

MEMORANDUM

Agenda Item No. 11(A)(2)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution appointing Mr.
Vincent Brown to the Miami-
Dade Expressway Authority

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

APW/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
4-19-16

RESOLUTION NO. _____

RESOLUTION APPOINTING MR. VINCENT BROWN TO THE
MIAMI-DADE EXPRESSWAY AUTHORITY

WHEREAS, Mr. Brown is the owner and managing attorney of the Brown Law Group, LLC and serves as the City Attorney for the City of Opa-locka; and

WHEREAS, Mr. Brown has a longstanding tenure in important positions in the local legal community, including as Special Master/Hearing Officer for the City of Miramar and the City of Miami Gardens Traffic Light Safety Program Hearing Officer and Nuisance Abatement Board; and

WHEREAS, following Mr. Brown's service as a judicial law clerk to the late Judge Wilkie D. Ferguson, Jr. and as an intern to the late Chief Justice Leander Shaw, Jr., Mr. Brown served for three years as an Assistant County Attorney; and

WHEREAS, Mr. Brown has also served as a leader in administrative capacities in Miami-Dade County government including, as the Deputy Director of the Miami-Dade County Department of Business Development and the President and Chief Executive Officer of the former Metro-Miami Action Plan Trust; and

WHEREAS, Mr. Brown has served as a member of the Board of Directors of the Carrie P. Meek Foundation, as well as the Andre N. Dawson Foundation and other organizations; and

WHEREAS, there is currently an opening for an appointment to the Authority for the seat occupied by a member whose term ended on February 2, 2016, although the member is currently holding over in this seat, pending his re-appointment or appointment of a new member to that seat; and

WHEREAS, House Bill 299 was enacted into law during the 2016 legislative session; and

WHEREAS, House Bill 299 allows a member appointed prior to July 1, 2016 to serve the remainder of his or her term and upon the conclusion of the term or upon vacancy, such expired term or vacancy may not be filled except if such appointment meets the requirements of this law which requires reduction in the number of members appointed by the Board of County Commissioners (Board) from seven to five persons; and

WHEREAS, House Bill 299 prohibits the appointment to or service on the Authority of a person that currently represents, or in the previous four years, has represented any client for compensation before the Authority; and

WHEREAS, House Bill 299 also prohibits the appointment to or service on the Authority of a person who currently represents, or in the previous four years, has represented any person or entity that is doing business, or in the previous four years, has done business with the Authority; and

WHEREAS, Mr. Brown is proposed to be appointed to a legally available membership position on the Authority at this time; and

WHEREAS, Mr. Brown has indicated that he has not represented any person before the Authority in any manner that would violate the provisions of House Bill 299; and

WHEREAS, persons appointed to the Authority are to possess outstanding reputations for integrity and responsibility, and in making appointments to the Authority, the Board may give due regard to, among other things, the interests of the environment, the non-vehicular and alternate transportation communities, mass transit, organized labor, the disabled, transportation, architecture, engineering and accounting professions, the convention and tourism industries, the Dade County taxpayers and the public-at-large, in accordance with County Resolution No. R-71-98; and

WHEREAS, Mr. Brown is eminently qualified to be appointed to the Authority, as evidenced by the attached resume and biography; and

WHEREAS, appointing Mr. Brown to the Authority will allow him to continue his service to the community and would help to make the Authority more representative of the population of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby appoints Mr. Vincent T. Brown to the Miami-Dade Expressway Authority for a term of four years concluding on February 2, 2020.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of April, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Cynthia Johnson-Stacks



Vincent T. Brown, Esq.

Attorney Brown has worked with Miami-Dade County and municipalities in numerous capacities for more than 20 years either as an attorney or a departmental executive. Attorney Brown currently serves as The Brown Law Group's Lead Attorney in the role of the City Attorney for the City of Opa-locka. In that capacity he has provided substantial legal counsel and services relating to

the various areas of municipal government law.

