



AGENDA
CITY OF LAKE WORTH BEACH
SPECIAL CITY COMMISSION MEETING – SELECTION OF THIRD-PARTY
NEGOTIATOR FOR GULFSTREAM HOTEL PROJECT
CITY HALL COMMISSION CHAMBER
TUESDAY, MAY 24, 2022 - 4:30 PM

ROLL CALL:

UNFINISHED BUSINESS:

- A. [Selection of a third-party negotiator for the Gulfstream Hotel project from the top two candidates: Greenberg Traurig & Lewis, Longman, & Walker](#)

The City Commission has adopted Rules of Decorum for Citizen Participation (See Resolution No. 25-2021). The Rules of Decorum are posted within the City Hall Chambers, City Hall Conference Room, posted online at: <https://lakeworthbeachfl.gov/government/virtual-meetings/>, and available through the City Clerk's office. Compliance with the Rules of Decorum is expected and appreciated.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

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Glen J. Torcivia
Lara Donlon
Christy L. Goddeau*
Leonard G. Rubin*

Jennifer H.R. Hunecke
Susan M. Garrett
Elizabeth V. Lenihan*
Denise A. Mutamba
Aleksandr Boksner

*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

May 16, 2022

Via E-Mail Only

Mayor and Commissioners
City of Lake Worth Beach
7 N. Dixie Highway
Lake Worth Beach, FL 33460

Re: Gulfstream Hotel

Dear Mayor and Commissioners:

In accordance with your direction, we have identified several individuals who you may want to consider selecting to assist the City as an independent third-party. The selected person would assist with any negotiations with the owners and representatives of the Gulfstream Hotel as it pertains to financial matters, including any proposed financial incentives to be provided by the City to the Gulfstream.

The following attorneys have been identified as potential candidates to provide these services to the City:

- 1) Pam E. Booker, Esq., Austin Pamies Norris Weeks Powell, PLLC, <https://apnwplaw.com>, whose proposed hourly rate is \$350;
- 2) Robert P. Diffenderfer, Esq., Lewis, Longman & Walker, P.A., <https://www.llw-law.com>, whose proposed hourly rate is \$355 for Mr. Diffenderfer and Ms. Duhy, and \$275 for Ms. Rossmell;
- 3) Richard Grosso, Esq., Richard Grosso, P.A., <https://richardgrossopa.com>, whose proposed hourly rate is \$375; and

Mayor and Commissioners
May 16, 2022
Page 2

- 4) William E. Pruitt, Esq., Pruitt & Pruitt, P.A., <https://pruittpruittlaw.com>, whose proposed hourly rate is \$350.

Attached is the resume of each of these individuals, as well as the links to their websites.

Each of these attorneys has been invited to attend, either in-person or via Zoom, your May 19, 2022, meeting, so that they may make a short presentation and you may discuss this matter with them. It is anticipated that after meeting each of these individuals, the Commission may decide to select one of them to assist the City in negotiations with the owners and representatives of the Gulfstream.

Sincerely,

Glen J. Torcivia

Glen J. Torcivia

Enclosures

cc: Carmen Davis, City Manager
Juan Ruiz, Assistant City Manager
William Waters, Comm. Sustainability Dir.
Melissa Coyne, City Clerk

LWB - Gulfstream Hotel

Glen Torcivia <glen@torcivialaw.com>

Wed 5/18/2022 4:23 PM

To: Melissa Coyne <mcoyne@lakeworthbeachfl.gov>

Cc: Carmen Davis <cdavis@LakeWorthBeachfl.gov>; William Waters <wwaters@lakeworthbeachfl.gov>

 2 attachments (303 KB)

Robert Sanders CV.pdf; Phillip Hutchinson CV.pdf;

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

Melissa,

Please add one more attorney, Robert Sanders, to the list of attorneys to be interviewed on Thurs., May 19th. The proposed hourly rate for Mr. Sanders is \$390 and Mr. Hutchinson is \$375. Attached are their resumes. The website link is: <https://www.gtlaw.com/en/locations/west-palm-beach>

Glen J. Torcivia, Esquire

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Robert Sanders

OF COUNSEL

sandersr@gtlaw.com

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Government Law & Policy | Real Estate

Robert Sanders focuses his practice on governmental, administrative and real estate matters. Prior to joining the firm, former West Palm Beach Mayor Nancy Graham brought Sanders out of semi-retirement to serve as Deputy City Attorney. In that position, Sanders was in charge of city transactions and pivotal economic development projects. He also served as a board member of the Economic Council of Palm Beach County. Sanders then became the City Administrator of West Palm Beach. Sanders was a key negotiator and advisor crafting deals in West Palm Beach, including projects such as the Convention Center, the redevelopment of the West Palm Beach Auditorium, and the city's previous baseball stadium site, and today's The Square, previously named City Place, a \$750,000,000 development of 72 vacant acres in downtown West Palm Beach.

