

REFLECTIONS*

Mary Julianne Yard**

On May 2, 1997, the Executive Council of the City, County and Local Government Law Section (formerly the Local Government Law Section) sponsored a dinner for all past chairs of the Section. The occasion was the Section's twenty-fifth anniversary, and one guest who received special recognition was Osee R. Fagan, former City Attorney for the City of Gainesville and the second chair of the Section.

Among the many distinctions that Mr. Fagan had throughout his career was being a founding member of the Section. Two others present at the creation, but now deceased, were Paul S. Buchman, who served many years as City Attorney for Plant City, and Ralph A. Marsicano, the first in-house counsel at the Florida League of Cities. The Section has recognized both Mr. Buchman's and Mr. Marsicano's role in enhancing the practice area of local government law by naming its two most prestigious awards after them.

The Section began in 1972, when, under the directive of Bar President Wm. Reese Smith, Jr., the Local Government Law Committee of the Florida Bar was established. The Committee's objectives, as stated by Chairman Paul S. Buchman, were: (1) to provide a forum for research and discussion in the development of the various subjects of local government law in the State of Florida, and (2) to determine whether interest in the Committee's work would be sustained and whether programs could be developed that would justify creating a Section on Local Government Law. On September 21, 1972, the new Committee held its organizational meeting in Miami Beach. At that meeting, the Committee voted to request

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The Author wishes to acknowledge Kenneth W. Buchman, City Attorney for Plant City, Florida, for the invaluable information that he provided about the Section's formation and early years.

Chairman Buchman to petition the Board of Governors to create a Section on Local Government Law.

On October 20, 1972, the Local Government Law Committee held its second meeting in Bal Harbour. At that meeting, the Committee approved bylaws for the proposed Section and moved to recommend that the Board of Governors approve the bylaws and fix annual dues at \$10.00.

On March 17, 1973, Paul S. Buchman appeared before the Board of Governors and presented the Committee's request to become a Section of the Florida Bar. Burton M. Michaels also appeared with Chairman Buchman. During the meeting, the Board voted to establish the new Section, approved the Section's bylaws, and approved the Committee's request that annual dues be fixed at \$10.00.

On March 23, 1973, Bar President Wm. Reese Smith, Jr. appointed Paul S. Buchman to serve as the interim chair, pending the Section's annual meeting in June. When the new Section held its organizational meeting in Hollywood on June 15, 1973, Mr. Buchman was then elected Chair, and Osee R. Fagan was elected Chair-elect. Initial committees were based on substantive areas of law, including: Municipal Courts and Jails, Taxation and Revenues, Personnel and Labor Relations, Environmental Protection, Home Rule, Planning and Zoning, Urban Transportation and Airports, Ordinances and Administrative Regulations, Tort Liability, Utilities, Annexation, and Intergovernmental Relations.

In addition to Paul S. Buchman, Osee R. Fagan, and Burton M. Michaels, who served as Secretary-Treasurer, members of the initial Executive Council consisted of two representatives from each state judicial circuit. Initial members included: Don J. Caton of Pensacola; Jack G. Greenhut of Pensacola; Wilson W. Wright of Tallahassee; William J. Tait, Jr. of Tallahassee; Herbert F. Darby of Lake City; Ernest M. Page, Jr. of Madison; Oliver C. Ball, Jr. of Jacksonville; Thomas G. Hall of Fernandina Beach; Wallace Dunn of Ocala; Donald J. Bradshaw of Inverness; Herman W. Goldner of St. Petersburg; W. Gray Dunlap of Clearwater; John C. Chew of Daytona Beach; Warren O. Tiller of DeLand; Richard T. Jones of Gainesville; Wayne M. Carlisle of Gainesville; Egerton K. van den Berg of Orlando; Murray W. Overstreet, Jr. of Kissimmee; James Henry (Hal) Roberts, Jr. of Lakeland; Lawrence E. Braisted of Winter Haven; St. Julien Palmer Rosemond of Miami; S.R. Sterbenz of Miami; William C. Strode of Sarasota; Richard E. Nelson of Sarasota; Ralph A.