As a general matter, Attorney Brown has drafted and supervised the drafting and revision of agendas, ordinances and resolutions for commission officials. Additionally, he and other attorneys of the Firm have drafted and provided counsel on multiple municipal agreements relating to collective bargaining matters, real estate acquisitions and foreclosure, vendors, financing, etc. Attorney Brown and the Firm has also provided counsel and direction to City officials regarding policies relating to appropriate responses to requests for public records. Further, Attorney Brown, as well as other Firm attorneys, have provided guidance to municipal officials on matters involving code violations, lien enforcement, asset forfeiture, foreclosure, non-public communications, and disclosure requirements in public forums, among others.

For general illustrative purposes, we have identified examples of municipal matters and areas of law that are presently being addressed by the Firm in its current municipal engagement:

- ADA
- Ad valorem taxation
- Affordable housing
- Bankruptcy
- Budgetary shortfalls
- Breach of Collective Bargaining Agreements
- Breach of employment contracts

- Code revision
- Construction
- Contracts
- Contraband Forfeiture Assets
- Community redevelopment agency law
- Elected Officials
- Eminent domain
- Employee discipline/termination
- Employment discrimination
- Ethics
- Fair Labor Standards Act
- Freedom of Information Act (FLSA)
- Foreclosure
- Growth management
- Improper use/non-conforming use
- Inter-local agreements
- Labor and employment
- Land use
- Open meetings (meeting in the sunshine)
- Parliamentary Procedure
- Procurement
- Public contracts
- Public-private partnerships
- Real estate transactions
- Red light cameras
- Solid waste matters
- Special assessments
- Sunshine Law
- Sustainable development
- Urban planning
- Utilities governance
- Water and sewer management
- Working capital
- Wrongful death litigation
- Zoning

At the onset of Attorney Brown's engagement with the City of Opa-locka, several of the City's matters were determined to be of an urgent nature either because of a previous delay in addressing the matters or because newly acquired information necessitated prompt resolution. As a result, the Firm was tasked with providing expeditious resolutions to a myriad of issues that had been outstanding for months (and even years). Within the first sixty (60) days of the Firm's engagement with the City of Opa-locka, virtually all of the outstanding matters (as well as their ancillary issues) had been addressed and resolved. A few examples of matters that required immediate attention by the Firm are listed below:

Lien Foreclosure

Recognizing the need for a constant flow of capital in order to assist in the proper operation of any municipality, the Firm has worked with City officials on direct efforts to recover funds owed to the City by private and commercial residents that had not previously been pursued. Specifically, the Firm has initiated litigation proceedings for the enforcement of several unresolved liens resulting from violations of the City's Code. If successful, the pending litigation will result in an amount of nearly Two Million Dollars (\$2M) being infused into the City.

Asset Forfeiture

The Firm has configured an asset forfeiture team to assist the City's law enforcement personnel with their crime prevention and deterrence efforts. The Firm's primary asset forfeiture attorney has worked for a number of years with several municipalities and law enforcement agencies. Her efforts have been invaluable to the municipalities she has worked with, resulting in the recovery of assets valued at tens of millions of dollars. Using the experience and skills of our asset forfeiture attorney, the Firm is working with the City to expand its program purposed to

pursue asset forfeitures, including those involving cash, homes, vehicles, etc. The Firm also provides guidance to City officials on the proper use of funds generated from the sale of the seized assets.

Constituent Participation

The Firm realizes that it is imperative that constituents value and trust the efforts of their elected officials. To that end, the Firm has worked with City officials to develop avenues to allow constituents and officials to work together to meet the objectives and goals of the City. To assist the City in meeting its objectives and goals, the Firm has been instrumental in its provision of guidance regarding the initiation and configuration of varying boards and committees established to determine and appropriately address the needs of the City and its constituents. Constituents are encouraged to participate in these groups to provide the City with their much-needed input. These assemblies foster an environment conducive to the encouragement and growth of collaborative efforts between City officials and the people whom they are elected to serve, which helps further the interest of both factions.

