. Everett***(Articles are in reverse chronological order)*

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Though Sorensen, Trantalis and Glassman were also prepared to take a symbolic vote opposing The Wave, they agreed with Moraitis and McKinzie to wait for new competitive bids to come in. They said if the bids remain too high, the project will die, anyway. "I like to vote on things when I have all the facts first," Moraitis said. The city tentatively scheduled an April 30 workshop to discuss The Wave and possible alternatives, a few days after new bids are expected. The first round of bids for the \$195.3 million project exceeded the budget. The city has agreed to pay a portion of the project cost, as well as a portion of cost overruns. The Wave is based on a partnership with local, state and federal funds. All five commission members said they want new mass transit, but Trantalis said technologies have improved over the 16 years The Wave has been in the works. "I'm going to continue to work to see if we can repurpose this money use toward a different type of mass transit system," Trantalis said. "If we're a city of the 21st century, we have to start thinking that way."

Sorensen asked City Auditor John Herbst to review public funds spent on The Wave to date, so it can be discussed at the April 30 workshop. A vote to cancel the city's financial obligations could take place at the May 1 City Commission meeting. Meanwhile, a citizens group led by activist Mary Fertig and others is collecting signatures to end a special assessment property owners near The Wave route are paying each year.

In other action, Fort Lauderdale city commissioners:

\* **PARKING:** Allowed Broward County to renege -- at least temporarily -- on its promise to allow public parking in a new parking garage on South Andrews Avenue. The county says it will happen one day, but wanted the written requirement that it "must be available for public use" removed. The former City Commission met for five minutes before the swearing-in and approved the change. They said Broward County Administrator Bertha Henry wrote a letter promising the garage eventually will be open after-hours for public use.

\* **DEVELOPMENT:** Appointed city activist Fertig to the planning and zoning board. Fertig, a leader of the civic group Lauderdale Tomorrow, was a key slow-growth supporter of Trantalis and Glassman.

Internet – Newspaper Archives Search  
 Cynthia A. Everett  
 (Articles are in reverse chronological order)

https://sun-sentinel.newspapers.com/image/392459317/?terms=%22Cynthia%2BEverett%22  
 February 14, 2018

## Wave's future still in limbo after county, city votes

By Brittany Wallman  
 Staff writer

The Wave streetcar project survived two critical votes, but its future remains in doubt.

Early morning on Feb. 7, Fort Lauderdale commissioners voted 3-2 to reaffirm support for The Wave, approving a new agreement with the county and Downtown Development Authority that makes clear the city's financial obligations.

After the vote, five of the six candidates in the city's March 13 election said they haven't changed their minds about overturning it, even if the week's vote potentially increases the city's financial risk.

"Let's change it," candidate Tim Smith said of The Wave, noting that even its supporters admit there are things they don't like about it, including its overhead powerlines and embedded rails.

Dean Trantalis, a city commissioner and candidate for mayor, said he'll explore how the next City Commission could resurrect the vote.

New members will be sworn in March 20, including three new district commissioners, and a new mayor. All six candidates running for three of the seats — a majority — have said they don't support the rail project as currently designed, and five signed pledges saying that "if elected, I commit to voting to cancel THE WAVE at the first meeting of the newly elected Commission."

Trantalis said he's not sure there will be a dramatic March 20 vote, but he remains committed to upholding his pledge, if elected mayor. He said he hopes a new version of the transit project could be created, one



MIKE STOCKER/STAFF PHOTOGRAPHER

Before the City Commission meeting and vote, a group in support of the Wave streetcar gather inside of the Fort Lauderdale City Hall to show their support for the project.

that more city and county commissioners, and the public, would support.

Two members of the new City Commission, Heather Moraitis and Robert McKinzie, support The Wave.

Broward County commissioners were split on support of The Wave on Feb. 6, voting 5-4.

Commissioners Trantalis and Bruce Roberts voted no in the wee-hours decision.

Roberts was the only candidate of six who declined to sign a pledge sought by the Downtown Civic Association to defund The Wave, but has said he's campaigned against it and would stand by his word. He couldn't be reached Feb. 7 for comment on whether the late-night vote changed his views about unwinding the deal.

Frank Schmidman, an attorney and former head of the DDA who advised the downtown civic group on the issue, said the state shouldn't move forward yet, given what's happening with Fort Lauderdale's leadership. He said the new City Commission could ask to re-open the agreement that was approved Feb. 6.

"How can there be good faith and substantial reliance to move forward, when

everyone's been put on notice there's going to be a reversal?" he asked.

City Manager Lee Feldman said the city has spent \$21 million it wouldn't get back. No one is sure how much the city might have to pay if it reneges on its commitments.

Robert Bosian, project manager for the state Department of Transportation, declined to say Feb. 7 whether the project's timeline would be paused. The next step for the state was a Feb. 12 pre-proposal meeting, a part of the competitive bidding process leading to the selection by FDOT of a contractor in May.

Two companies applied: Prince-Delta Railroad JV, and Stacy and Witbeck/Herzog. The state last fall rejected four bids for the project, when they came in much higher than the \$14 million construction budget.

If the new bids exceed \$142.5 million, the state, county or city can reject them.

At the five-and-a-half-hour city hearing on Feb. 6, City Attorney Cynthia Everett threw the discussion into a tangle after 11 p.m. when she advised against approving the deal, saying she had

"concerns" and didn't think the city had a strong role negotiating the deal.

She said the city already had a binding agreement to help pay for The Wave even before that night's vote, and the vote created a "narrative" that the city had the authority to kill the project — potentially putting the city on the hook for damages if Fort Lauderdale defaults.

"It is not the best deal for you," Everett said. "This was presented as a done deal, in effect. ... Stick with what you have."

John Milledge, attorney for the pro-Wave DDA, where the project was conceived at least 16 years ago, said the city attorney could have commented on or objected to the agreement before the Feb. 6 meeting.

"Frankly, we all have a lot of liability for unplugging it at this point," Milledge said, noting that the state has deadlines for spending \$10 million in federal grants.

Everett also questioned a provision of the Feb. 6 agreement that says that after budget year 2019-20, the city and DDA are solely responsible for cost overruns, removing the county from the equation. Previous agreements didn't say that, Everett said. The city's portion remains at a quarter of the cost, but Everett said she still thought it increased the city's financial risk.

The current \$195 million project includes \$82.7 million from the federal government, \$52.7 million from the state and \$59.9 million divided between the city, the Downtown Development Authority, downtown property owners and the county.

The system would take riders from Sistrunk Boulevard to the north, to 17th Street to the south, mostly along Andrews Avenue.

**Internet – Newspaper Archives Search**  
**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
February 10, 2017

**Fort Lauderdale sewage spill costs top \$1 million**

Author: Larry Barszewski

The cost of a December sewage spill continues to climb, with the city paying more than \$1 million for repair work and claims from affected property owners. Officials still don't know what the final cost will be after a sewer line break in the 500 block of Southwest Seventh Street sent 2.5 million gallons of raw sewage through the Tarpon River neighborhood. Officials halted reimbursement payments to property owners in January because the city was nearing a \$300,000 state cap on what it was allowed to pay without legislative approval. But after researching the issue, City Attorney **Cynthia Everett** told commissioners Tuesday the cap did not apply to the type of claim payments the residents were seeking.

The city has spent \$479,000 so far for repairs and cleanup. It has paid another \$537,000 to property owners for their cleanup costs and damaged items. The figures do not include all the recent payments to property owners. City spokesman Chaz Adams said that information was not available yet. Additional claims can still be made. The spill was the city's fourth to exceed 2 million gallons last year. The state is seeking a consent order with the city that would include a plan for fixing the city's aging pipelines. It could also include a penalty for the previous spills and create additional fines if the number of spills is not reduced. The city has been developing master plans for all its infrastructure needs, including water and sewer lines, sea walls, roads, sidewalks and storm drainage. Commissioners are creating an advisory committee to help develop a comprehensive overall plan and to provide suggestions for how to pay for the needed work.

**Internet – Newspaper Archives Search**  
**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
February 8, 2017

**Fort Lauderdale gun shows get renewed scrutiny following airport shootings**

Author: Larry Barszewski

A month after a shooter killed five people at Fort Lauderdale-Hollywood International Airport, the gun shows at the city's War Memorial Auditorium have come under renewed attack. Commissioner Dean Trantalis asked Tuesday for the city to ban the leasing of the auditorium in Holiday Park to gun shows, which have been a staple there for more than 30 years. "I think the incident at our airport brings closer to home how important it is to try to minimize the implements of violence that seem to permeate our society," Trantalis said. "One of the things we can do is to recognize how we as a city can limit the availability of weaponry." Trantalis said he wasn't challenging gun ownership, but said a park where children play is "an inappropriate location for the city to be hosting gun shows." Commissioners were sympathetic to the desire to curb gun violence, but said eliminating gun shows at the auditorium wasn't the solution.

Mayor Jack Seiler said operators of the Fort Lauderdale Florida Gun Show, formerly the Suncoast Gun Show, already take extra precautions because of past city concerns. That includes requiring all sellers to be licensed and having increased security patrols, he said. "They voluntarily impose stricter requirements," Seiler said. "They've cooperated with law enforcement with every single request over the years." Critics said the city shouldn't meddle. "To ban gun shows, in my opinion, would be censorship," resident Dennis Ulmer said. The operators, Florida Gun Shows of Florida, hold eight gun shows a year at the auditorium. Last year, Trantalis unsuccessfully sought to ban the sale of assault-style rifles such as the AR-15 and AK-47 at the shows. His move came right after the shootings at Orlando's Pulse nightclub where 49 people were killed. There also was an effort in 2013 to stop leasing space to the gun show after the 2012 shootings at Sandy Hook Elementary School in Connecticut where 20 first-graders and seven others were killed.

But a state law limits the regulation of the sale and purchase of guns to state government, not cities. The law says commissioners can be held personally liable for damages and the governor can remove them from office if they violate it. Trantalis doesn't see his proposal as regulating gun sales, but as simply creating a city lease stipulation for property it rents out to others. City Attorney **Cynthia Everett** last year warned commissioners that stopping the gun show from having assault-style weapons probably would violate the state prohibition. While commissioners said they are reluctant to impose a leasing ban, they asked **Everett** to research if the city can legally impose any lease restrictions that are related to the sale of guns. Resident Bonnie Gross wants the gun shows gone. "I'm disturbed by the fact that my city generates revenue by hosting gun shows eight times a year," Gross said. "You're choosing what kind of message you want to send about the city of Fort Lauderdale."

**Internet – Newspaper Archives Search**  
**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
June 22, 2016

**Fort Lauderdale city manager receives rocky evaluation**

Author: Larry Barszewski

[CB&A Note: Only the information relevant to **Cynthia Everett** is listed below.]

Commissioners will discuss pay raises for Feldman and City Attorney **Cynthia Everett**, who was also evaluated Tuesday, at a July 12 meeting. **Everett** received mixed reviews as well, although not as critical.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
June 8, 2016

**Update: Fort Lauderdale commission delays Bahia Mar decision**

Author: Larry Barszewski

Fort Lauderdale commissioners delayed a final vote on the proposed Bahia Mar redevelopment to see if they can require a super-majority vote for the yet-to-be-negotiated lease of the city-owned property that is also needed for the project to go forward. Commissioner Romney Rogers said he was uncomfortable supporting the site plan for the project, which requires the approval of four commissioners, when it would only take three commissioners to approve the new lease. Rogers didn't want to approve the rezoning without knowing he could support the lease terms. City Attorney **Cynthia Everett** was asked to determine if the commission could require the commission's super-majority approval of the lease as a condition of its site plan approval. Normally, a lease would only require a simple majority, or three votes of the five-member commission.

Attorney Robert Lochrie, representing TRR Rahn Bahia Mar LLC, said the developer was willing to require the support of four commissioners on the lease as a condition of the site plan's approval, but **Everett** said she didn't know if such a condition would be enforceable if it was challenged in court. The site plan decision was delayed until June 21.

Original report:

City commissioners Tuesday will consider final approval of a private developer's plans for the city-owned Bahia Mar resort and marina. A positive decision would allow the project to advance, but doesn't mean construction is guaranteed. A couple of city residents have already filed suit on Monday, challenging the zoning rules being used to approve construction of two 29-story condominium towers, a grocery store and massive parking garages on the property. Critics of the project, which received preliminary approval on a 4-1 vote in May, are expected to present hours more testimony Tuesday in hopes of convincing at least one more commissioner to oppose the plans. The zoning rules require the support of at least four commissioners for the project. Even if the plan is approved, the city will still have to negotiate with the developer a new lease with new rents and terms. The site's previous leaseholder also had a site plan approved by the commission, but was never able to finalize new lease terms.