Marsicano of Tampa; Henry Williams of Tampa; Richard W. Grant of Marianna; William J. Rish of Port St. Joe; Jerome F. Skrandel of Boca Raton; Michael Small of West Palm Beach; Michael H. Cates of Key West; Paul E. Sawyer of Key West; Betty Lynn Lee of Ft. Lauderdale; Jack Mibery of Hollywood; Gerald Korman of Cocoa Beach; Robert L. Nabors of Titusville; Charles R.P. Brown of Ft. Pierce; Ralph B. Wilson of Ft. Pierce; James R. Thompson of Ft. Myers; and Frank A. Pavese of Ft. Myers.

The Section's first seminar was held October 25, 1973, in Miami, Florida, and approximately 150 persons attended. Morning speakers on topics related to local government powers were J.H. (Hal) Roberts, Jr. of Lakeland, Wilson W. Wright of Tallahassee, and John B. Mattingly and William E. Sherman of DeLand. After a brief intermission, William J. (Jim) Tait, Jr. of Tallahassee spoke about municipal charters. He was followed by Richard E. Nelson of Sarasota, who spoke on county charters. John C. Chew of Daytona Beach spoke on ordinances, resolutions, motions, and other procedures relating to municipalities. Robert L. Nabors discussed ordinances, resolutions, motions, and other procedures as they related to counties. The afternoon session included a panel discussion on collective bargaining in the public sector. Panelists included John-Edward Alley of Miami, Norman F. Burke of Orlando, and Jerome G. Greene of Miami.

The fall regular meeting of the Executive Council of the Local Government Law Section was held in St. Petersburg on November 15, 1973. Chairman Buchman announced the Section's committee chairs and their respective committees. The following were appointed Committee Chairs: Gerald Korman of Cocoa Beach, Municipal Courts and Jails Committee; Charles D. Stewart, Sr. of Ft. Walton Beach, Taxation and Revenues Committee; John C. Chew of Daytona Beach, Personnel and Labor Relations Committee; Richard T. Jones of Gainesville, Environmental Protection Committee; James Henry (Hal) Roberts, Jr. of Lakeland, Home Rule Committee; Griffith F. Pitcher of Orlando, Urban Transportation and Airports Committee; John E. Baker of Belle Glade, Ordinances and Administrative Regulations Committee; James T. Vocelle of Vero Beach, Tort Liability Committee; Charles R.P. Brown of Ft. Pierce, Utilities Committee; Ralph A. Marsicano of Tampa, Annexation Committee. During the meeting, there was discussion of the upcoming March seminar on land use planning, and Chairman Buchman announced

that the next annual meeting of the Section would take place at the annual convention of the Florida Bar in Walt Disney World.

The winter regular meeting of the Executive Council was held in Tallahassee on March 13, 1974, and coincided with the Section's seminar on land use planning. The seminar, titled "Land Use Planning Management and Control," included the following speakers: Osee Fagan and Wilson Wright on the Effect of State Land Use Planning on Municipal and County Home Rule; Bob Rhodes and Barry Lessinger on State Land Use Laws; Jim Brindell and Ken Hoffman on Federal Laws Affecting Land Use; Allan Milledge and Ernest Bartley on the Proposed LMS Local Government Comprehensive Planning Act of 1974; George Foss, Stuart Simon, Dick Nelson, and Dan O'Connell as panelists on current legal issues involving land use.

It was in these early years of the Section that the initial objectives of Paul S. Buchman began to materialize: the Section provided a forum for research and discussion; interest in the original work of the Local Government Law Committee was clearly sustained; and the educational and programmatic efforts of the Section certainly justified, and continues to justify, a Section on City, County and Local Government.

As we look back from today's perspective, we see many changes in the Section. We not only offer more seminars than ever (sometimes as many as five a year), but have also been innovators in using new technology to bring seminars to our constituency. Membership increases every year. The current Executive Council's membership, compared with that of the original, demonstrates that diversity now exists in the Section. The standards for the City, County and Local Government Law practice area have been enhanced through certification. The Section has had a long, valuable relationship with Stetson University College of Law in helping to underwrite a special Local Government Law issue each year.

The Section continues to grow and to meet new challenges brought by changing times. The face of the Section may look different from that of 1973, but a close look at the Section's activities shows that it has never strayed from the original objective of Paul S. Buchman: to provide a forum for research and discussion and to sustain an interest in local government law.