Code Revision

Attorney Brown currently serves as a Special Magistrate for another local municipality, which allows him to remain abreast of the most recent changes and/or additions to any local and state legislation involving building and zoning issues. Using Attorney Brown's knowledge and experience, in conjunction with that of the other Firm attorneys, the Firm is working with the City in the revision of its Code that governs its land use and zoning matters. We have provided counsel on current complex code matters as well as suggested safeguard language that will likely minimize several Code issues that consistently reoccur.

Municipal Development

The Firm is currently working with several real estate developers and other parties in an effort to optimize the municipality's infrastructure and increase the number of its private and corporate residents. To that end, the Firm has reviewed and negotiated development agreements, direct purchase-and-sale agreements, financing and leasing agreements, etc. Often, inherent in the negotiations and planning of these projects is the need for public referenda, the existence of competitive bidding contests, requirements of multi-level approvals, determinations of the proper use of earmarked funds, etc. The Firm has encountered each of the above-mentioned complexities in its development negotiations and has been able to successfully navigate through them in the majority of instances.

Vincent T. Brown, Esq.

847 NW 119th Street, Ste. 202, North Miami, FL 33168
(305) 688-7500 Office - (305) 785-6420 Cell vtblaw@bellsouth.net

LEGAL EXPERIENCE

- 8/96 - Present **THE BROWN LAW GROUP, LLC.** North Miami, FL
Owner-Managing Attorney
Perform complex corporate and real estate transactions; practice in the areas of family, criminal, general civil, probate and guardianship, and personal injury; negotiate settlements; manage client development and relations; and manage a staff of legal assistants and attorneys.
- 3/15-Present **CITY OF OPA-LOCKA, FL** Opa-locka, FL
Lead Attorney/City Attorney
Serve as lead attorney on the contract as the City Attorney; provide legal advice to the Commission and staff on day-to-day matters; provide oversight and counsel on planning and zoning; manage all levels of litigation; draft and revise legislation and resolutions; provide contract and procurement reviews; advise on all labor and employment matters; address and provide counsel on all matters consistent with the City's plans and goals
- 11/13-Present **CITY OF MIRAMAR, FL** Miramar, FL
Special Master Hearing Officer
Serve as hearing officer adjudicating code compliance violations. Make legal rulings and the findings of fact in the adjudication process.
- 9/13-Present **CITY OF MIAMI GARDENS, FL** Miami Gardens, FL
Traffic Light Safety Program Hearing Officer
Serve as hearing officer adjudicating violations of the red light traffic safety program. Make legal rulings and the findings of fact in the adjudication process.
- 4/10-Present **CITY OF MIAMI GARDENS, FL** Miami Gardens, FL
Nuisance Abatement Board Attorney
Serve as legal counsel and provide guidance to the Nuisance Abatement Board.
- 8/93 - 7/96 **MIAMI-DADE COUNTY ATTORNEY'S OFFICE** Miami, FL
Assistant County Attorney
Performed complex civil tort litigation; supervised public housing unit, acted as legal counsel to Dade County Housing and Urban Development and the Nuisance Abatement Board; conducted personnel appeal hearings; drafted legal opinions and negotiated settlements.
- 8/92 - 8/93 **JUDGE WILKIE D. FERGUSON, JR.** Miami, FL
Third District Court of Appeals
Judicial Law Clerk
Legal Research; prepared oral argument summaries; prepared memoranda of law; and supervised interns.
- 1/92 - 5/92 **MIAMI-DADE COUNTY STATE ATTORNEY'S OFFICE** Miami, FL
Certified Legal Intern
Prepared cases for trial; tried misdemeanor criminal cases; argued motions before the court; interviewed witnesses and victims; conducted arraignments; and negotiated plea bargains.
- Summer 1991 **CHIEF JUSTICE LEANDER SHAW, Jr.** Tallahassee, FL
Supreme Court of Florida
Judicial Intern
Legal Research; prepared memoranda of law; prepared oral arguments summaries; made recommendations on discretionary jurisdiction; and reviewed and summarized transcripts.