In order to get a new lease from the city, commissioners say the project developers will also have to get Fort Lauderdale International Boat Show officials to sign at least a 30-year agreement for continuing to base the show at Bahia Mar. Commissioners said the boat show is critical to the city's economic health. The Bahia Mar site plan will be taken up during the commission's 6 p.m. meeting at City Hall, 100 N. Andrews Ave. Critics of the plan said the city is giving away public property to private development. Under past proposals, the city would sign a 50-year-lease and give the developer a 50-year-extension option which would tie up the property for 100 years. Opponents also say the project is too intense for the site, one of the narrowest portions of the city's barrier island. Jimmy Tate, who heads the development group TRR Bahia Mar LLC, has said the condominiums and other revenue-producing elements of the plans are needed in order to

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**Cynthia A. Everett**

*(Articles are in reverse chronological order)*

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pay for improvements needed for the boat show and to create a public promenade and other public spaces along the Intracoastal Waterway. The current zoning of the property sets a maximum 12-story height for buildings there, while the beach overall has a 24-story height limit.

The suit filed Monday by Geary Cotton of Idlewyld and Larry Burnette of the Venetian condominiums says the proposed development would be "inconsistent with the scale, density and intensity" of the surrounding community. The suit said the zoning rules being used should be voided because they are "arbitrary and capricious," in effect creating "spot zoning" that will negate the city's approved land-use plans. It also raises a technical issue, saying that the city, not Tate's group, should have made the rezoning application because it is city-owned property. The project has sparked larger concerns about development in the city, with two petition drives underway. . One seeks a year-long moratorium on large development projects from Federal Highway east to give the city time to address worsening traffic congestion. The second wants to make sure city-owned property on the barrier island is only used for public purposes.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
May 18, 2016

**Bahia Cabana fails in bid to get fire station site**

Author: Larry Barszewski

City commissioners have rejected Bahia Cabana's offer to build the city a new fire station at a different location so it can use the prime site to redevelop its aging beach resort. Still, a different deal with the city is possible. Bahia Cabana's owners say they need Fire Station 49's Seabreeze Boulevard site to transform their tired-looking resort into an iconic, luxurious destination at the southern entrance to the city's beachfront. They offered to replace the station, which opened in 2010, with a better one to be built only 250 feet away on Harbor Drive. But Fire Chief Robert Hoecherl said the change might make response times worse, a risk commissioners were unwilling to take. Instead, Vice Mayor Dean Trantalis suggested Tuesday night there might be a better location for a new beach station, possibly closer to Las Olas Boulevard, that would improve response times without negatively impacting residential neighborhoods. The city is preparing to build a new fire station near Andrews Avenue and Southwest 17th Street, which will handle many of Station 49's calls. Trantalis said moving the beach station north would help response times west of the Las Olas Boulevard bridge. "We've got a number of locations on the beach that are going to be appropriate," Trantalis said. "We don't necessarily need a fire station where it is at this point."

Adam Sharif, who heads Randolph Equity Partners that owns Bahia Cabana, said the commission's decision kept his plans alive. "We are not opposed to looking at other locations," Sharif said. However, the city must determine if it would be legal to tear down the existing station, which is being paid for through bonds approved by voters in 2004. The city has been working for more than a year on the proposed swap, but City Attorney **Cynthia Everett** had no definitive answer when asked if the deal could be done, given that taxpayers are still repaying those bonds. Even if the city eventually approves a land swap and new fire station paid for by Bahia Cabana, the commission is not required to approve any rezoning or development request the resort's owners make.

Sharif has said the plan is "to develop something that's low impact, ultra-luxury, highly amenitized" that "will change the way people perceive the city of Fort Lauderdale." He said the average condo price would be about \$7 million. Acquiring the city's fire station site would also allow Bahia Cabana to build a public promenade along the Intracoastal Waterway that would be able to link up with one planned for Bahia Mar directly north of the site. Sharif has also pledged to provide 150 public parking spaces in his future development as a condition of any land swap. Commissioner Romney Rogers said he was uncomfortable not knowing what that development will look like. "I don't like going into something without knowing the end game," Rogers said.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
January 25, 2016

**Fort Lauderdale not ready yet for police body cameras**

Author: Larry Barszewski

A move to equip city police officers with body cameras is being delayed due to privacy concerns. City commissioners say they support a pilot program but fear Florida privacy laws could put officers wearing cameras in civil or criminal jeopardy. A number of Florida agencies have already begun using body cameras, including the Broward Sheriff's Office and Hallandale Beach police. But Fort Lauderdale Mayor Jack Seiler worries the courts may step in and throw a monkey wrench into those programs -- similar to how the courts invalidated parts of the red-light camera laws enacted by numerous cities throughout Florida. City Attorney **Cynthia Everett** said she's comfortable Fort Lauderdale can put a program in place. Commissioner Dean Trantalis said the city should move forward with a pilot. "I don't believe there's any legal impediment to implementing this program, if that's what you want to do," **Everett** told commissioners. "We're going to have policies and procedures and training."

One major concern involves inadvertent taping that would take place during the course of an officer's day. The body camera is constantly recording video and constantly overwriting that video until an officer turns it on for a specific event. The camera captures and preserves what is recorded from the time an officer turns it on until it is turned off. It also preserves prerecorded material occurring immediately before the officer turns on the switch. The prior video could be a half-minute to a half-hour in length, depending on the agency's policy. People not involved in an arrest could be inadvertently recorded, such as in a hospital emergency room, which might violate health privacy laws, Assistant City Attorney Brad Weissman said. Police union president Jack Lokeinsky said officers would have to be protected in their collective bargaining agreement from potential lawsuits resulting from wearing body cameras. "I can't let them wear a camera until it's in there," Lokeinsky said. Commissioners are also concerned about the cost of storage and handling of what could be voluminous materials. Police Chief Frank Adderley said the city could likely avoid those costs in a pilot program because many of the camera providers are offering free cameras and storage for up to a half-year.

However, Adderley said he would want to hire a project manager if the city moves forward with a pilot program, which he said would cost about \$25,000 for a half year. Before going further, Commissioner Bruce Roberts said he wants **Everett's** opinion in writing regarding the policies and procedures. He'd also like the issue to be presented to the Citizens Police Review Board for its input, to have the union involved and to assure officers they are going to be legally protected. Seiler asked staff to identify the gaps and concerns in the proposed pilot program, along with crafting a policy for unintentional recordings.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
October 21, 2015

**Water park goes to federal court to stop competitor**

Author: Larry Barszewski

The operators of Rapids Water Park sued the city in federal court Wednesday, saying officials cannot allow Schlitterbahn to build a competing park on city property without seeking bids on the project first. Premier Parks LLC says its Riviera Beach park "will suffer substantial damages" if the Schlitterbahn lease continues. The suit said the city is violating its own charter by not requiring competitive bids. Company officials made the same argument to city commissioners earlier this month, but the commission moved forward with the Schlitterbahn deal after City Attorney **Cynthia Everett** told commissioners they had acted properly.

Schlitterbahn plans to build a water park and treehouse-like hotel accommodations at Fort Lauderdale Stadium, the former spring training home of the New York Yankees and Baltimore Orioles, a half-mile west of Interstate 95 south of Cypress Creek Road. The city has been in negotiations with Schlitterbahn since 2010, but could never get the required approval of the Federal Aviation Administration, which had a say in the matter because the property was owned by Fort Lauderdale Executive Airport. That changed this summer when the FAA allowed the city to buy the property from the airport for \$12.1 million. The suit says the Schlitterbahn deal has similar problems as the city's contract with Recreational Design & Construction to build a replacement swimming complex on the beach. The Broward Inspector General's Office in 2013 said the city had violated state law by going with a one-bid contract. Schlitterbahn has also hired RDC to build its water park.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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SunSentinel  
August 21, 2015

**Lauderdale ups hiring salary for city attorney – two years later**

Author: Larry Barszewski

Fort Lauderdale commissioners decided this week that they didn't give City Attorney **Cynthia Everett** a big enough salary when they hired her two years ago. So after awarding her a 3 percent raise in July, they've gone back and boosted her original salary. They'll recalculate her raises based on the new figure and pay her the difference retroactively.

Commissioners on Tuesday also agreed to give City Auditor John Herbst a 3 percent raise and to pay Acting City Clerk Jeff Modarelli an extra \$1,500 a month while he holds that position. Modarelli started filling in after City Clerk Jonda Joseph resigned in July to avoid being fired by commissioners. The attorney, clerk, auditor and manager are the only four city employees hired and fired by the commission.

Commissioners hired **Everett** in 2013 and set her salary at \$193,000. Mayor Jack Seiler said there were some misunderstandings on both sides during the negotiations, so he's been meeting with **Everett** and commissioners approved his proposal to reset that initial salary at \$199,000. The change still keeps **Everett's** figure under the \$200,000 City Manager Lee Feldman was earning at the time. Given subsequent raises, **Everett's** new salary is \$218,582, while Feldman's stands at about \$226,280.

Commissioners have also given **Everett** a retroactive \$592 monthly car allowance — a \$202 increase — to bring it on par with what Feldman receives. The city will also start contributing \$8,000 annually to an insurance policy of **Everett's** choice, to match a similar life insurance contribution for Feldman. **Everett's** total retroactive salary and car allowance earnings amount to \$18,386. City Auditor Herbst's raise brings his salary to \$208,091, a \$6,061 increase.

As for Modarelli, who was senior assistant clerk under Joseph, he'll continue earning his \$86,700 annual salary along with the extra monthly stipend. Joseph's annual salary was \$113,485. Commissioners plan to review Modarelli's work in three months and decide whether to offer him the permanent position or to look for someone else. If Modarelli is selected, commissioners would negotiate a new salary for him at that time.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
May 26, 2015

**Lauderdale seeks to tighten control of vacation rentals**

Author: Larry Barszewski

Homeowners offering their properties as vacation rentals could soon have to obey additional regulations if they want to continue operating in the city. While the state won't let cities ban the rentals, city officials say they can do more to manage the practice that is a frequent source of complaints by residents upset with late-night parties, loud noise and parking nightmares. Some listed homes offer accommodations for up to 24 people. The city attorney's office is working on proposed regulations that would require people offering their homes to vacationers to register with the city, provide local contact information for when problems arise and make sure they pay the appropriate business, sales and tourist taxes. Commissioners would also like to see a formal process that would allow the city to revoke the licenses of homes that become a nuisance because of repeat violations of city laws. The city has been stymied in its efforts to restrict vacation rentals because of a 2011 state law that allows short-term rentals of any duration, unless a city had restrictions on its books prior to the state law. Fort Lauderdale argued it did have restrictions, but lost that issue in court in 2012.

Now officials are trying to do what they can to make the situation more manageable. Mayor Jack Seiler wants any changes to be in place before the heavy tourist season returns. "I'd like to have something on our books by September," Seiler said. "Once the season hits, we have to be really well prepared for this." While city officials field complaints from residents upset by nearby rentals, there are others who want the ability to rent out their property. Brian Donaldson, who lives in the Birch Park Finger Streets community on the beach, estimated about 30 of the 140 homes there are used as vacation rentals. The answer to dealing with problems is self-policing, he said. "There are a lot of owners that are just opposed to banning it completely," Donaldson said. "We have just as many problems with owners as we've had with tenants." Donaldson supports registration, but doesn't want the properties to have to post signs in their yards with local contact information as has been proposed by the city.

Marilyn Mammano, president of the Council of Fort Lauderdale Civic Associations, said licensing the rental properties would be a significant improvement. "A license should be issued by the city that an owner is authorized to do short-term rentals on the property," Mammano said. That license should be revocable if rules are violated, she said. City Attorney **Cynthia Everett** said the city should be able to do more to enforce the laws it already has on the books. Commissioners said many of the violations -- such as putting garbage out too early or having cars parked on lawns -- often disappear before further action can be taken, but are a continuing headache for neighbors.

