

SPECIAL MEETING HELD BY THE TOWN COMMISSION FOR THE TOWN OF OCEAN RIDGE, FLORIDA, IN THE TOWN HALL ON THURSDAY, JANUARY 14, 2016, AT 9:15 A.M.

The meeting was called to order at 9:18 a.m. and roll call was answered by the following:

Commissioner Aaskov
Commissioner Lucibella

Commissioner Bonfiglio
Mayor Pugh

Let the record show that Commissioner Allison is running late.

1. INTERVIEWS AND POSSIBLE SELECTION FOR LEGAL REPRESENTATION FOR THE TOWN OF OCEAN RIDGE

The Commission had a brief discussion regarding the interview process and possible questions to be asked to each firm. Attorney Spillias suggested that each Commissioner ask a question and then allow the firm to follow up. Commissioner Bonfiglio noted that he would like each firm to discuss the following, to which the Commission agreed:

1. What is the firm's presence in Tallahassee? How does the firm keep track of bills that affect municipalities?
2. Discuss cost per hour, costs for paralegal service, administrative costs, and pass through costs such as telephone calls, photocopying fees, etc.
3. What kind of trial experience does the firm have?
4. How many years of experience does the lead Attorney have, and what is the combined experience of other Attorneys in the firm?
5. Does the firm have labor contract negotiators?
6. What is the firm's litigation experience for municipal issues?
7. Who will attend Town Commission and other Board meetings?

Commissioner Allison arrived at 9:22 a.m.

The Commission discussed whether a firm would be selected today or not, and Town Manager Titcomb mentioned that this meeting is a special meeting as opposed to a workshop so the Commission could pick a firm today if it wishes to do so.

Anthony Soroka from Weiss, Serota, Helfman, Cole & Bierman began his presentation at 9:30 a.m. Commissioner Bonfiglio went over the questions that the Commission would like answered, and Mr. Soroka responded. He mentioned the firm employs 60 attorneys with experience in different areas, but he would take the lead role if the firm is selected. The firm charges a \$7,000 monthly retainer and \$205 per hour. The firm does not charge for paralegal or administrative costs.

The Commission briefly discussed the firm, and then took a five-minute recess at 9:55 a.m. The meeting reconvened at 10:00 a.m.

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Public comment: Ken Kaleel, 86 Island Drive South, asked that backup material be posted with the agenda for the public on the Town's website in the future.

Glen Torcivia from Torcivia, Donlon, Goddeau & Ansay, PA began his presentation at 10:01 a.m. Commissioner Bonfiglio went over the questions that the Commission would like answered, and Mr. Torcivia responded. He mentioned that there are seven attorneys employed by the firm, but he would take the lead role if the firm is selected. He noted that the firm does not charge a monthly retainer. The firm does not charge a monthly retainer, but charges \$210 per hour, \$100 per hour for a certified paralegal, and pass through costs such as \$0.25 for photocopies and charges for postage and mileage. When asked, Mr. Torcivia stated he is amenable to using a fixed cost for pass through costs.

Max Lohman from Lohman Law Group, PA began his presentation at 10:33 a.m. Commissioner Bonfiglio went over the questions that the Commission would like answered, and Mr. Lohman responded. He noted that the firm charges \$195 per hour for general work and \$225 per hour for litigation. The firm does not charge for pass through costs such as photocopies, paralegal costs, etc., but does charge for hard costs such as filing fees, etc. The firm employs two attorneys and has a reciprocal agreement with Bradley Biggs to cover in emergency situations. Mr. Lohman noted that the firm does not provide labor negotiation services.

Jennifer Ashton of Corbett, White, Davis & Ashton began her presentation at 11:02 a.m. Commissioner Bonfiglio went over the questions that the Commission would like answered, and Ms. Ashton responded. She noted that the firm employs four attorneys on a full time basis, and two attorneys who are semi-retired but still offer their expertise. The firm charges \$190 per hour for general matters and \$225 per hour for litigation. The firm charges 4% each month for administrative costs. The firm also charges for recording costs, filing fees, etc. which are itemized on the monthly bill. Ms. Ashton noted that the firm does not provide labor negotiation services.

Once the last interview was conducted, Mayor Pugh asked if there was any public comment. No comments were offered.

The Commission discussed the pros and cons of each firm.

Commissioner Bonfiglio moved to authorize the Town Manager to negotiate with Glen Torcivia for legal representation for the Town of Ocean Ridge at an hourly rate not to exceed \$190 for all general attorney matters for the town, for litigation issues not to exceed \$225 per hour, with all soft costs to be included in the hourly rate, with no automatic increase, and the contract is to be re-negotiated on a yearly basis. If the terms of the agreement are not accepted by Mr. Torcivia, the Town Manager is authorized to offer the same terms to Corbett, White, Davis & Ashton; seconded by Commissioner Aaskov. Motion carried 3-2 (Commissioners Allison and Lucibella in dissent).

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ADJOURNMENT

The meeting was adjourned at 12:00 p.m.

Minutes adopted by a vote of the Town Commission on February 1, 2016.

Geoffrey Pugh, Mayor

ATTEST:

Tracey L. Stevens, Town Clerk