Before his tenure with the City of West Palm Beach, he was a venture capitalist providing capital and organizational consulting to new and expanding business ventures. Bob had retired as the President and Chief Operating Officer of a nationally recognized real estate development company that developed, constructed and managed regional and local retail malls, office buildings and hotels.

Concentrations

- Governmental and administrative law
- RFQ/RFP strategist
- Litigation
- Acquisitions
- Construction
- Development
- Leasing
- Management and disposition of property
- Planning and zoning
- Permitting
- Equity and debt financing
- Venture capital
- Real estate

Experience

Noteworthy Experiences

- City of West Palm Beach, Florida, 1994-1999
- City Administrator, West Palm Beach
 - Reported to the Mayor of West Palm Beach; coordinated all department, division and agency activities; special liaison between the Mayor, the City Commission and all departments, divisions, boards and commissions, as well as the County Commission and county administration; performed administrative and executive duties as were assigned by the Mayor; oversaw an \$86M general operating budget, a \$62M utilities fund, and various capital funds; oversaw approximately 1,300 full-time employees and ten full-service departments including police, fire, public utilities (water, wastewater, engineering, streets maintenance, public works), recreation, library, human resources, support services, finance, planning, zoning and building, economic and community development.
- Deputy City Attorney/Deputy City Administrator, West Palm Beach
 - City's Key Negotiator in major matters including all significant economic impact Development Projects and transactions including the redevelopment of a 75 acre blighted area in downtown West Palm Beach into a \$500,000,000 Mediterranean style mixed use retail, entertainment, restaurant, cultural, office and residential development with a Convention Center.
- President and Chief Operating Officer, The Goodman Company, West Palm Beach, Florida, 1972-1990
 - Negotiated complex land purchases and sales, over 300 leases, reciprocal easement agreements, construction agreements and shopping center joint ventures.
 - Directed growth of the company with personal involvement in the recruitment, compensation determination and training of all executive-level employees.
 - Coordinated and supervised the development, municipal approvals and construction of many of the company's projects, including its flagship projects, Phillips Point, a multi-million dollar mixed-use urban office/retail complex in West Palm Beach, Florida, and The Esplanade, a high-quality upscale specialty retail development on Worth Avenue in Palm Beach, Florida.
- Executive Vice President - Financial, Legal and Administrative Affairs, Docktor Pet Centers, Inc., Wilmington, MA, 1967-1972
 - Developed and implemented overall business plan and National Franchise Program of a national chain of full-line pet centers.
 - Established and managed the in-house Legal Department including the negotiation of numerous leases, subleases, franchise and partnership agreements, and the acquisition of a major competitor.
 - Coordinated the public underwriting of the company's stock and was instrumental in directing the expansion of the company from 8 to 110 retail units.

Recognition & Leadership

Awards & Accolades

- Listed, *The Best Lawyers in America*, Land Use and Zoning Law, 2010-2022
- Recognized, *Palm Beach Illustrated*, "Top Lawyers," 2018-2019
- Team Member, *Best Lawyers in America*® "Top Listed – Government Relations," 2018

- Team Member, a U.S. News - Best Lawyers® "Government Relations Law Firm of the Year," 2014
 - Ranked, Tier 1 – Government Relations, Miami Metropolitan Area
- Team Member, *The Legal 500 United States*, "Top Tier" Firm in Real Estate, 2013
- Team Member, a *Law360* "Real Estate Practice Group of the Year," 2011 and 2012
- Member, Winning Team, Chambers USA Award for Excellence, Real Estate, 2010 and 2017

Professional & Community Involvement

- Current and Founding Board Member, West Palm Beach Library Foundation
 - Past Chairman
- Board Member, Palm Beach County Film and Television Commission
- Board Member, West Palm Beach Downtown Development Authority
 - Past Chairman
- Board Member, Economic Forum of Palm Beach County
- Past President and Board Member, Chamber of Commerce of the Palm Beaches
- Founder, Past Chairman and Board Member, Cities in Schools
- Past Board Member, Epilepsy Association of the Palm Beaches
- Past Chairman of the Board, Governors Club
- Past Board Member, Palm Beach International Film Festival
- Past Board Member, The Economic Council of Palm Beach County
- Past Board Member, The Adam Walsh Children's Fund
- Bailli Honoraire (Past President), Chaîne des Rotisseurs - Bailliage de Palm Coast