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*(Articles are in reverse chronological order)*

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Tribune Content Agency News Service (USA)  
February 26, 2015

**Price for Lauderdale's new swim center jumps \$3.6 million**

Author: Larry Barszewski

The "guaranteed maximum price" on the city's new aquatic center lost its guarantee Wednesday when contractors told city commissioners the construction would cost an extra \$3.6 million. Commissioners approved a contract with Recreational Design and Construction in 2012 to build the complex for no more than \$32.4 million. Commissioners have since planned additions that would bring the total to \$33.7 million. But RDC representatives said the cost of concrete, steel and other materials rose significantly while the project languished with unexpected delays for more than two years -- delays not caused by RDC -- leading to the new \$37.3 million price. "I think it's outrageous and it's the dumbest thing I've heard in my life to start a project with a cost overrun," said one resident, Count L.F. Chodkiewicz Chudzikiewicz. City Attorney **Cynthia Everett** told commissioners she saw nothing in the contract that would require the city to pay anything more than the previously agreed to price, and several commissioners agreed. "At the end of the day, we've got a deal and I want to stick to the deal," Commissioner Romney Rogers said.

Jim Blosser, RDC's lobbyist, said the city could get the project back on budget by eliminating one level from the project's three-level parking garage and dropping the overall structure from five stories to four. Mayor Jack Seiler said he didn't think "in good conscience" he could hold the developer to prices that were agreed to more than two years ago, especially since the city's own consultant estimated the true cost of the planned center at more than \$41 million. Seiler said the proposed changes to reduce the price were worth considering because they didn't affect the center's swimming and diving features and because beach residents would be happier with a lower structure. He didn't want to see the project tied up in litigation over the issue, which might result in no new center being built. Commissioner Dean Trantalis said he supported rebidding the project, which City Manager Lee Feldman said could add about three years to the time it takes to get the complex done. Feldman also said that losing a floor of the parking lot would cost the city about \$800,000 in annual parking revenues that were going to be used to help pay for the construction.

Commissioners delayed a decision until their March 17 meeting so staff will have time to review RDC's new figures and contractual obligations, and to provide possible alternatives. The current project keeps an existing, Olympic-sized 50-meter pool on the aquatic complex peninsula on Seabreeze Boulevard a few blocks south of Las Olas Boulevard, but the pool will be out front of the new center so it can viewed by passers-by and draw people to the complex. The new construction includes the parking garage with another 50-meter-pool and a separate diving pool on top. The front portion of the building will include an indoor, dive-training facility, a covered viewing area and a glass-enclosed banquet space with views out to the ocean and the Intracoastal Waterway. The commission is also considering spending \$700,000 to hire a construction management firm to oversee the project. The aquatic center's construction seemed set in September 2012 when commissioners approved RDC's contract. Instead, questions about the

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**Cynthia A. Everett**

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project's design were raised by diving professionals and critics who blasted it as nothing more than swimming pools on top of a garage. The International Swimming Hall of Fame backed out of the project after disagreements with the city and is moving to Santa Clara, Calif. And Broward's Inspector General said the city failed to follow state law and should rebid the contract.

City officials have dismissed the inspector general's concerns, wished good luck to the hall of fame and received assurances from national swimming and diving organizations that the complex will be just fine to host their competitions. In another matter on Wednesday, the commission discussed the best way to approach expanding the city-owned Las Olas Marina so it can handle more mega yachts. With questions about city and state leases attached to the property that would be needed for the expansion, commissioners asked staff to get more information to bring back to their March 17 meeting. The city has no money set aside to contribute to a marina project and has been contemplating some form of joint venture with a private developer. The city plans to spend about \$108 million on other beach projects, including the aquatic center, a parking garage next to the Las Olas bridge, a promenade by the marina, a park at State Road A1A and Las Olas, and street improvements and sidewalk enhancements to Las Olas and A1A in the Central Beach area.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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McClatchy-Tribune Regional News (USA)  
January 31, 2014

**Fort Lauderdale considers new restrictions on homeless**

Author: Larry Barszewski

Commissioners have new plans to deal with the homeless who have made the city their home, trying to stop them from bothering residents and motorists and making visitors uncomfortable. Among the items the city wants to ban or restrict: panhandling at intersections; sleeping on sidewalks and public benches; defecating in public; and storing personal belongings on public property. The city is also considering new restrictions on groups that feed the homeless outdoors. The discussion follows the commission's recent decision to participate in a Housing First grant that will provide apartments and support services for 22 chronically homeless individuals at risk of dying if they remain on the streets. The proposed actions would extend beyond the homeless, preventing firefighters and nonprofit groups from soliciting donations at intersections. They would prohibit sign spinners trying to lure drivers to local businesses, as well as students holding car-wash signs for school fundraisers.

City Manager Lee Feldman said the proposals are meant to be public health and safety measures -- not anti-homeless -- and are based on laws adopted in Tampa, Dallas and Brentwood, Tenn. City Attorney **Cynthia Everett** cautioned that past court rulings involving the city will affect what the city can do now. "Despite the fact that some or all of these ordinances may have passed muster in other jurisdictions, does not mean that they automatically apply or will work the same way in this jurisdiction," **Everett** said. Commissioners could begin voting on the measures as early as February. "Our parks, some of the same parks where we send our kids to play, have become de facto homeless shelters. Our intersections have become taken over by panhandlers," Victoria Park resident Andrew Gordon said at Wednesday's commission workshop. "The time to act is now." Robin Martin, executive director of HOPE South Florida, asked commissioners not to damage the work being done to feed the homeless indoors at scattered sites throughout the city. "While we applaud the city for moving forward with providing Housing First solutions, we oppose efforts to eliminate all meal sharing," Martin said.

The commission agreed to refine the proposal on feeding groups. Commissioner Dean Trantalis and others called the proposals "a first step." Trantalis said the city's efforts shouldn't only be about trying to stop unwelcome behaviors. "These measures seem to be more punitive than rehabilitative," Trantalis said. "We should embrace the opportunity to help people that are in bad straits." But Jay Holloway of Victoria Park said the city is an "enabler" with programs assisting the homeless because those programs just attract more homeless. "I would ask members of this workshop to take risks and make Fort Lauderdale less friendly to an epidemic of panhandlers, drunks, petty criminals and drug abusers," Holloway said.

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<https://www.highbeam.com/doc/1P3-3325174871.html>  
May 1, 2014

**Kappa League of the Fort Lauderdale Alumni Chapter of Kappa Alpha Psi Fraternity Set to Honor Local Women Achievers**

The Kappa League will honor some of Fort Lauderdale and Broward County's finest ladies on Sunday, May 4 at 2:30 p.m. As Mother's Day gets closer, the Kappa League thought it only fitting to celebrate their mothers, along with a few dedicated ladies that make things happen. This year's honorees include: Mayor Barbara Sharief, Dr. Rosalind Osgood, Attorney **Cynthia Everett**, Public Affairs Officer Petula Burks and the Silhouettes, Fort Lauderdale Alumni Chapter of Kappa Alpha Psi Fraternity. Mayor Barbara Sharief was born in South Florida, raised in Broward County and is a longtime resident of District 8. In her personal life, Barbara is an active and energetic mother of three, an involved member of the PTA with a passion to enhance the quality of care for the elderly and children of Broward County.

Dr. Rosalind Osgood is a Broward County native. She is a graduate of Fort Lauderdale High School and single mother of three adult children who are college graduates. Dr. Osgood's life is a prime example of what education, faith in God, and community support to provide opportunities that might otherwise have been unimaginable. Attorney **Cynthia Everett** is an accomplished attorney who brings with her an array of expertise, professionalism and a work ethic that is second to none. Attorney **Everett** is the first African-American and first female City Attorney for Fort Lauderdale.

Public Affairs Officer Petula Burks, a results-driven public relations and communications executive with over 15 years of experience impacting organizations' presence and performance nationally, serves as the Public Affairs Officer for the City of Fort Lauderdale. Kappa League National History: Under the chairmanship of Mel Davis, the Los Angeles Alumni Chapter's Social Action Program took the form of training activity for young men of the Alain Leroy Locke High School. Called the Kappa Instructional Leadership League, it was designed to help young men grow, receive, and develop their leadership talents in every phase of human endeavor. It provided both challenging and rewarding experiences, which richly enhanced their lives.

Membership was open to male students from the 10th through the 12th grades. The fraternity sought to help these young men to achieve worthy goals for themselves and make constructive contributions to their community when leadership roles become the responsibility. Kappa League is a program for the educational, occupational and social guidance of male students in grades sixth-12th. The nucleus and primary focus of the Kappa League revolves around the "Five Phases" which are: \* Self-Identity Discipline, Assurance, Awareness, and Appearance \* Training-Academic, Career-Choice, Preparation, and Organization \* Competition-Politics, Career Advancement, and Sports \* Social-Religion, The Arts, Entertainment, Conversation/Communication, and Etiquette/Manners \* Health Education-Physical Fitness, Sex Education, Drug Education, and Health and Safety. The Kappa League will tip their hats to the women in their lives on May 4, at the Fort Lauderdale Women's Club.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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<https://www.highbeam.com/doc/1P3-3012943261.html>  
June 20, 2013

**Talks Snag Lauderdale Landing 1st Black Attorney**

Contract terms for **Cynthia Everett**, tapped as Fort Lauderdale's first black city attorney, have become mired in a salary dispute. The City Commission chose **Everett** in May and on May 21 offered her an annual salary of \$175,000. **Everett** made a counterproposal of \$199,000 and additional benefits. "When she applied, she listed her salary at \$150,000," Fort Lauderdale Mayor John Seiler said. "We felt that we were very generous." **Everett** declined to comment when contacted by phone. But the city's offer is lower than what Fort Lauderdale pays retiring City Attorney Harry Stewart, who gets \$257,961. It is also less than what other senior city officials are paid. City Manager Lee Feldman receives \$199,000 and City Auditor John Herbst \$183,055. Broward County's attorney Joni Armstrong Coffey is paid \$240,345 per year. Hallandale Beach's attorney, V. Lynn Whitfield, receives \$180,000 per year. Jeffrey Sheffel, Hollywood's attorney, is paid \$166,504.

Seiler attributes any delay in finalizing **Everett's** contract to her schedule, adding, "She has not gotten back to us." **Everett** has served as attorney for Pinecrest in Miami-Dade County since 1999, earning \$160,000 annually. She has also served as attorney for Opa-locka, where she earned \$75,000 per year. In her counterproposal to Fort Lauderdale, **Everett** is asking that her vacation and management days, along with her sick leave days, accrue during her tenure. This benefit is given to highest ranking managers in the city. Fort Lauderdale has offered her 15 vacation days per year, 10 management days per year and 12 sick leave days per year.

She also wants to be eligible to receive any future increases in benefits similar to those of other executive officers. **Everett** is also asking for a relocation payment of \$10,000, which the city has not offered her. However, in 2011, Feldman was given a \$10,000 relocation allowance when he was selected as city manager and moved from Palm Bay in Central Florida to Fort Lauderdale. The offer to **Everett** does not prevent the city from reducing her salary, compensation or benefits and does not establish a defined work week.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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McClatchy-Tribune Regional News (USA)  
June 19, 2013

**BRIEF: Fort Lauderdale hires new city attorney**

Author: Larry Barszewski

Commissioners hired **Cynthia Everett** as the new city attorney on Tuesday, approving a contract with a starting salary of \$193,000. Commissioner Dean Trantalis opposed the agreement because of **Everett's** July 1 start date, saying **Everett** will be gone a significant amount of time in July and August to wrap up previous commitments, all while being paid by the city. He suggested a Sept. 1 start date instead.

But **Everett** told commissioners she would take unpaid leave when handling any outside matters. Mayor Jack Seiler said commissioners had asked for her to start earlier so she could spend time with current City Attorney Harry Stewart, whose last day is July 11. **Everett** is currently the village attorney in Pinecrest and has a private practice. Besides salary, she will receive a city contribution into an individual retirement plan equal to 9 percent of her salary. She also gets \$10,000 for moving expenses and is required to be a city resident by Jan. 1.

