



# CONVERSATIONS WITH THE COUNCIL

featuring Cliff Hertz

## COLLABORATIVE LEADERSHIP

This past April, Cliff Hertz was contacted by a homeowner's association president. This was not typical– they usually know not to call Cliff; he only represents landowners and developers seeking development approvals. In this case, however, a community resident who sits on a County Advisory Board thought Cliff would be a perfect match to represent the Association. If he would take on the matter.

Interest piqued, Cliff engaged in discussions and viewed the material. It was clear to him that the proposed project—a distribution center and office component– was incompatible with the long established adjacent West Delray equestrian community. In addition, the prospective client was amenable to other uses other than what's currently allowed, such as low impact commercial businesses on the site. So, for first the first time in his forty-year legal career, Cliff agreed to represent a party opposing a development project.

Since 1983, when Cliff joined former Economic Council Chair, Patricia Lebow and the law firm of Broad & Cassel, he has obtained hundreds of approvals for landowners, developers, and telecom companies. Wrangling extensions for a 1,200 acre industrial park that had barely been built out, convincing Palm Beach County that Government owned property could be used as preserve parcels to allow for additional development in the Agricultural Preserve, obtaining approvals for dozens of cell towers throughout South Florida and the Treasure Coast: these are just a few samples of Cliff's handiwork. Many of the approvals were the face of intense opposition from nearby communities and environmentalists, but Cliff's skill, tenacity and reputation for being a straight shooter helped his clients get to the finish line.

"Everybody knows if I tell them something then it's true," Cliff says. "That's how credibility is built."

Cliff graduated with a degree in Psychology, Sociology and a minor in Philosophy from NYU, and graduated law school at the University of Miami with honors. Having experienced the gritty New York City and vibrant Miami of the 70s, Cliff found Palm Beach County a bit slow and quiet when he landed here in 1979. "A lot has changed since then" he says.

After a year of working at the Palm Beach County School District, Cliff took a job at the Palm Beach County Attorney's Office. "Marty Perry was instrumental in getting me the position," Cliff says. "I have always admired his generous spirit and credit him with helping me in my career." Perry would later become a colleague on The Economic Council, as would a young West Palm Beach Assistant City attorney on the other side of a deal. Cliff represented Skopbank, the Finnish bank that foreclosed on Uptown/Downtown, which we now know as The Square. The bank sold the 52-acre property to the City for six dollars a foot. The deal was made by Bob Sanders who was then an Assistant City Administrator. The Assistant City Attorney who represented the City on the deal was former Economic Council Chair, Pam Rauch, who has been a friend of Cliff's ever since.

During his tenure with the County, Cliff wrote and helped lobby the Children's Services Council legislation and the Healthcare Taxing District legislation. These two agencies meet the healthcare and other needs of thousands of mostly underserved people in Palm Beach County.

With guidance and assistance from Vince Bonvento, a former Assistant County Administrator, Cliff wrote the original 911 agreement between the County and the municipalities within the County. In order to get their approval of the document prior to it being approved by the county commission and various elected officials, there was a meeting with the police chiefs and city attorneys. The agreement ended up being two pages long.

"When people ask me my biggest legal accomplishment, I tell them that was it," Cliff says, half in jest.

Working with Vince once again, Cliff also took legal responsibility for the consolidation of the fragmented independent fire districts across the unincorporated area of Palm Beach County into Palm Beach County Fire Rescue.

The constant in Palm Beach County since Cliff arrived is growth and change. Cliff believes the most pressing issue affecting the business community is housing. "People, and therefore, workers, are leaving— or simply not coming— because housing is so expensive. Another issue is transportation. Roads are congested; travel options must be provided by both the public and private sector— express buses, commuter rail, last mile transit—so that people can commute within the County and to and from the County more efficiently. Downtown West Palm Beach and Boca Raton have achieved the types of densities that support additional modes of transportation including rail lines, but rail lines only serve a small portion of the County."

Another challenge, Cliff says, is maintaining and growing the county's workforce— especially in the construction trades. "Some of the immigration policies enacted by the legislature in the last session have caused a number of construction trades people to leave the state or drop out of the formal work force. As to a workforce for new construction, the work mandated by recent legislation after the Surfside condominium collapse redirected many in the construction trades toward condo rehabilitation. New construction workforce is also impacted by rebuilding hurricane effected communities on the west coast of Florida."

Cliff believes the solutions to the issues facing the county are largely dependent upon maintaining a strong economy. "We need to continue to create high-wage jobs, and advanced job training. We need more developable land, higher densities, and a more robust and coordinated educational paradigm" he says.

That benefits everyone, including Cliff's five grandchildren who live in the Jupiter- Tequesta area. Cliff has three daughters. Two are practicing lawyers, and one is a licensed school psychologist.

Cliff and his wife, former affordable housing developer and City Commissioner Paula Ryan, split their time between their home in the historic El Cid neighborhood and a cottage in Kittery Point, Maine— across the river from Paula's son, daughter-in-law, and their two children. Cliff enjoys spending time with Paula, their blended family and friends, riding his bike, watching Miami college and professional sports, and listening to music.

Today, Cliff is the Managing Partner of Nelson Mullins West Palm Beach office, where he oversees a team of twenty. He prioritizes giving his team the freedom to learn and, most importantly, to grow. "I put people in the position to make small mistakes; I'm not a micromanager," he says.

Cliff is looking forward to new challenges and continuing to represent developers and landowners and assisting the business community in maintaining a good quality of life for the people of Palm Beach County.

But in the meantime, he'll be representing the homeowner's association, and helping the equestrian community to maintain its quality of life. "It's always interesting to get another perspective" Cliff says.

***Conversations with the Council was written by: Corey Saban***

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