

APPROVED
City of Fort Lauderdale
CITY ATTORNEY SEARCH COMMITTEE
Thursday, April 20, 2023, 5:00 P.M.
Fort Lauderdale Executive Airport (FXE)
Red Tails Conference Room
6000 NW 21st Avenue
Fort Lauderdale, FL 33309

Members	Attendance	Present	Absent
Roosevelt Walters	P	1	0
Troy Liggett	P	1	0
Romney Rogers	P	1	0
McKillop Erlandson	P	1	0
Richard Weiss	A	0	1

Staff

Jerome Post, Director, Human Resources
Kerry Arthurs, Administrative Supervisor
Carla Blair, Prototype Inc.

I. Call to Order

The meeting was called to order at 5:00 p.m. by Human Resources Director Jerome Post, acting as Committee Liaison.

II. Roll Call

Roll was called as outlined above. It was noted a quorum was present.

III. Selection of Chair and Vice Chair

Mr. Walters inquired as to whether Mr. Weiss could be nominated as Chair in his absence. Discussion ensued briefly.

Motion was made by Mr. Erlandson, seconded by Mr. Walters, to nominate Romney Rogers as Chair. In a voice vote, the **motion** passed unanimously.

Motion was made by Mr. Walters, seconded by Mr. Rogers, to nominate McKillop Erlandson as Vice Chair. In a voice vote, the **motion** passed unanimously.

IV. Establish a Schedule for Meetings, subject to availability at City Hall or elsewhere.

Chair Rogers introduced the item and asked whether all Committee members had submitted their availability.

Mr. Post stated the first item to determine was whether the Committee preferred to meet during the day or evening. He noted staff was flexible on the matter. Discussion ensued as to preferences.

Chair Rogers inquired as to whether the Committee was able to select the location of the meeting. Mr. Post responded that it would depend on availability of space. He pointed out that in addition to having someone present to take minutes, meetings did need to be open to the public.

Chair Rogers stated he had a large conference room downtown which he could open to the public. Mr. Post stated that may be possible under the current conditions.

Chair Rogers asked if there was direction from the City Commission as to urgency. Mr. Post explained he had provided the Commission with a proposed calendar in February, and noted it was included in the backup materials for the meeting. He stated they would like more stability within the office, and the interim attorney was anxious to be relieved of the position.

Mr. Liggett asked whether the Interim City Attorney had applied for the position. Mr. Post stated he had not. He added that he was willing to serve in an interim capacity but was not interested in the regular, full-time position.

Chair Rogers reviewed the proposed schedule and asked for clarification. Mr. Post outlined how the schedule was broken out based on the Commission process for other positions.

Chair Rogers asked if there was an indication as to how many candidates the Commission would like the Committee to present for interview. Mr. Post stated a specific number had not been provided, but he did not believe they wanted to see more than six (6). He noted there were only six (6) candidates that had applied with the minimum qualifications.

Chair Rogers inquired as to how long the position had been advertised. Mr. Post explained the position was advertised for 30 days and then the position was closed. He stated if the Committee was not satisfied with the candidates, they could request Commission approval that recruitment be reopened for a specific period of time. He noted that the advertising had been extensive.

Chair Rogers asked how many people had applied for the position. Mr. Post stated there had been 13 total applications.

Chair Rogers asserted the proposed timeline was aggressive. Mr. Post stated the timeline was built around a presumed process, but that process could also be fluid depending on how the Committee decided to proceed.

Chair Rogers noted Commission schedules fill quickly and asked whether there was a specific Commission meeting identified for the interviews. Mr. Post stated with the recent flooding event in Fort Lauderdale, some Commission business had been delayed. He noted he would follow up with the City Manager's Office to determine the expectations and report back.

Mr. Liggett stated he had watched the Commission discussion related to setting up this Committee, and they were talking about finding a hire by mid-June.

Chair Rogers asked whether there were any scheduling requirements which had been put forward by the candidates. Mr. Post stated typically the Committee would identify dates and the expectation was that the candidates would accommodate.

Chair Rogers asked if an hour and a half was reasonable for each meeting.

Mr. Walters stated when they come to the time they want to meet candidates, they could meet one (1) or two (2) in an hour and a half, but it would not be enough time for four (4) or five (5).

Chair Rogers agreed. He suggested once Mr. Post was able to provide a prospective date from the Commission, they could work back from there. He noted interviews of six (6) candidates could probably be done in two (2) meetings.

V. Discussion of Process

Mr. Post explained applications were gathered through the City's tracking system called NEOGOV. He noted the program eliminated potential applicants based on questions related to specific qualifications set by the City Commission. He stated none of the candidates eliminated had challenged the notices received. Mr. Post explained that for those six (6) candidates that did meet the minimum qualifications, he had a jump drive which included their applications and any materials they had submitted, including resumes and cover letters. He suggested that those materials be distributed to the Committee members for review prior to the next meeting, at which time they could determine who of the six (6) they wanted to meet with.