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**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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Miami Herald, The (FL)  
October 12, 2012

**Pinecrest to loosen rules for banners at schools**

**Like many suburban communities, Pinecrest has strict limits on the size of signs. But the village tentatively agreed to loosen the rules to help schools sell sponsorships.**

Author: Ashley Lopez

Pinecrest council members think they've found a way to help schools raise more money by putting advertising banners on their fences — but without creating excessive visual clutter. PTSA leaders and the village's representative on the Miami-Dade County School Board asked village leaders to loosen sign rules so that schools could put up more banners promoting upcoming events or businesses that have given money to the schools. The council previously considered a plan that would have allowed schools to dedicate up to 10 percent of their fences to banners, provided that no sign is more than four feet tall. But some residents and council members were concerned that would allow too many signs, creating visual clutter. And council member Jeff Cutler said that the way the proposed ordinance was written, people who want more signage would just need to add more fences. "We are looking at an ordinance that favors fences," Cutler said.

So the council instead agreed to allow schools to place signs totaling up to 128 square feet for each side of the school. That's about three times the square footage now allowed. Each sign could be no larger than 4 feet by 8 feet Vice Mayor Nancy Harter asked that a time limit also be added back to the ordinance. At her request, the council voted to allow banners for no more than 90 days at a time. The current ordinance allows schools to keep banners up for only 14 days at a time. "Ultimately, I don't want to see a company-sponsored sign in the same place all year round," Harter said. At the suggestion of Village Attorney **Cynthia Everett**, the council agreed to apply the changes to all property zoned for "public services," which includes property owned by Florida Power and Light and a few other businesses as well as churches. **Everett** had expressed concerns about possible legal challenges if churches were not treated equally to schools. The tentative changes will require final approval at the council's Nov. 13 meeting. The changes sparked a debate between school boosters and people concerned about protecting the village's appearance. Resident Terri Buria said she was worried unregulated sponsor advertising would "cheapen" the schools. She said business would have the opportunity to exploit the unlimited advertising space if the looser ordinance had been passed.

"Businesses are going to sponsor things and ask to put up a banner," Buria said. "You are really just creating billboard areas at eye level. At some point in time someone is going to bend and twist this." But resident Brian Shapiro said that banners have really helped schools in the past. "We have raised a lot of funds by this kind of communication," he said. Lawrence Feldman, who represents Pinecrest and neighboring communities on the Miami-Dade school board, joined the side asking for relaxed rules. "Don't shut the door on them," Feldman said. "It's getting harder and harder to fund the schools."

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*(Articles are in reverse chronological order)*

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Miami Herald, The (FL)  
July 22, 2011

**State orders Pinecrest to allow guns in parks**

**Pinecrest is repealing its ban on guns in public parks because a new state law would subject the village to fines if the prohibition remained in place.**

Author: Michelle Hammontree-Garcia

Concealed handguns will soon be allowed in Pinecrest's public parks. Saying the State Legislature had tied their hands, village council members unanimously agreed to repeal their law banning guns in parks. If they hadn't, officials said, the state would have fined the village. The council gave preliminary approval to the repeal because state law trumps local law. And state lawmakers wanted to make that crystal clear by amending state statute 790.33 with House Bill 45, which imposes penalties on those who violate it. But don't expect to see skeet-shooting in the field behind the community center or target practice in Suniland Park. Though under state law guns are now allowed in parks, they must be concealed and properly permitted, said village attorney **Cynthia Everett**. Mayor Cindy Lerner said she is glad that we still have freedom of speech so that she can "bitterly complain." "I am angry, disgusted and horrified that they put us in this position. This is a public-safety issue," Lerner said in an interview. "This is not the wild, wild west."

Effective Oct. 8, 2011, officials or employees of county or municipal governments who violate the preemption can face a \$5,000 fine. It is also grounds for termination of employment or removal from office by the governor. A government could also be held liable for damages up to \$100,000 and plaintiff's attorney's fees. State Rep. Jose Felix Diaz, whose district includes Pinecrest, voted in favor of the bill when it passed through the House during its last session. Diaz, a Republican, said the intention of the bill is to protect the right to bear arms and to provide uniformity across the state. "When every municipality has its own gun laws, you can be in one town that enforces one law and cross over to another town where the laws are completely different," said Diaz. He added that when the bill was presented in the House, many municipalities from North Florida showed up to speak about the bill but that Pinecrest leaders didn't contact him. Lerner doesn't think guns and parks mix. "What if someone leaves or drops their gun in a park and a child finds it?" **Everett** agreed, adding: "If you can't have it in a school, then why in parks?"

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Miami Herald, The (FL)  
May 13, 2011

**Village raises fines for night-time noise**

**Mayor Cindy Lerner said the threat of a \$50 fine was not enough to deter some loud, late-night partiers. Maybe \$250 will work.**

Author: Michelle Hammontree-Garcia

Pinecrest’s human residents will now have to dig deep into their pockets if they are fined for being too loud. But village officials are still working on a way to deal with four-legged residents who disturb their neighbors’ sleep. The Village Council unanimously passed an ordinance Tuesday that increases the initial fine from \$50 to \$250, and subsequent citations to \$500 from \$250. The changes took effect immediately. The noise ordinance requires that police first issue a warning. Mayor Cindy Lerner asked for a revision of the ordinance, after residents complained to her about barking dogs and loud parties that sometimes go long into the night. The old fine wasn’t serving as a deterrent. “Fifty dollars, in this day and age, in this community is kind of laughable,” Lerner said. “You are not going to get anybody to stop doing anything with the threat of a \$50 fine. This is for those people who are going to say, ‘sure,’ shut the door, and go back and turn up the music again.”

The noise ordinance does not allow noise louder than 65 decibels between 7 a.m. and 11 p.m. or noise louder than 60 decibels between the hours of 11 p.m. and 7 a.m. daily. The noise is measured at the nearest property line. Seventy decibels would be about as loud as a vacuum cleaner. Getting a barking dog to stop has proven not be as easy as issuing a fine, because the homeowner is usually not home when their pooch is creating a ruckus. Also, measuring the loudness of a bark is difficult because it is not a constant sound. Because a warning must be issued first, police end up mailing it, which can take a couple of days. And because a fine can only be issued if the second violation happens within 24 hours, the dog’s owner usually isn’t fined. Though barking dogs are not a chronic problem in the village, “every couple of years we get two to three complaints that are problems for a period,” said Village Attorney **Cynthia Everett**. She is working with police to possibly propose an additional change to the noise ordinance to address barking dogs.

Dogs can get some up their pent up energy out by taking a stroll through the Pinecrest farmer’s market, which will be extended through the summer. The council also unanimously approved a resolution to extend the market. Lerner and Pinecrest Gardens’ director, Alana Perez, hope the summer market will help attract people to the Gardens, which are usually not as busy during the summer, except for camps and other children’s activities, such as, the Splash and Play. With less produce available during the next six months, Perez is taking a wait-and-see approach. She said that it is “an experiment” that she hopes works. “It is our hope that our visitors will continue to support the market, purchase fresh wonderful summer fruits being grown locally and enjoy their picnics inside the Gardens, where we offer tables, umbrellas, benches, breezy scenic views of Swan Lake and shady areas abundant with beautiful flora,” said Perez in an interview. Claire Tomlin, the market’s organizer said at the meeting, that she and Perez are brainstorming on how

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to use the market as a vehicle to attract folks into the Gardens. One idea is for vendors to sell pre-packaged lunches that can be taken into the Gardens to eat.

But Councilman Joe Corradino said at the meeting that extending the market is “over-kill” and thinks that neighboring residents should get a break. “We should give it a rest for the summer and bring it back in the winter like we usually do,” said Corradino. Tomlin told the council that she expects the summer market to attract only about half of the attendance as the winter version. The market will open Sundays from 9 a.m. to 2 p.m. Setup starts at 7 a.m. and the vendors must complete their breakdown by 4 p.m. The village will receive \$500 a week for 30 vendors and \$20 for each additional vendor over 30. That should bring in the village at least \$6,000 for the summer. If residents complain, or if the market is not attracting enough vendors, both the village and Tomlin have the option to cancel the summer contract.

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Miami Herald, The (FL)  
April 5, 2009

**THEY'VE GOT THE SPIRIT OF SERVICE**

Author: Miami Herald Staff Report

Alpha Kappa Alpha's 2009 Spirit Award winners are, from left, **Cynthia Everett**, the Rev. John A. Ferguson and Priscilla Stephens Kruize. **Everett**, one of South Florida's top attorneys in labor, employment and municipal law, was named one of Florida's 2008 Super Lawyers by her peers for outstanding work and professional achievement. She is the attorney for Pinecrest, the special master for code compliance in Miami Lakes, and the special counsel to the city of Miami Civil Service Board.

Ferguson, founded the Second Baptist Church in 1964 was a member of the Community Relations Board, which helped keep the peace during the Liberty City riots in the 1980s. In 2000, the School Board named a high school after him. Kruize, a retired teacher, served on the frontline of the Civil Rights movement as a member of the Congress of Racial Equality (CORE). While a student at Florida A & M University in 1960, she and her sister Patricia spent 49 days in a Tallahassee jail for protesting lunch-counter segregation.

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Miami Herald, The (FL)  
September 7, 2008

**PINECREST: Pincrest loses its appeal regarding an abandoned home**  
**An appeals court says that Pincrest will have to do a better job of contacting the owner of an abandoned home who might have ties to the Venezuelan government if it chooses to move ahead in a foreclosure lawsuit.**

Author: PATRICIA MAZZEI

In a setback to Pincrest's efforts to take ownership of an empty home it has been maintaining for years, an appeals court ruled against the village Wednesday, saying it did not properly contact interested parties in filing its lawsuit. The ruling by the Third District Court of Appeal adds a wrinkle to an already complicated case that might involve an entity of the Venezuelan government. In September 2005, Pincrest filed suit to foreclose on a home on 8767 SW 62nd Ct. after issuing code enforcement fines that went unpaid and placing a lien on the house. The home is owned by Redfield Investments, a company incorporated in the Netherlands Antilles. When it came time to serve the lawsuit, village officials said they did not know anyone representing Redfield. They sent papers to a mailing address listed for the company, but those were returned. They then tried serving a former attorney for Redfield -- knowing that the lawyer did not represent the company anymore, according to the ruling.

Florida law says if it is not possible to reach parties to be served in a lawsuit, the plaintiff can still serve the case by publication -- but only after conducting a diligent search for the property owner, his or her representative and any other party that might have an interest in the case. Pincrest did not do that, the court ruled, because it did not reach out to the most likely source of information on how to contact Redfield: the Venezuelan consulate in Miami. The village had been in touch with the consulate about the property before, after finding out that the Venezuelan government might have acquired an ownership interest in the house through Redfield. Still, Pincrest said it did not know of a particular person or agency to contact to reach Redfield or anyone in Venezuela, so it did not serve them. Instead, the village tried to track down the owner through Miami-Dade County, utility companies and the postal service.

"There's no independent evidence that Venezuela has an interest in the property, and we notified the owner of record," Village Attorney **Cynthia Everett** said. But Michael Diaz Jr., managing partner of the Diaz, Reus & Targ firm that represents Redfield, said Pincrest knew how to contact his client -- and chose not to. "They're entitled to procedural due process," he said of his client. Diaz added that his client has maintained and tried to sell the home. The company drained and covered the pool behind the house, mowed the lawn and placed for sale signs that were removed by someone, he said. Only recently did he find out the village was paying to clean the home, he added. Pincrest has spent \$9,300 on maintaining the house, in addition to the \$240,000 outstanding in fines and the lien, Village Clerk Guido Inguanzo said.

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Miami Herald, The (FL)  
July 30, 2006

**RATE SAME, BUT TAX BILLS LIKELY TO RISE**

Author: CHARLENE COLLAZO

[CB&A Note: Only the information relevant to **Cynthia Everett** is listed below.]

In other business, village attorney **Cynthia Everett** discussed a request for mediation from Jerry Proctor, lawyer for GREC Pinecrest developers. The council turned down the company's rezoning request last month to build 18 townhomes at 7520 SW 100th St. **Everett** said state law requires the village to agree to mediation, but she needs to research how it would be done and what is required. She will report back to the council on her findings.

Matzner asked **Everett** to find out whether the mediation would include the public, or would be limited to the developer and the council. "If neighbors are able to participate, then it is something that we can pursue," he said. "Without them, it would be wrong." Village Manager Peter Lombardi was not present at the meeting because he was having surgery, the mayor said. Lombardi was out sick for three months earlier this year.

