

**SOUTH CENTRAL REGIONAL WASTEWATER
TREATMENT AND DISPOSAL BOARD
&
CITY COMMISSION OF THE CITY OF DELRAY BEACH**

INFORMED CONSENT GRANT AND WAIVER OF CONFLICT OF INTEREST

The South Central Regional Wastewater Treatment and Disposal Board (the “Board”) has employed Bradley W. Biggs, PA as the Special District attorney (“Board Attorney”). As of November 2016, Bradley W. Biggs, PA., as *Of Counsel* to the Lohman Law Group, also acts as an assistant City Attorney to the City of Delray Beach. One-half of the Board membership is composed of all members of the City Commission of the City of Delray Beach pursuant to the Interlocal Agreement creating the Special District on December 26, 1974 (the “Interlocal”).

Thus, Bradley W. Biggs, PA, now represents and has two organizations as clients, the City of Delray Beach (the “City”) and the Board. Although the interests of the City and the Board would appear to be wholly consistent and aligned since the Board acts to furnish wastewater treatment and disposal without regard to political or governmental boundaries for both the City and the City of Boynton Beach pursuant to the terms of the Interlocal, it is recognized and understood that differences might exist or become evident during the course of Board Attorney’s representation of the Board and the City. Notwithstanding these possibilities, the City and the Board have determined that it is in their mutual interests to have legal representation by Bradley W. Biggs, PA as both the Board Attorney and the City Assistant Attorney.

Florida Bar Rule 4-1.7 *Conflict of Interest; Current Clients* provides that, notwithstanding a possible conflict of interest, an attorney may represent two clients with potential conflicts if each affected client gives informed consent in writing, thereby waiving such possible conflict so long as the attorney does not assert a position adverse to another client when the attorney represents both clients at the same proceeding before a tribunal.

Accordingly, the execution of this form on behalf of the Board and the City shall act as the grant of informed consent and a waiver to any possible conflict of interest in matters of representation when acting either as the Board Attorney or the City Assistant Attorney, no matter how remote such possible conflict of interest might appear.

IN WITNESS WHEREOF, the Board and the City have approved this Informed Consent and Waiver of Potential Conflict of Interest form, effective the last date when either the City or the Board has executed the form hereinbelow.

Approved by the BOARD during the BOARD's meeting on the 19th, day of January, 2017, by a 5-0 vote.

Justin Katz
Chairperson

Attest:


Secretary Christina Romelus

Approved by Operating Committee City Staff Members:


Colin Groff, P.E., City of ~~Delray~~ Beach


John Morgan, City of ~~Boynton~~ Beach

Approved by the CITY COMMISSION OF THE CITY OF DELRAY BEACH this ____ day _____, 2017, by a _____ vote.

CITY OF DELRAY BEACH

Cary D. Glickstein, Mayor

ATTEST:

(Seal)

City Clerk