Credentials

Education

- J.D., Temple University Beasley School of Law
- B.S., Accounting, Temple University

Admissions

- Florida



Phillip H. Hutchinson

SHAREHOLDER

WEST PALM BEACH +1 561.650.7952

hutchinsonp@gtlaw.com | [LinkedIn](#) | [Detailed Biography](#)

Phillip H. Hutchinson is a strategic business litigator who defends corporations in complex litigation claims in state and federal courts, including individual class actions and real estate litigation disputes. Phillip has represented clients in cases involving complex product liability disputes, automobile rollover claims, construction defects (including delay claims), insurance coverage defense, eminent domain actions, employment discrimination, non-competition agreements, and real estate disputes, including commercial leases. He has broad experience in complex case management, electronic discovery management, extensive pre-trial discovery, and work product protection.

Phillip also has an emerging government relations practice that involves advocating for his clients' interest while guiding them through Palm Beach and other local government protocols for real estate and other commercial development activities. As part of his ongoing pro bono endeavors targeting economic development in underprivileged communities, Phillip helped secure site and land use approvals for the opening of a medical clinic in downtown Palm Beach.

A trained aerospace engineer, Phillip spent five years designing jet engines for military fighter aircraft prior to attending the University of Florida College of Law where he was a member of the Florida Law Review. Phillip has served as an instructor in the firm's Litigation Skills Academy and is an avid mentor to young lawyers.

Concentrations

- Products liability
- Insurance coverage defense
- Class-action lawsuits
- Eminent domain
- Securities
- Labor and employment matters, including discrimination and statutory claims
- Jury trials and arbitrations
- Insurance regulation
- Consumer finance

Education

- J.D., University of Florida Levin College of Law, 1997
 - Comment Advisor, Florida Law Review, Selections Committee
 - Florida Trial Team; Vice President, ABA Advocate, Competition Master
- B.S., Aerospace Engineering, University of Florida, 1990

Admissions

- Florida
 - Supreme Court of the United States
 - U.S. Court of Appeals for the Eleventh Circuit
 - U.S. District Court for the Middle District of Florida
 - U.S. District Court for the Northern District of Florida
 - U.S. District Court for the Southern District of Florida
-

News, Insights & Presentations

News

07.23.21

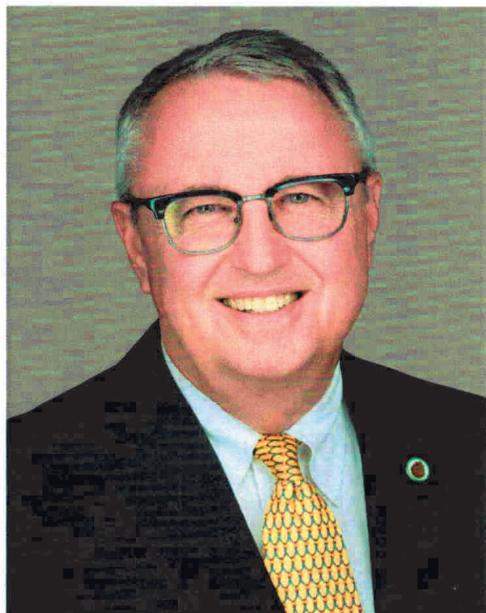
[Golf Course Workers Denied FLSA 'Volunteer' Suit For Now, Law360](#)

Presentations

09.16.19

[Speaker, Virgil Hawkins Florida Chapter National Bar Association – Meet and Greet Reception](#)

Robert P. Diffenderfer
Shareholder



Biography

Mr. Diffenderfer maintains a diverse governmental practice involving complex environmental and land use matters, including representation before local, state and federal legislative and regulatory bodies; growth management counseling; comprehensive plan adoption, implementation and defense; DRI approval and implementation; environmental resource permitting, and related litigation. His practice also includes projects relating to special district creation, operation and administration, as well as representation of local general-purpose governments on a variety of specialized governmental, growth management and natural resource issues.

Bob has handled a variety of growth management, land use and regulatory issues for large public infrastructure projects including the Fort Lauderdale-Hollywood International Airport, the Palm Beach International Airport, the North Palm Beach County General Aviation Airport and various Florida Department of Transportation highway projects.