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Miami Herald, The (FL)  
July 22, 2006

**A WONDERFUL OPPORTUNITY'**

Author: KATHLEEN FORDYCE

**Cynthia Everett**, who owns her own law firm, took on Pinecrest village as one of her clients in 1999. She made the move from Opa-locka, where she worked first as the assistant city attorney and then the chief counsel. Working for Pinecrest for about seven years, **Everett**, 48, said that although the village has different needs than does Opa-locka, both municipalities work to make their communities better places to live. "I find that the priorities may be different with different municipalities, but everyone is on the same path with the same goal. It's just a matter of how you are going to get there," **Everett** said. "It has just been a wonderful opportunity and a wonderful experience."

Born in Connecticut, **Everett** moved with her family to Florida and she attended Florida State University. She already had family ties in South Miami-Dade, including her grandmother, Arlie Armstrong, who recently turned 101 and is well-known in the Goulds area. **Everett** earned her law degree from George Washington University in Washington, D.C. She has worked for the law firm Williams & Associates and was an assistant U.S. attorney in district court and an assistant state attorney in circuit court. She was also selected to serve on the 11th Circuit Judicial Nominating Commission and is active in many legal associations. Her law firm, **Cynthia A. Everett PA**, is in Coral Gables. Her time with Pinecrest has been enjoyable, she said. "Everyone is very nice and pleasant and easy to get along with," she said.

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Miami Herald, The (FL)  
October 6, 2005

**EMINENT DOMAIN MIGHT CLAIM ABANDONED ACRES**

Author: YUDY PINEIRO

Correction: A Pinecrest home on property that might be taken by the city under its powers of eminent domain is vacant but not abandoned, as the headline on an Oct. 6 Neighbors story incorrectly stated.

The Pinecrest Council has its eye on a 4.5 acre slice of land it says would be the perfect spot for a skateboard park and maybe a couple of ballfields or tennis courts. As it stands now, the property at Southwest 72nd Avenue between 94th and 96th streets is home to a vacant one-story residence, two horses and some grass. Real estate broker Steve Arbuckle has the property listed for \$7.5 million and says there have been "multiple offers" on the land, though no contract has been finalized. But city officials believe the sale is imminent and at recent meetings have talked about taking the land through eminent domain - the government's power to take private land for public uses. "It's more of an alternative or a last resort," Village Attorney **Cynthia Everett** said. "At this stage the village is just exploring all the circumstances, but if there is something in the works, you always have to consider eminent domain as an option." **Everett** said the council has not yet instructed her to start negotiating for the land.

Arbuckle declined to comment on whether the village has inquired about the property and would not give further details, citing pending contracts. At least one nearby resident doesn't think it's a good idea. "I think that it is important that we in Pinecrest make sure that there is ample open space and parks available for our residents to enjoy," Al Kramer wrote in an e-mailed statement to the council. "However, I am against spur of the moment ideas," Kramer wrote. Kramer told The Herald the village's six parks are expensive to maintain and some are underused. Another park would be an extra burden on taxpayers, he said. The council has already said it may raise the tax rate in coming years to help pay for the new property and make up for increasing costs in providing park services and programs.

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The Miami Herald  
March 17, 2002

**COUNCIL OKS 'NOISY' CONSTRUCTION LIMITS**

Author: EUNICE SIGLER

Responding to resident complaints about construction noise, Pinecrest Village Council members gave an initial OK to an enhanced noise ordinance Tuesday night. The new law, copied from Miami-Dade County's version but adding a new section on construction, would limit the times and days during which "noisy" construction can take place in the village. Construction can happen, but workers are banned from making noise that would "disturb the peace and quiet of the neighborhood," from 6:30 p.m. to 7 a.m. on weekdays, from 4 p.m. to 8 a.m. on Saturdays and Sundays, and from 4 p.m. to 8 a.m. on holidays. "This is the result of much citizen input," said Mayor Evelyn Greer, who said she had received many e-mails, letters and phone calls from residents. Under the proposed law, police would give first offenders a verbal warning, followed by a citation on second offense. After that, repeat offenders would face increasing fines. Council members will consider final approval of the law at the next meeting April 9.

\* Also on Tuesday, Pinecrest officials voted to attempt to settle a lawsuit with the state's Department of Community Affairs over "transit-oriented zoning" along the U.S. 1 corridor near the Metrorail system. As required by law, Pinecrest had submitted a comprehensive master plan to the department for approval. But the state rejected it, saying officials had to allow higher building and density requirements along U.S. 1 to encourage people to live near and use the Metrorail system. When it incorporated, Pinecrest changed the existing zoning laws, which had allowed buildings up to eight stories along U.S. 1, limiting heights to only four stories instead. The village argued with the state that it didn't want to put high-rises next to the one-acre estate neighborhoods off U.S. 1. "Philosophically, we understand what they're doing, but the dilemma is that the community has developed organically in a certain way, and you can't just one day declare that it's going to be something different," Greer said. After three years of negotiations, the state had agreed to settle on transit zoning only on three areas along U.S. 1: at the north end of the intersection of North Kendall Drive and U.S. 1, and Southwest 95th and 96th streets and U.S. 1.

The state would accept Pinecrest's four-story limit, but would require the village to ban drive-through establishments such as restaurants and ATMs in an effort to encourage people to walk in the area around the Metrorail stations. It would require increased setbacks at the front of buildings along U.S. 1, to encourage more walking space. Greer said she thought the settlement was fair, but would vote for continued litigation if the residents wanted it. Some residents thought the "no drive-through" restriction was impinging on their rights, but Greer said the alternative was risky: going to trial against the state and possibly losing, meaning transit zoning could be imposed all along U.S. 1 rather than in just three areas. Resident John Steinbauer suggested, and council members agreed, to accept the state's settlement offer, but keep the zoning laws under Pinecrest's control by calling them the "North Pinecrest Business District Overlay." Village Attorney **Cynthia Everett** said since the suggestion was only a name change, and didn't involve substantial changes to what the state required and said the state would

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probably approve it. Council unanimously approved to settle under those terms. It will take the state three to six months to respond, she said.

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The Miami Herald  
July 6, 2001

**WESTON CELLPHONE CAR LAW PROPOSED**

Author: ELENA CABRAL

Spurred by New York state's ban on the use of hand-held cellphones by drivers, a Weston city commissioner is joining some local officials who want to restrict Florida's car-phone culture. Robin Bartleman wants to ban the use of hand-held cellphones while driving in school zones. "I don't think it's unreasonable to ask this of parents, to put down the phone and pay attention," Bartleman said. For now, no ordinance will be drafted until Florida Attorney General Bob Butterworth weighs in on whether municipalities have the authority to restrict cellphone use. Pinecrest, the village in Miami-Dade County where a skating teenager was run down by a driver who was both drunk and reaching for a cellphone, has asked the state for such an opinion. Pinecrest Village Attorney **Cynthia Everett** said the issue came up at a recent council meeting and that she was instructed to look into the matter. Thursday she said she had not heard back from Tallahassee. Laws related to movement of traffic generally fall under the state's purview, **Everett** said. "It's what you do when you're inside the car that we're concerned about." Butterworth's office could not be reached for comment Thursday.

New York recently passed a law that banned talking on hand-held cellphones while driving. The Florida Legislature has not warmed up to the idea. "You can't do it locally for it to be effective," said Carol Hanson, Boca Raton's vice mayor, who has made studying the link between cellphones and car wrecks a personal crusade. "You can't do a patchwork quilt."

Hallandale Beach City Commissioner Dorothy Ross agrees. She recently asked commissioners in her city to consider a cellphone ban for drivers, but she says she has come to the conclusion that the idea would not work on the local level. "You can't do it unless Tallahassee is involved," Ross said. So far the only statewide movement to address cellphone use in cars has come in the form of new accident report forms for law enforcement. Accident reports now include a place for police to indicate whether driver distraction is a contributing factor in a crash. Some, like Hanson, say that's not enough. The forms should indicate whether a cellphone was in use, Hanson says. Lt. John Bagnardi of the Florida Highway Patrol said police are supposed to specify what the distraction was, but not all do. "We're trying to get that rectified," Bagnardi said.

In Weston, the possibility of restricting cellphone use has raised doubts among some commissioners. "Cellphones are not the culprits," said Commissioner Barbara Herrera-Hill. "It's people who do stuff that distracts them." Mayor Eric Hersh said he questioned whether the city could enforce the law.

Bartleman said she was inspired to act when she heard about a Weston parent's near-miss with a cellphone user behind the wheel of an SUV outside his son's school. Don Cooper said he was walking across the parking lot of Eagle Point Elementary School, 100 Indian Trace, last May with his 10-year-old-son Scott. He said he saw a woman in an SUV driving straight at them, her

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head down, trying to dial a cellphone. ``I had to pull my son back or he would have been hit," Cooper said. When Cooper and others caught up with the woman, she was apologetic, but the incident prompted Cooper to contact Bartleman. Cooper said he would be satisfied if the Broward School Board enacted a measure restricting the use of cellphones by drivers on school property.

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Miami Herald, The (FL)  
January 28, 2001

**WHITT GOES BACK TO COURT**

Author: DRAEGER MARTINEZ

A bizarre, even baffling, lawsuit originally filed in 1994 took on new shape Thursday when former City Manager L. Dennis Whitt asked that 11th Circuit Court Judge Margarita Esquiroz find two former city commissioners and three attorneys guilty of criminal contempt of court. The named parties include former Commissioners Steven Barrett and Timothy Holmes, former City Attorney **Cynthia Everett**, current Assistant City Attorney Diane James Bigot and Thomasina Williams, head of the law firm Williams and Associates, P.A. If the five are found in contempt, they could face jail time, pay fines and court costs, and the attorneys could face penalties from the Florida Bar, said Stephen M. Zukoff, Whitt's current attorney. Bar penalties could mean the attorneys could lose their law licenses. The Thursday filing claims Whitt was cheated out of his full legal rights - the city fired him in December 1994 amid allegations of insubordination and mismanagement- because a lawyer represented Whitt in court proceedings without Whitt's knowledge or consent.

Zukoff said it all started with a legal injunction that Whitt and others sought in 1994. The injunction sought to block three city commissioners in place then - Barrett, Holmes and the late George Lipkins - from meeting to vote for Whitt's removal, claiming the commissioners violated city charter requirements when they did not amply advertise the meeting. Whitt and his co-plaintiffs won their injunction, Zukoff said, but Barrett, Lipkins and Holmes met and voted to fire Whitt anyway. In the aftermath, Whitt, then-Mayor Robert Ingram and then-Vice Mayor Helen Miller fought to have the injunction enforced and the vote to fire Whitt overturned, Zukoff said. The fight fell silent for a year and the 11th Circuit Court dismissed the case on April 23, 1997, Zukoff said. Yet, on May 9, 1997, Williams' law firm filed a notice in court that it had become the attorneys representing Whitt, Ingram and Miller. Two weeks later, on May 23, 1997, Williams & Associates filed a motion for relief from order of dismissal. That essentially brought the dead case back to life, another development Whitt knew nothing about, Zukoff said.

Later still, in February 1998, **Everett** and Bigot, then Opa-locka's city attorney and assistant city attorney, filed a notice to represent Whitt, Ingram and Miller. But, as attorneys for the city, they already had an obligation to defend Barrett and Holmes, Zukoff said. "This is the city attorney representing both sides of a case," Zukoff said. "It's like if you're going through a divorce and I'm your attorney: Am I going to start helping your spouse? This is why we have independent attorneys." Barrett and Bigot could not be reached for comment. Holmes referred questions to his attorney, Harriet Lewis, who could not be reached. "I don't have any idea what this is about, and I haven't seen the [filing]," Williams said Thursday. "I don't recall ever representing Mr. Whitt on any personal matter." Added **Everett**: "I can't really comment on [the filing] until I am served with it. But I'll take care of it in court if that's what has to happen."

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<https://www.highbeam.com/doc/1G1-60804955.html>  
March 1, 2000

**Court's Fairness Commission hears ideas for improvements.**

Lawyers and judges recently offered suggestions to the Supreme Court Commission on Fairness on issues ranging from diversity training for judges to Department of Children and Families' lawyers' pay. Meeting in Miami during the Bar's Midyear Meeting, the commission also reviewed the findings of the Gender Bias and Racial and Ethnic Bias Study commissions. A decade after the bias reports pointed out problems in the system, Justice Barbara Pariente said, the Bar and the courts have made little progress in eliminating the perception of bias in the system. Justice Pariente said last year's Bar membership survey revealed that 40 percent of women lawyers said they have experienced discrimination in the profession. Justice Pariente asked the commission to consider mandatory diversity training for all judges and court personnel, adding she was pleased the commission empaneled a Fairness Education Committee. "This may be part of a broader training that covers other fairness issues, such as dealing with individuals with disabilities and individuals who are under-represented," Pariente said, noting that only 20 percent of family law cases have legal representation on both sides. Pariente asked the commission to explore whether these pro se litigants tend to be economically disadvantaged, minorities or female.