Chair Rogers asked whether the meetings could be conducted over Zoom if necessary. Mr. Post stated it had been determined that the meetings could be done virtually due to the current emergency conditions. He noted at this time, the emergency declarations were being made in seven (7) day increments, and the matter may need to be revisited if the declaration were to expire.

Chair Rogers asked who does background checks, credit checks, and the like. Mr. Post responded that a third-party vendor conducts background checks for any position within the City. He explained the company could be engaged to do more for higher level positions, including legal reference checks, searches for negative media, and other considerations. Discussion ensued regarding timelines for additional checks.

Mr. Walters asked whether any of the candidates had complained about the scrutiny of additional background checks.

Mr. Post stated no one had voiced a concern, but if the Committee would feel more comfortable, staff could reach out to each candidate to make sure they understand the level of scrutiny they would go under. Chair Rogers stated he thought that would be smart.

Mr. Post noted the fact that they had applied under NEOGOV becomes public record, and anyone applying for a City Attorney position would know that. He asked whether the Committee wanted the background checks to be conducted before or after the interviews, noting it would typically be done after due to the cost. Discussion ensued regarding the cost of background checks.

Chair Rogers stated he thought they should request a budget for the background checks on the six (6) candidates.

Mr. Walters agreed that they wanted to have the information prior to the interviews.

Chair Rogers returned to the discussion regarding calendars. He stated they should allow 10 days for the background checks to be completed and sought feedback on potential dates from the members of the Committee. Consensus was to check meeting room availability for Monday, May 1.

Mr. Post asked whether the background checks needed to be completed by the next meeting if they would only be reviewing resumes, not conducting interviews at that time. He stated the Committee may want to remove candidates after that review and not conduct background checks on them. Chair Rogers agreed.

Chair Rogers suggested an informal ranking of the candidates prior to the interviews. He stated this could help in the interview process and suggested the Committee come up with interview questions at the first meeting. He stated Committee members could email Mr. Post with suggested questions while doing their initial reviews prior to the meeting. Discussion ensued regarding Sunshine Law, and it was noted that other Committee members should not be copied on the emails.

Mr. Post disclosed that Mr. Weiss had sent him a suggested process, but he was not able to locate it in his email at this time.

Chair Rogers asked whether the Commission wanted to meet with the Search Committee before they conduct interviews. Discussion ensued regarding a possible joint meeting.

Mr. Erlandson asked if the goal of the Committee was to get the list down to three (3) or four (4) candidates, or whether the Commission was looking for a different number.

Chair Rogers agreed that was a question that could be asked of the Commission. He asked whether they knew that only six (6) candidates had qualified. Mr. Post stated he did not believe they knew the number of candidates.

Chair Rogers suggested that matter be raised with the Commission, because they may want staff to go out and advertise again for a larger pool of candidates. He stated it may be tough to get into a conference meeting, so the City Manager could poll the Commission. He noted they may want to hire a search firm, which would be their prerogative.

Mr. Walters noted they had agreed to a lunch meeting on Monday, May 1, and asked how many meetings were planned, and whether they would all be on Mondays.

Chair Rogers suggested they wait to determine the schedule until Mr. Weiss was present.

Mr. Erlandson stated if the Commissioners are made aware that 13 candidates applied and seven (7) did not qualify, they may want another pass.

Mr. Liggett asked what the disqualifying questions had been. Mr. Post stated they largely included years of experience, but also included credentials and licensing.

Chair Rogers reiterated that this was a really important position, and he wanted to have a large enough pool to select from.

Mr. Walters stated they may have a better idea of whether they like what they see when they meet again on May 1.

VI. For the Good of the Order

Committee members and staff conducted brief self-introductions.

Mr. Liggett asked if Committee members could speak with their Commissioners about the process. Discussion ensued regarding the restrictions of Sunshine Law and whether Commissioners speak with individual members of other committees. Consensus was to check with the City Attorney's office for direction.

Ms. Arthurs explained there was a Board and Committee training scheduled for April 25 via Zoom. She noted it would be presented by the City Attorney's office and the City Clerk's office and stated it would be good for the members to take part if they are available.

Mr. Liggett asked for clarification on whether the background checks would be completed before or after the next meeting. Mr. Post confirmed they would be conducted after the initial review.

Ms. Arthurs provided a brief update regarding operations at City Hall. She stated emails are working, but phones are not, including voicemails that were previously available to staff via email.

Chair Rogers asked whether there was an opportunity to order food for the noon meeting. Mr. Post stated he would investigate the Committee's budget. Ms. Arthurs noted she was able to make lunch orders for working meetings.

VII. Adjournment

Upon motion duly made and seconded, the meeting adjourned at 6:01 p.m. The next Regular Meeting of the Committee will be May 1, 2023, at 12:00 p.m.

[Minutes prepared by C. Parkinson, Prototype, Inc.]