Bob serves as Chair of the firm's Business Development Committee and immediate past chair of the firm's Transportation and Infrastructure practice group. He is a Trustee and Chair-elect of the Chamber of Commerce of the Palm Beaches. Bob is past chair of the Pine Jog Environmental Education Center. He is a member of the Palm Beach and Collier County Bar Associations, the Florida Bar, and the American Bar Association.

Bob earned a Bachelor of Arts degree, *cum laude*, from Florida State University and his Juris Doctor from Georgetown University Law Center. He is admitted to practice in Florida and the District of Columbia.

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Suite 1100
West Palm Beach, FL 33401





Biography

Ms. Duhy chairs the firm's Land Use & Real Estate Law Practice Group. As part of her state-wide land use, natural resource and water law practice, Tara advises clients through every stage of permitting, government coordination and enforcement related to development including:

- Comprehensive land use planning;
- Zoning, site planning and other local development orders;
- Transportation planning and concurrency, including coordination with the Florida Department of Transportation and regional metropolitan planning organizations;
- Development of regional impact ("DRI") review, including coordination with the Florida Department of Economic Opportunity and regional planning councils;
- Environmental resource permitting ("ERP") and water use permitting through the various Florida water management districts;
- Coastal construction and environmental wetland permitting through the Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission;
- Federal wetland and coastal construction permitting through the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers;
- Endangered Species Act coordination with the U.S. Fish and Wildlife Service;
- Federal NEPA compliance; and
- Related administrative and civil litigation, including appeals.

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Tara is an active alumni of Leadership Florida, and currently serves on the Gulfstream Region Council. Tara is also active in the Florida Association of Community Developers and the Northern Palm Beach County Chamber of Commerce and serves on the Board of Directors of Healthy Mothers Healthy Babies Coalition of Palm Beach County. She has been listed as a Top Lawyer in Palm Beach Illustrated Magazine, and in the past as a Rising Star by Florida Super Lawyers, a peer designation awarded to only 2.5% of Florida lawyers. In 2013, she was selected as a Rising Star by the Daily Business Review, a program recognizing the region's 40 most promising lawyers under the age of 40.

Tara earned a Bachelor of Science degree from Northwestern University in 1997 and her Juris Doctor from the University of Colorado School of Law in 2004.

Kathryn B. Rossmell

Attorney



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Biography

Kathryn's practice focuses on land use, environmental, local government and natural resources law. She represents private clients on land use matters including comprehensive planning issues and land development regulation application, drafting and implementation; public and private clients on natural resources permitting issues; clients challenging and defending National Environmental Policy Act (NEPA) compliance; as well as civil litigation for public and private clients for matters within her practice areas. She also represents and advises public clients as general and special counsel, including legal analysis of special assessment methodology and counseling clients on community redevelopment and other special district matters.

Kathryn serves as General Counsel to Leadership Palm Beach County and as a Board Member for the Palm Beach North Chamber of Commerce. Kathryn is Chair-Elect of Florida Atlantic University's Pine Jog Environmental Education Center, where she was recognized with the 2020 Young Professional of the Year Award. She is a Past President of the Treasure Coast Chapter of the Florida Association of Environmental Professionals and in 2020 she was awarded the Treasure of the Chapter Award for her exemplary dedication to the success of the chapter. She is a member of the Advancement and Moments Committees for Healthy Mothers Healthy Babies, and a member of the Women's Foundation of Florida Palm Beach County 2020 Raise the Bar Committee.

Kathryn is also a member of The Florida Bar's Environmental and Land Use Law Section, City County and Local Government Law Section, Administrative Law Section and the Young Lawyers Division. She is a member of the American Bar Association's Section of Environment, Energy and Resources and a member of the Palm Beach County Bar Association's Young Lawyers Section.

Kathryn was named a 2021 and 2020 Rising Star by Florida Super Lawyers, a peer designation awarded to only 2.5% of Florida lawyers. She was also named a 2021 Top Lawyer in transportation law from Palm Beach Illustrated magazine, a 2021 Honoree of South Florida Business & Wealth Magazine's 2021 Legal Awards, and was an ATHENA Young Professional Leadership Award finalist in 2021.

Kathryn earned a Bachelor of Arts degree in Political Science, *magna cum laude*, from the University of Florida, and her Juris Doctor, *cum laude*, from the University of Florida, Levin College of Law.