Eleventh Circuit Judge Sandy Karlan, chair of the Bar's Commission on the Legal Needs of Children, told the panel that low pay for lawyers who represent children for the Department of Children and Families results in inadequate and unfair representation. Judge Karlan said many DCF lawyers are hired right out of law school for about \$25,000 per year, and their lack of experience and training shows in court. "They are nice people, but they are baby lawyers, and if they have some ability or improve their skills, then they leave," Karlan said. "They are charged with a lot of responsibility, and they don't have the trial experience or the life experiences to handle these kinds of issues." The low pay and lack of experience becomes a fairness issue, Karlan said, because lawyers who work for other state agencies receive better pay. Karlan said in dependency cases, DCF lawyers act as prosecutors, and therefore should receive comparable pay to assistant state attorneys. The Commission on Fairness also forwarded several issues to the children's commission, including modifying the Code of Professional Conduct to require lawyers to protect the best interest of children in family law cases and allowing lawyers to receive pro bono credit for mentoring. (See story on the Governor's Mentoring Initiative, page 1.)

Frank Scruggs, who chaired the Racial and Ethnic Bias Study Commission, asked the commission to send a strong message to the Bar about the need to diversify the state's law firms. Scruggs also asked the commission to study the impact raising the pass/fail line on the Bar exam would have on minorities. He said the entire bar exam and admissions process -- as it relates to racial and ethnic minorities, women and other groups -- "cries out for analysis." Eileen Nexer Brown, of the Girls Advocacy Project in Dade County, next asked the commission to examine how the juvenile detention system impacts girls. Brown said the entire juvenile justice system has been built around the needs of boys, and as more girls have entered the system, the model has been applied to girls. That approach, however, doesn't work because girls and boys have

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**Cynthia A. Everett**

*(Articles are in reverse chronological order)*

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different issues and needs and respond to different incentives and disciplinary structures Brown said. **Cynthia Everett**, of the Black Lawyers Association of Dade County, said not a lot has changed in the past 10 years. "It is time for more action, not further study," said **Everett**, a former member of the Bar's Board of Governors. Instead of presentations from people who know the problems, **Everett** said, the commission should be talking to those who have the authority to make changes.

**Everett** said minority lawyers are treated differently when it comes to court-ordered attorneys' fees, case settlements with insurance companies, judicial appointments and other areas of practice. Orlando attorney Robin Abraham, who also serves on the Bar's Commission on the Legal Needs of Children, said she often sees less powerful people denied fair access to the justice system and is concerned about the way some judges handle cases involving divorce, child custody, distribution of marital assets, domestic violence and sexual abuse. Rebecca Cox, an assistant public defender in the 11th Circuit, next told the commission that minority children are the most underrepresented and unfairly treated group in the state. Cox said in 1998, 70 percent of the children in Dade County who were transferred to adult court were black, and Hispanic children tend to end up in detention centers while white children regularly are placed in foster care.

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Miami Herald, The (FL)  
January 17, 2000

**LOOKING AHEAD: CHANGES SOUTH FLORIDA LAWYERS EXPECT**

Author: CINDY KRISCHER GOODMAN

[CB&A Note: Only the information relevant to **Cynthia Everett** is listed below.]

**BLACK LAWYERS**

It's going to be a busy year for the Black Lawyers Association of Dade County, says **Cynthia Everett**, the group's newly elected president. Myriad issues confront the group. She foresees some tough challenges this year - everything from ensuring minority admissions to law schools to minority representation in the judiciary. It likely will prove one of her association's most active years.

**Everett**, of counsel to Simmons and Klein in Miami, said her group, about 100 lawyers strong, will get involved in major issues that affect minorities' entry into the profession. Some examples: the proposal to raise the bar pass/fail line and the push for a public law school in South Florida. The group also plans to take a stand against any constitutional revisions that discourage the election of judges. ``We want to ensure minorities have equal access to the court," **Everett** said. And to ensure there is a steady stream of black lawyers, **Everett** said the association will continue its scholarship fund-raising program.

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Miami Herald, The (FL)  
November 25, 1999

**CITY SUED FOR \$30,000**

Author: AJOWA NZINGA IFATEYO

Two former Opa-locka officials are suing the city for \$30,000 in attorney fees - incurred when they hired lawyers to defend them against charges that they illegally wrote themselves paychecks. John Riley, a former assistant city manager, and Wellington Rolle, a former personnel director, filed suit against the city Nov. 18 in Circuit Court. In addition to the fees - 101 hours at \$300 an hour - the two men are seeking damages and a jury trial. "We gave the city every opportunity," Riley, also a former mayor, said on Monday. "I told them I would take them to court . . . and I'm a man of my word. When you feel that the case law has been broken, then let a judge decide." Riley and Rolle's attorney, James H. Greason, said both city and state law requires that the city pay legal fees of employees who prevail in a legal case. "The city's liability is clear," said Greason. "They paid for [former Manager Earnie P.] Neal's defense - and he lost. It's not fair for them to pay for one guy's defense and not another. That's favoritism. I waited an entire year after I thought I had a deal worked out with the city to pay this bill. I'm hopeful that we can work out an accord with the city."

City Attorney Diane James-Bigot said Tuesday that the city had not been served with a copy of the lawsuit. Mayor Alvin Miller and two city commissioners could not be reached for comment. Commissioner Mary Allen would not comment. Commissioner Myra Taylor said she thought the commission had agreed to pay the bill. "I wasn't aware that his [Riley's] attorney was not paid," Taylor said. "It was my understanding that a settlement had been reached and the management would go from there." The suit stems from the 1994 ousting of then City Manager Dennis Whitt. Commissioners Steve Barrett, Timothy Holmes and George Lipkins voted to replace him with Newall Daughtrey. A judge had issued an injunction prohibiting the meeting because it was not properly advertised. The judge later invalidated Daughtrey's appointment. But after his appointment - and before the judge's order invalidating all action at the meeting - Daughtrey allegedly hired Riley and Rolle. Riley and Rolle paid themselves \$4,231 for a month's pay, despite conflict about whether they were actually city employees at the time.

In 1995, the Miami-Dade state attorney's office filed an ethics complaint against the men after the city allegedly filed a complaint. In October 1998, the Florida Commission on Ethics dismissed the charge that Riley and Rolle had misused their positions to get back pay that they did not earn. After the ruling, both Riley and Greason appeared on two occasions before the commission demanding legal fees. The Opa-locka code says that city officials and employees are entitled to attorney fees if they are found innocent of charges incurred while in their official capacities. Officials differed over whether the invoice had been sent to then City Manager Arlington Sands. Then City Attorney **Cynthia Everett** also recommended against paying the fees, because, she said, the city did not get an itemized bill.

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Miami Herald, The (FL)  
August 26, 1999

**EX-CITY MANAGER'S LAWYERS SUE FOR PAYMENT IN CLIENT'S DEFENSE**

Author: AJOWA NZINGA IFATEYO

Attorneys for former Opa-locka Manager Earnie P. Neal have filed suit against Opa-locka asking a circuit court judge to force the municipality to pay for work the firm did last year in defending Neal against sexual harassment charges. Attorneys David H. Nevel and Ronald S. Lowy filed the suit Aug. 6 seeking \$17,181 from the city for defending Neal against state Commission on Ethics charges of raping a city receptionist and sexually harassing other city employees and applicants. They also are seeking additional attorneys' fees, interest and court costs. The complaint states that City Attorney **Cynthia Everett** and then-manager Arlington Sands Jr. assured Nevel last year that he would be paid. "The city attorney. . .advised the city commission to pay [the] bill," wrote Nevel in a four-page complaint. "For political reasons, however, the city has refused to pay." **Everett** did not return two calls on Tuesday to her office for comment.

City commissioners were not impressed by the lawsuit. "Earnie Neal has cost the city some money," Commissioner Mary Allen said on Tuesday, "and he keeps on costing us money." Allen said she would vote to pay Nevel only if the court so ordered. Mayor Alvin Miller would say only that "the attorney is working on it." Neal, Opa-locka's manager from 1995 to 1997, resigned just as the state indicted him on an unrelated public records violation - but not before he paid himself nearly \$100,000 severance pay without commission approval. The commission later ratified the payment. The state attorney's office also had filed a sexual harassment complaint against Neal after investigating a 1995 rape allegation by a city receptionist and finding that nearly a dozen employees and applicants complained about alleged sexual advances by Neal. Two years after Neal left office, the state Ethics Commission in January found that Neal "corruptly" used his office to harass one employee and a city applicant. The ethics commission did not substantiate the rape charge.

Just days before that ruling, the city commission unanimously rescinded a resolution that it had passed three months earlier authorizing the city manager to pay a \$3,750 legal bill for Neal in the sexual harassment case and \$250 per hour for his future legal bills. The commission voted despite Neal signing a termination agreement that released the city from "any and all civil liabilities, claims, causes of actions. . .currently existing or arising in the future." That, Commissioner Bobby Bradley said, fueled his decision to vote against using taxpayers' money to pay Neal's legal bills. "Earnie Neal signed [an agreement] saying that the city didn't owe him anything else," he said. "It's up to our attorney to represent us." The city code provides for the city to pay attorneys' fees to defend any civil action resulting from a complaint for damages or injury resulting from the act of its officers or employees, unless the employee "acted in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property."

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Miami Herald, The (FL)  
May 6, 1999

**EX-CITY MANAGER WANTS SUSPENDED ONE REMOVED**

Author: AJOWA NZINGA IFATEYO

Former Opa-locka Manager L. Dennis Whitt has asked a judge to declare the city in contempt of court for failing to give him documents related to his termination more than four years ago. He also asked that suspended City Manager Arlington Sands Jr. be removed from office for his alleged role in not producing the documents. Sands, suspended by the City Commission April 14, faces a public hearing on separate charges that could result in his termination. Whitt's petition was filed April 23 in Circuit Court by Attorney Stephen M. Zukoff, who also asked Circuit Judge Philip Bloom to fine the city "substantial dollars" and refer the case to the Miami-Dade State Attorney's office for investigation. A hearing is scheduled for today. The request for court action comes three months after Opa-locka's outside counsel, Michael Burke, told Judge Bloom that the city did not have copies of public records requests filed by Whitt since 1996. "The city of Opa-locka representing that they did not have the original request . . . is shameful, especially when committed by a governmental authority," Zukoff said.

Whitt filed suit in December asking a Circuit Court to reinstate him, saying that he was never properly notified of charges against him or given an opportunity to defend himself. He is also seeking four years of back pay. Whitt was succeeded by Newall Daughtrey, and then Earnie P. Neal. He sent requests to Neal for a copy of the resolution to dismiss him, as well as of minutes and a videotape of the Dec. 9, 1994, meeting during which he was fired. Neal did not comply, and was subsequently indicted by the State Attorney's office for criminal withholding of public records in the case. Neal resigned just before the indictment; he never gave the documents to Whitt.

Whitt said requests for the documents continued when Sands took office, but, again, the records were not produced. In January, Burke told the court that the city did not even have a copy of the request. Zukoff said a copy of a Jan. 16, 1997, memorandum from then Assistant City Clerk Cassandra Knowles to Neal showed that the city did have the requests and did try to respond to them. Burke, who produced the memo, would not comment. City Attorney **Cynthia Everett** denies that the city withheld any records.

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Miami Herald, The (FL)  
September 10, 1998

**OPA-LOCKA FACES CONFLICT OVER FILING DATE**

Author: AJOWA NZINGA IFATEYO

Although Opa-locka officials told City Commission candidates they have until Friday to qualify for next month's elections, the City Charter appears to state that the deadline has already passed. One candidate who already qualified, Robert Knapp Jr., says he may sue if the city clerk allows anyone else to file. "The [charter] book was made for the city to have something to rely on for procedures, and if it's not being following per procedure, then we have a problem," said Knapp, 30, the son of a former city commissioner and police chief. "Any citizen of Opa-locka should have a problem if things are not done by the guidelines. That's why there are laws." The questions concern the Oct. 20 election for mayor and three city commissioners. The City Charter states that a qualifying fee of \$50 must be "deposited with the clerk of the City of Opa-locka not less than forty-five days prior to such primary election." By Knapp's count, the 45th day was last Saturday, so candidates should have filed by last Friday night.

