



City of Pensacola

COMMUNITY REDEVELOPMENT AGENCY BOARD

Emergency Meeting Minutes

November 9, 2017

4:04 P.M.

Council Chambers

Chairperson Cannada-Wynn called the emergency meeting to order at 4:04 P.M. for the purpose of selecting legal counsel related to pending litigation.

CALL MEETING TO ORDER

CRA Members Present: Jewel Cannada-Wynn, Andy Terhaar (arrived 4:32), Larry Johnson, Sherri Myers, Brian Spencer, Gerald Wingate, P.C. Wu (arrived 4:32)

CRA Members Absent: None

BOARD MEMBERS DISCLOSE OWNERSHIP OR CONTROL OF INTEREST DIRECTLY OR INDIRECTLY OF PROPERTY IN THE COMMUNITY REDEVELOPMENT AREA

CRA Members Spencer and Terhaar (individually) disclosed ownership or control of interest directly or indirectly of property in the Community Redevelopment Area.

ACTION ITEMS

1. [17-00623 SELECTION OF LEGAL COUNSEL FOR REPRESENTATION OF THE COMMUNITY REDEVELOPMENT AGENCY IN PENDING LITIGATION](#)

Recommendation: That the Community Redevelopment Agency (CRA) approve the selection of legal counsel to represent the Community Redevelopment Agency in the lawsuit styled Daniel D. Lindemann and Gerald W. Holzworth v. The City of Pensacola, the City of Pensacola Community Redevelopment Agency and the Florida Fish and Wildlife Conservation Commission, filed in the Circuit Court on November 3, 2017, from the attorney list compiled by the City Attorney. Further, that the CRA authorize the City Attorney and/or the CRA Chairperson to take any and all action necessary to contract for legal services.

Chairperson Cannada-Wynn indicated she will entertain a motion and a second, and then vote on the recommendation. Following, presentations from attorneys listed will be heard, public comment, and finally a ballot vote to select outside legal counsel.

ACTION ITEMS (CONT'D.)

A motion to approve was made by CRA Member Wingate and seconded by CRA Member Spencer.

The motion carried by the following vote:

Yes: 7	Andy Terhaar, Brian Spencer, Gerald Wingate, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu, Sherri Myers
No: 0	None

Chairperson Cannada-Wynn called on the following individuals representing their firms with oral presentations as to their expertise and resources in responding to the pending litigation before the CRA:

- Doug Sale, Esquire
Harrison Sale McCloy
- Federick J. Spinger, Esquire
Bryant Miller Olive
- Margaret Stopp, Esquire
Moore, Hill & Westmoreland, P.A.

CRA Members were provided an opportunity to ask questions of the individuals following each presentation.

There being no public input, **ballot voting was called.**

During balloting, City Attorney Bowling clarified four (4) votes are needed to elect the firm which will then require approval by the City's insurance carrier.

Upon tally of the ballots, **Chairperson Cannada-Wynn announced Doug Sale, Esq., Harrison Sale McCloy as legal counsel to represent the CRA.**

At this time, City Attorney Bowling indicated it would be appropriate for Mr. Sale to disclose any conflict of interest he may have related to accepting this case on behalf of the CRA.

Mr. Sale apologized for not mentioning during his presentation, but did disclose to the CRA Board that his son-in-law works for Florida Fish and Wildlife Commission, in this very program involving the development of a fish hatchery. But, he stated he does not feel there will be a conflict with his representation of the CRA in this matter.

Discussion ensued among CRA Members. City Attorney Bowling indicated she would have to look into Florida Bar rules more closely, although the test is *personal* interest, and whether or not that could be waived.

ACTION ITEMS (CONT'D.)

Public input was heard from Gloria Horning.

Based on Mr. Sale's disclosure, Chairperson Cannada-Wynn indicated she will entertain a motion to re-vote by ballot.

A motion to approve re-voting by ballot was made by CRA Member Spencer and seconded by CRA Member Terhaar.

The motion carried by the following vote:

Yes: 7	Andy Terhaar, Brian Spencer, Gerald Wingate, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu, Sherri Myers
No: 0	None

Balloting takes place a second time.

Upon tally of the second set of ballots, Chairperson Cannada-Wynn announced Doug Sale, Esq., Harrison Sale McCloy as legal counsel to represent the CRA.

ADJOURNMENT

5:06 P.M.

Approved: December 11, 2017