NON-LEGAL EXPERIENCE

11/10-11/11 **MARTIN LUTHER KING ECONOMIC DEVELOPMENT CORP.**

President & Chief Executive Officer Miami, FL

Managed staff and facilities; oversaw budgeting and financing; interfaced with City of Miami and Miami-Dade County officials; carried out the policies of the board of directors; negotiated contracts; and insured compliance with funding mandates.

7/01-9/05 **METRO-MIAMI ACTION PLAN TRUST (An Agency of Miami-Dade County Government)**

President & Chief Executive Officer Miami, FL

Planned, directed, coordinated and implemented policies formulated by the MMAP Trust; managed the implementation of MMAP Trust programs (Homeowners Assistance, Community & Economic Development, Teen Court, and Martin Luther King, Jr. Leadership Academy); prepared agency budget and oversaw all financial matters; met with various community organizations; researched and developed policy recommendations for the MMAP Trust; set policy regarding personnel and staffing; and supervised daily activities of staff.

7/96 -- 6/01 **MIAMI-DADE COUNTY DEPARTMENT OF BUSINESS DEVELOPMENT**

Deputy Director Miami, FL

Managed, supervised and coordinated the following divisions: Fair Business Practices (Anti-Discrimination), Small & Minority Business, Contracts Review and Compliance, and Certification; review and approve all applications for Minority Business Enterprise (MBE), Disadvantaged Business Enterprise (DBE) and Community Small Business Enterprise (CSBE) Certification; reviewed all contracts from the appropriate M/D/CSBE Affirmative Action opportunity business enterprise program development and implementation; conducted comprehensive compliance investigation and hearings; draft request for legal opinions on behalf of the County Manager; acted as in-house counsel, staff liaison to the American Airlines North Terminal Project, the CSBE Advisory Board, Minority and Women-Owned Business Enterprise Advisory Board, and to the Economic Revitalization Task Force; designed and implemented the Anti-Discrimination Ordinance; and assisted with the development of Miami-Dade County's Community Small Business Enterprise (CSBE) program. Interfaced with the County Commission, County Attorney's Office, and the County Manager's Office. Oversaw and created development opportunities.

EDUCATION

Legal Education

St. Thomas University School of Law, Miami, Florida

Juris Doctor May 1992

Class Rank: Top 30%

Honors and Activities

Dean's List; American Jurisprudence Award in Criminal Procedure I; St. Thomas University Academic Achievement Award Florida Practice & Procedure; Phi Delta Phi Honors Fraternity; Moot Court Board; and Black Law Students Association, President, 1991-1992.

Undergraduate Education

Clark-Atlanta University, Atlanta, Georgia

Bachelor of Arts Degree in Criminal Justice Administration May 1987.

Honors and Activities

Graduated Top Senior in the Area of Social Science; National Dean's List Nominee; U.S. Achievement Academy Academic All American Nominee; Dean's List Five Times; and Florida Students Association, President, 1986-1987

LICENSES & PROFESSIONAL ASSOCIATIONS

Admitted to Florida Bar, October, 1992

Admitted to 11th Circuit Court of Appeals, October, 1993

Admitted to the U.S. District Court Southern District of Florida, April, 1997

Member, Florida Bar Association, Family Law Section

APPOINTMENTS & AFFILIATIONS

Carrie P. Meek Foundation, Board of Directors, 2005-2011
Andre N. Dawson Foundation, Board of Directors, 1992 - 2007
100 Black Men of South Florida, Inc., 1995 - 2005
Y.M.C.A. of Greater Miami, Board of Directors, 1994 – 1996
G.W. Carver Y.M.C.A., Chairman, Board of Directors, (1993 - 1997)
Omega Psi Phi Fraternity, Inc., Sigma Alpha Chapter, Parliamentarian (1995-1997)
Governor's Task Force on Growth Management, 1991

SPECIAL SKILLS:

Microsoft Office 2013 & ME, Word Perfect 6.0, and LEXIS/NEXIS AND WESTLAW