City Clerk Deborah Sheffield Irby had advertised that the qualifying period would end this Friday, and Irby said Tuesday that she planned to stick to that date. The ads ran in The Miami Times and Herald Neighbors. "I have to stand by and abide by what I published in the paper," she said. "A mistake can always be corrected, but you don't shut things down. That would be unfair to [the people who did not yet qualify]. My position is to be fair to everybody." Opa-locka City Attorney **Cynthia Everett** said she believes the qualifying period technically ended Sept. 5, a Saturday, but because it was a long holiday weekend, she would consider the ending date to fall on Tuesday. But given the circumstances, **Everett** said the period should end on the advertised date, this Friday. County Election Supervisor David Leahy said that he was prohibited from commenting about the Opa-locka situation, where Irby acts as supervisor of elections. "I can't issue opinions or give legal advice," he said. "It's the kind of issue that can end up in court. She needs legal advice."

Leahy did say the issue was a new one. "I don't remember something like this happening before," he said. Political analyst Ric Katz said the issue has clear legal implications. "This belongs in a court," he said. "I don't know how this mistake could be made. This is wrong. That's why the charter exists. The charter is not something to fool around with." Ten candidates had qualified by last Friday. For mayor, they are Commissioners Alvin Miller and Timothy Holmes and former Commissioner Steve Barrett. For commissioner, they are current Commissioner Myra L. Taylor, former Mayor John Riley, Planning Council Chairman Bobby Bradley, former public works employee Don Saunders, Karen F. Stephen and Derrick Miller. Two more people qualified to run for commissioner on Tuesday -- after the day Knapp considers the deadline: former city community development director Alphonso Tate and attorney William Ferguson. Knapp, who owns a trucking business in Davie and who has lived in Opa-locka all of his life, said he may lodge a formal complaint. Irby said several other people had picked up candidate packages, and she expected several more people to file. One of them could be public works supervisor Livingston Taylor, known as "Mr. T," who last week said Irby told him he could not

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qualify because he is a city employee. On Tuesday, Irby said she researched the issue further and has found that he could qualify but would have to resign if he were elected because no city employee is allowed to hold a commission seat.

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Miami Herald, The (FL)  
February 1, 1998

**HOUSING AUTHORITY SHAKE-UP COMMISSIONERS INELIGIBLE TO SERVE**

Author: AJOWA NZINGA IFATEYO

Opa-locka city commissioners soon will no longer make up the city's Housing Authority. Two weeks after Commissioner Timothy Holmes resigned from the authority because he said it was illegal for the commissioners to serve, Mayor Robert B. Ingram said that he will appoint community members to serve instead. "We won't sit," Ingram said Thursday. "I will appoint members who are not commissioners." Ingram said the appointments could be made as early as the next city commission meeting, scheduled for Feb. 11. Holmes was pleased at the turnabout. "That's the right way of going about doing it," he said. At the Jan. 14 Housing Authority meeting Holmes resigned because he said state statutes prohibit city commissioners from serving as a housing authority. City Attorney **Cynthia Everett** agreed, stating in a memo to Holmes that the commissioners could hold no other public office.

And last week, Assistant General Counsel Barbara Jo Finer said that under Florida law "no commissioner of an authority may be an officer or employee of the city for which the [housing] authority is created." Earlier, Finer said state statutes did not prohibit commissioners from acting as a housing authority. In a Jan. 27 letter to Holmes, Finer concluded that "a commissioner for the Opa-locka Housing Authority could not at the same time a city commissioner or city employee." The Opa-locka Housing Authority is made up of the city manager and the five commissioners, with Ingram serving as authority chairman. Florida law gives the mayor the authority to appoint 5 to 7 members to the Housing Authority, one of whom should be a low-income resident. At Wednesday's city commission meeting, the commission passed a resolution 4 to 0 that ratified "all previous actions taken by the housing authority." Holmes, who had briefly stepped away, did not vote. Ingram said the commission endorsed the authority's previous actions "in an abundance of caution" on the advice of **Everett**, who was out of town and could not be reached for comment. Previously, housing authority actions were not discussed or voted upon at commission meetings. "The only thing we're trying to do is help people," Ingram said.

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Miami Herald, The (FL)  
June 29, 1997

**IS A CONTRACT EXTENSION VALID UNDER CHARTER?**

Author: AJOWA NZINGA IFATEYO

A former mayor's objection to giving Opa-locka's new city manager a contract for five years -- instead of one year as the city charter requires -- led the current mayor to question whether the police union's contract is valid. The issue arose at Wednesday night's City Commission meeting when former Mayor John C. Riley chastised commissioners for considering a five-year deal for new city manager Arlington Sands Jr. "That's improper," Riley said. "A contract extension beyond one year has to be done by ordinance. Here you were ready to do a contract for five years. You don't want to do what's right." City officials pointed out that other contracts, such as the contract with the Police Benevolent Association, were for more than one year. Acting City Attorney **Cynthia Everett** said she believes the one-year requirement covers all city contracts. "The charter makes no exceptions," **Everett** said. "So the police agreement is null and void?" Mayor Robert B. Ingram asked. **Everett** said she needed to review the contract. Neither **Everett**, Ingram nor Sands could be reached Friday for further comment.

For its new city manager, the commission approved a one-year stop-gap contract and agreed to a public hearing July 9 on an ordinance that would extend only Sands' contract to five years. Sands' proposed contract, which would expire in 2002, would be renewed automatically unless the commission voted to terminate it. Like former Manager Earnie P. Neal, Sands would collect eight months' salary -- \$56,000 in his case -- if the contract were terminated. Having to consider the five-year contract as an ordinance did not sit well with Commissioner Timothy Holmes. "I'm getting very tired of playing these games with people," said Holmes. He later walked out of the meeting after four other residents criticized the commission over the contract, and raised questions about whether Sands lives outside city limits, another violation of the charter. Riley criticized the commission for refusing to put him on the agenda after he submitted a request to speak. "I'll see you in court," he said.

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Miami Herald, The (FL)  
March 9, 1995

**JUDGE: U.S. TO PAY FOR BOTCHED STING**

Author: DAVID LYONS

Taxpayers' bill for a botched drug sting: \$870,000 plus legal fees. After a weeklong trial, a federal judge Wednesday scolded the government for setting up a 1991 operation that ended with six innocent men jailed in a notorious Honduran prison. U.S. District Judge Federico Moreno awarded \$155,000 apiece to five men for being beaten with rubber hoses, kicked down stairs and thrown into vermin-infested cells by Honduran guards convinced they were drug dealers. A sixth man who was jailed but not beaten got \$95,800. All six men were innocent: The 45 kilograms of cocaine found on their jet had been planted there by the Drug Enforcement Administration in a botched effort to catch Miami drug importers. "There is no question in this court's view that mistakes were made by the government," Moreno said. "We can't have this happen again."

Mistake No. 1: Agents placed the coke aboard the southbound leg of Belize Air Flight 712, instead of the northbound leg. By sending it south, they exposed the load to searches in Honduras and Guatemala. Had it been placed on the return northbound leg from Belize, the plane would have flown unmolested to Miami. Mistake No. 2: Larry Holifield, the DEA agent who ran the operation in Belize, failed to notify his counterparts in Honduras, where the flight routinely stopped to unload. That violated a government policy requiring notification of the U.S. ambassador there, the judge said. Had notification occurred, the Hondurans likely would have been informed about the sting through diplomatic channels. The errors added up to an 11-day jail stay for Belize Air International pilots Claude Woodhull and Jean-Denis Boileau of Miami, Jose Calmet of Peru, and two of their passengers, Salvador and Leonardo Moran of Guatemala. A third passenger, Miami police officer Alcides Diaz, got out after eight days. Efforts to get them to "confess" included routine rounds of Russian roulette, in which guards placed guns to their heads, and forced marches on their knees up and down steep stairways.

Freedom came only after the U.S. government gave the Hondurans a "letter of exoneration." The U.S. conceded that its agents acted improperly and promised to punish those responsible. But both the DEA and U.S. Customs, which also got involved, rejected the men's claims for compensation once they got back home. Government attorney **Cynthia Everett** argued that Uncle Sam was immune because the incident occurred on foreign soil. It is uncertain whether the government will appeal. The decision is up to the Justice Department. Attorneys Arthur Tifford, Joel Fass and Steven Kellough, who represented the six men, said they hope the feds learned their lesson. Added Tifford: "I hope the government of Honduras has the integrity to apologize for the brutal conduct of its national police."

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St. Petersburg Times  
February 18, 1995

**Seats for minorities rejected by Florida Bar**

Author: SABRINA MILLER

In two highly controversial decisions, the Florida Bar on Friday rejected a plan to create three minority seats for its board and approved a rule prohibiting lawyers from having sex with clients. The ruling on minorities, which provoked lengthy and emotional debate, would have guaranteed representation of women and minorities on the Bar's overwhelmingly white male board of governors. The decision on sex with clients surprisingly brought little opposition. "I honestly expected more opposition," said board member Edith Osman, who helped draft the rule. "'But I don't think anybody wanted to deal with a second round of emotional, divisive debate.'" Some opponents of the minority proposal said they had not been given ample time to study the issue. Others said the rule was patronizing to minorities and women and amounted to an ill-advised quota system. "I guess I'm kind of glad we're not debating a rule against slavery because it might not be the right time," **Cynthia Everett** of Miami said sarcastically. She then paused and broke into tears, unable to continue. **Everett** is one of only two black board members.

The Bar has 50 voting board members who set policy and oversee disciplinary, legislative and legal education programs within the organization and for the public. Members in 20 districts statewide elect board members, who serve two-year terms. The minority proposal, implemented in several other states, caused an uproar among the Florida Bar's 50,000 members. Scores of lawyer groups locally and nationally sent letters and resolutions to board members. Most organizations, including lawyers groups in Broward County, Jacksonville and Clearwater, sent letters staunchly opposing the rule. But the National Bar Association, representing more than 125,000 black lawyers, sent a resolution supporting the measure. "The Florida Bar has always been on the cutting edge of important issues," said H. T. Smith, president of the state chapter of the National Bar Association. "Some say (the rule) is not the right way. Well, if this is not the right way, then what is the right way? You need to put in place a system that would allow guaranteed black representation."

Board member Walter Campbell, who is white, said he is sensitive to issues facing women and minorities, but opposed the rule because he is convinced they can get elected on their own. "A lot of people felt this would be a step backward," he said. "'It can be brought up again, but it has to be presented differently.'" The issue of minority seats upstaged another controversial agenda issue: Whether to pass a rule prohibiting lawyers from having sex with their clients. After nearly three years of discussion, the rule was adopted with little fanfare. Some of the language, which said that sex with clients was exploitative and that clients were incapable of consenting to sex with their lawyers, was removed. Both decisions must be approved by the Florida Supreme Court, which generally approves such Bar rulings

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Miami Herald, The (FL)  
May 24, 1992

**FLORIDA VOICES: THOUGH FRUSTRATED, VOTERS CARE DEEPLY**

Author: TOM FIEDLER

It was happenstance that the seven strangers found themselves gathered about a coffee table in a lounge at Florida International University recently as a tape recorder absorbed their words and I struggled to keep up. For most in the group, the evening spent talking about their hopes and concerns for their government and their country marked the second time they had been randomly touched by The Herald as part of a telephone survey on the 1992 presidential campaign. Two others had been invited because they seemed at once representative of certain groups and had earned reputations for being more than capable of articulating their views. And then there was Ken Pollock, 45, who became so agitated over something he had read in The Herald one morning that he felt compelled to pick up the phone and call someone at the paper -- anyone -- to express his views. Ken's call found its way to me. And before the conversation was through, he had committed to participate in the discussion group despite the fact that the topic bore only distant relation to the source of his agitation. "I really haven't been following the campaign too closely," Ken protested, "I don't think I'd be very helpful." That turned out to be nonsense. It is a conceit of political writers and political junkies -- defined as those people who take pride in discussing the implications of a Perot candidacy on the Electoral College -- that most Americans are a step behind, if not below, them in understanding campaign issues. Many in this political clerisy speak with disdain about how easily most Americans can be manipulated by the clever, empty rhetoric of TV ads, as if they were schools of fish darting first to the right, then to the left with no evident reason. Don't believe it. Unless this was an unusual collection of people that I sat with through the course of a recent evening, I will argue that an abundance of wisdom and goodwill abide among us, yearning to be tapped for the greater good. The seven made up a focus group assembled and guided by political-science Professor John F. Stack, a good-humored ex-Bostonian, and me. The group was one of three hosted by Knight-Ridder correspondents in other parts of the country intending to give voice to the concerns, frustrations, hopes and fears of Americans as they size up their presidential choices in this election year.

Mine was a deliberately diverse group: a teacher, an executive, an investigator, a lawyer, a retired businessman ("age is only a number"), an insurance agent and a tourist counselor. They were grandparents, parents and single; Democrats, Republicans and independents; white, black and Hispanic. After spending those hours with them, I hesitate to describe them as typical voters, although statisticians might. I certainly came away feeling their insights were exceptional, more than the match of what passes for conventional wisdom on those panel shows of media experts. A full report on these discussions accompanies this column. We found that here in South Florida, the issues that worry us, puzzle us, anger us, are little different from those that trouble a similarly selected group of Ohioans or Californians. But there were some points that emerged from the South Florida group that are, to me, worth underscoring. My foremost impression was that we are mistaken to label Americans in general and South Floridians in particular as apathetic, although we know that such indicators as voting percentages are in frightening decline. Even the

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more recent word -- disconnected -- may be inaccurate. What the Miami group expressed was frustration, a feeling that even when they engaged the system, grappled fully with it, their efforts would count for little. Getting government or presidential politics to move in a positive direction seemed to them akin to pushing a car with broken axles. "The average person has as much power (to influence government) as the person who owns 100 shares of GM stock has in running the company," said Pollock, who lamented that the political machinery had been clogged by special-interest money. Only the youngest participant, Guy Sanchez Jr., of Hialeah, maintained an abiding faith in President Bush, a faith he retained after participating on the front lines of the Persian Gulf war. The others regarded the president with a mixture of disappointment or disgust, certain that he wasn't up to the challenge of leading America away from the downward slope they felt it is on. Said Pollock, an independent who voted for Bush in 1988: "This country is 1929 all over again with one difference: In 1929 it had to be paid for all at once. Right now we've been given a mortgage. "And when you calculate it, each one of us sitting around here is going to pay \$3,000 or \$4,000."

The likely Democratic nominee, Bill Clinton, could take solace in that most in the group insisted they weren't interested in the so-called character questions dominating the news media reports. But even those who said they will vote for him, like lawyer **Cynthia Everett**, 32, conceded "I'm not too thrilled with him either." And as for Ross Perot, the Dallas billionaire, there was much ambivalence, like this expressed by John Riley, 39, a cruise-ship line executive: "He would do something. He's a wild man. You can't dismiss him, he has too much money. But he is a mystery man. Nobody knows what his platform is." All seemed to share a gloom about the nation's course. Judy Marty, 52, a teacher and Cuban-American immigrant, yearned for a return to the days when Made in America connoted quality and evoked pride. "If I was president, I would like to get things made in America again. If we don't do something, how are we going to get our jobs back?" George Katzman, 72, a retired Miami businessman, summarized: "We are letting a greed society starting with Reagan in 1980 take over our country. . . . So the rich are getting richer and the poor are having babies."

But the most poignant moments of the evening came when Professor Stack asked the group to relate their views about the Los Angeles riots to the larger question of prejudice in Miami and America. "If some people knew just how hard (blacks) have tried to make it work here," said **Everett**, who is black, her voice trailing off and the others falling silent. "And it just hasn't worked . . . . It's just a burden every day." Marty said she, too, feels prejudice when people comment on her accented English and say in terms that seem patronizing, "Oh, you're a Cuban?" Meda Jensen, 57, recalled growing up in a small Iowa town that was strictly divided in half along Christian denominational lines. "Here they were all white Midwesterners and one group kept the other group from living in the good parts of town, from having the good jobs." And Riley, who is white, said Los Angeles would serve as a needed reminder of the distance yet to be traveled in overcoming racial prejudice: "Before the riots, too many people were ready to buy into the lie of equality." These are hardly upbeat thoughts. But what stirred my heart was the fact that these strangers willingly shared such thoughts with one another, seemingly groping for points of commonality, of community. They seemed to be saying to one another: I feel your pain, let me share it. If that is typical, then America's troubles are not beyond mending.

**Internet – Newspaper Archives Search**  
**Cynthia A. Everett**  
*(Articles are in reverse chronological order)*

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St. Petersburg Times  
March 19, 1990

**Hearing to focus on judicial prejudice**

Author: RACHEL L. SWARNS

Lawyer **Cynthia Everett** glowed when the judge complimented her legal brief. But his next remark left her shaking with anger. "Did you really write that?" he asked in open court. At a job interview, a recruiter asked the same question. "You try to take it in a positive manner, but when it happens time and time again, you have to wonder," said **Everett**, an assistant U.S. attorney in Miami. "I'm the same as anybody else except for my color. As a black woman, you're not given the benefit of the doubt." **Everett** told her story to a state panel investigating racial bias in the judicial system last month in Miami. On Tuesday, Tampanans may speak out in a public hearing sponsored by the Florida Supreme Court's Racial and Ethnic Bias Study Commission. The hearing will begin at 4 p.m. in the Hillsborough County Courthouse. "We're encouraging all people who feel they have been discriminated against or are aware of these factors to testify to the commission," said Deirdre Kyle, the commission's deputy director. "There's still racism and bias in the judicial system. If we don't take the lead and do something about the injustices, we're going to be back where we were in the '60s," she said.

News of the hearing was music to Joanna Tokley's ears. "I think it's an excellent idea," said Tokley, president of the Urban League of Tampa. "There is too great a disparity in the sentencing of black offenders as opposed to white offenders. . . . If a black man kills a white person, it's murder, but if a white kills a black, it's manslaughter. "I think the whole system is screwed up and unfair," Tokley said. "You don't expect it to be perfect, but it just has too many flaws in it. We've got to take some kind of steps to improve it." After Tampa's hearing, the group will listen to testimony in Orlando, Tallahassee and Pensacola. The commission will publish a partial report in December and complete the study in March 1991. It will focus on minorities and criminal-law practices; judges and court employees; law schools; and lawyer hiring and advancement. Then the commission will make recommendations to the Legislature to eliminate inequities uncovered by the study.

"What was interesting to me is that a lot of people seemed surprised that these type of things (inequities) exist," said **Everett**, who also is president of the National Bar Association's women lawyers division in Dade County. "Those who aren't a victim of it don't believe it exists or tune it out. The study is a good idea because the people who aren't aware will perhaps become aware," she said. "I'm amazed that the Florida Supreme Court has taken the time to listen to the citizens most affected by the judicial system," said Raymond E. Fernandez, chairman of Mayor Sandy Freedman's Hispanic Advisory Council. "I don't know if this will help, but I feel good at least someone is listening," he said.

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The Palm Beach Post  
February 19, 1990

**DRUG AGENCY SEIZURE LEAVES DEALER'S WIFE, KIDS HOMELESS**

Author: JENNY STALETOVICH

This is the story of a shabby brown house off a dirt road in Lake Worth and what happened when America's drug warriors marched into its front yard. For seven years, Sheila Hogue lived in the two-bedroom cinder block house with her husband, Leroy. They had two kids and tried to make improvements to the house. Then Hogue, 26, left her husband after his drinking got out of control, never suspecting that he was dealing drugs or stashing them in a tool box in their closet. But the U.S. Drug Enforcement Administration not only suspected him, it also arrested him and seized the house at 4958 Navarre Road last month. Government officials say it doesn't matter that Sheila Hogue left her husband eight months before his arrest and never knew about the drugs. Since her 43-year-old husband held the title and the improvements can't be counted as an investment because they were done by the Hogues and friends, Sheila Hogue and her two kids have no claim. That's the law. Any property suspected of being used to sell drugs or transport drugs can be seized. The property owner need not be convicted of a crime.

Nationwide, the Drug Enforcement Administration seized \$973 million in cash and property last year. In South Florida, the U.S. Marshal's Office has 400 homes worth \$95 million that are for sale or tied up in court. Proponents of seizure laws say the confiscation of property keeps drug dealers from profiting off their crimes and builds up government tills to fight the drug war. Opponents say the blanket policy is creating innocent casualties. "The drug war allows the government to commit all kinds of abuses on people," said Kevin Zeese, general counsel for the Washington-based Drug Policy Foundation. "It's a sad situation, but society has committed itself to fighting the drug war." Hogue's house hasn't been sold, so officials don't know how much they stand to profit. The county property appraiser says it's worth \$27,924. But before the government receives any money, the Federal National Mortgage Association must be paid \$14,406, plus \$102 in interest for every month it's not sold. Legal costs must also be deducted. "If we were to get divorced, I could have got half the house," said Sheila Hogue, who continues to defend her husband despite their separation. "I have no idea what I'm going to do. Sleep in my car, but I don't have a car. My truck's broke in the driveway."

**LOST SUPPORT**

Sheila Hogue has depended on her husband to support her and their children since she met him when she was 18 and working in her grandmother's Lake Worth bar. Leroy Hogue worked as a plumbing inspector for Palm Beach County until his sentencing. He started at an annual salary of \$13,127 in 1977, left earning \$31,046 in 1988, and repeatedly received high marks on evaluations. But on April 22, 1986, he tried to sell 21/2 kilos of cocaine to an undercover agent. Dennis Michael Randolph, 38, set up the deal and arranged a meeting place. That morning, Hogue drove Randolph to Belvedere Road. The drugs were stashed in a cordless telephone box in the back of Hogue's pickup truck. When the case came to trial, Randolph turned state's witness, testifying that Leroy Hogue-- who's been arrested once for driving drunk, once for obstructing justice, once for trespassing and once on a traffic offense -- supplied the cocaine.

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Randolph also said that between April 1987 and April 1988 he bought cocaine 15 to 20 times from Hogue at his house, where Hogue stored it in a tool box. Hogue pleaded guilty and was sentenced to 19 years in prison. Randolph, who has been arrested six times in 12 years, including twice for possession of cocaine, was sentenced to 7 1/2 years in prison. His last drug arrest was in October 1989.

Based on Randolph's testimony, Assistant U.S. Attorney **Cynthia Everett** argued that the house was guilty of facilitating a crime. But in a memo on his ruling to seize the house, U.S. District Judge Thomas E. Scott sympathized with Sheila Hogue. "In reaching this conclusion," Scott wrote, "the Court is not unmoved by Sheila's plight and that of her children. The value of the property is relatively small in today's market and the property is less than desirable by most standards. Unfortunately, the Court must follow the law, notwithstanding the sympathy naturally invoked." He suggested the government sell the house to her for a reasonable price. The U.S. Attorney's office, which wrote a final order for forfeiture that excluded the suggestion, refused to comment on the case or its policy on seizing houses. The majority of houses or condominiums seized cost between \$150,000 to \$300,000, said Stephen Stone, a supervisor with the Miami U.S. Marshal's office, which holds the property until it is sold. He knew of no home seized with a value under \$70,000. "There's a formula," said DEA special agent John Fernandez. "If we have a \$75,000 house and the person still owes \$70,000, then it's most likely . . . that it won't be seized. The value has to reach a certain percentage."

**ADEQUATE NOTICE**

Fernandez defended the system, saying officials don't abuse it because property owners are given adequate notice. Every Wednesday, USA Today publishes a list of houses about to be seized, he said. If anybody is victimized, he said, it's the children. "That's the system," he said. "It's the best we have." But the American Civil Liberties Union disagrees. "We think there's a more effective approach," said West Palm Beach lawyer Jim Green. "The ACLU totally disagrees with the Draconian approach the government is taking. We take the position that drugs should be legalized and regulated. That's the most effective way to take out the economic incentive." Debates aside, Sheila Hogue would still like her house back. She wants to appeal the court's decision but says she can't save enough of her \$4.50-an-hour wages to pay a lawyer. So she moved in with her mother and the house on Navarre Road sits empty, growing shabbier by the day.

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Research Compiled by:      Amanda Kuhl  
   Colin Baenziger & Associates