



NEWS

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Our Mayor, the Lobbyist, Part 3

Ilene Lieberman’s misadventures in Pembroke Park... conflict after conflict

BY BOB NORMAN

Pembroke Park is the little town that Broward County forgot. It’s a decidedly working-class, if not poor, industrial burg on the Miami-Dade County border with about 6,000 people, most of whom live in

mobile homes. Town officials have long complained that the County Commission has largely ignored the town.

Last year, however, Broward Mayor Ilene Lieberman momentarily had the town in her sights — not as an elected official but as a developer’s lobbyist. Maybe it’s best to let Lieberman, who shares a law practice with husband Stuart Michelson, describe the difference between her roles, as she did during a commission meeting in the small, wood-paneled Pembroke Park town chamber on February 26, 2003. “I’m not here as Commissioner Lieberman,” she announced. “I’m here as Ilene Michelson. In my private life, as you all know, I’m a lawyer, and Pinnacle is my client.”

She was referring to Miami-based Pinnacle Housing Group, a company that hired Lieberman in late 2002 and has since become one of Broward’s most prolific developers. Currently, Pinnacle is working on five projects from Pompano Beach to Pembroke Park worth about \$120 million. Lieberman ended her employment with the developer last month during a *New Times* investigation that questioned whether she engaged in unethical and illegal practices with the company (see “Our Mayor, the Lobbyist, 1 and 2,” September 16 and October 14).

While most of Lieberman’s conflict-ridden efforts on behalf of Pinnacle have taken place outside the public eye, her work in Pembroke Park was documented on an audiotape that can be found in the town archives. It provides searing insight not only into the mayor’s work for the developer but also into her hardball tactics as a lobbyist. Lieberman, in a sharply worded response to a list of questions submitted by *New Times*, denied she did anything wrong while working for the developer.

The Pembroke Park deal concerns a seven-acre piece of land on Hallandale Beach Boulevard a few miles west of Interstate 95 that is graced with one of the most beautiful oak tree hammocks in South Florida. The town agreed to sell the property for \$1.8 million to Pinnacle back in summer 2002. The company promised to build 168 affordable housing units and 8,000 square feet of retail space promptly and without funding from the town. In honor of the hammock, which is supposed to be protected, the \$19 million project was named Pinnacle Oaks.

More than two years later, the compa-

ny has yet to even close the land deal. Instead, Pinnacle has requested several time extensions while it attempts to secure public financing to pay for the land. And that was where Lieberman entered the picture in February 2003.

During the Pembroke Park town meeting, Lieberman, who was flanked by Pinnacle President Michael Wohl and Vice President Tim Wheat, urged the town to apply for a grant from the county that she

serves to help Pinnacle pay for the land. The deal was relatively simple: If the town put up some federal grant money, the county would match it with new funds — as long as the cash went to Pinnacle Oaks. That would, in turn, show local government support for the

project, which would help the firm obtain about \$10 million worth of federal tax credits from the state.

All the town had to do was apply to the county for the money, Lieberman said, before launching into a fawning endorsement of the company. “By choosing Pinnacle, you have made a wise move,” she told the commission, which at times relies on her county vote for funding and project approvals.

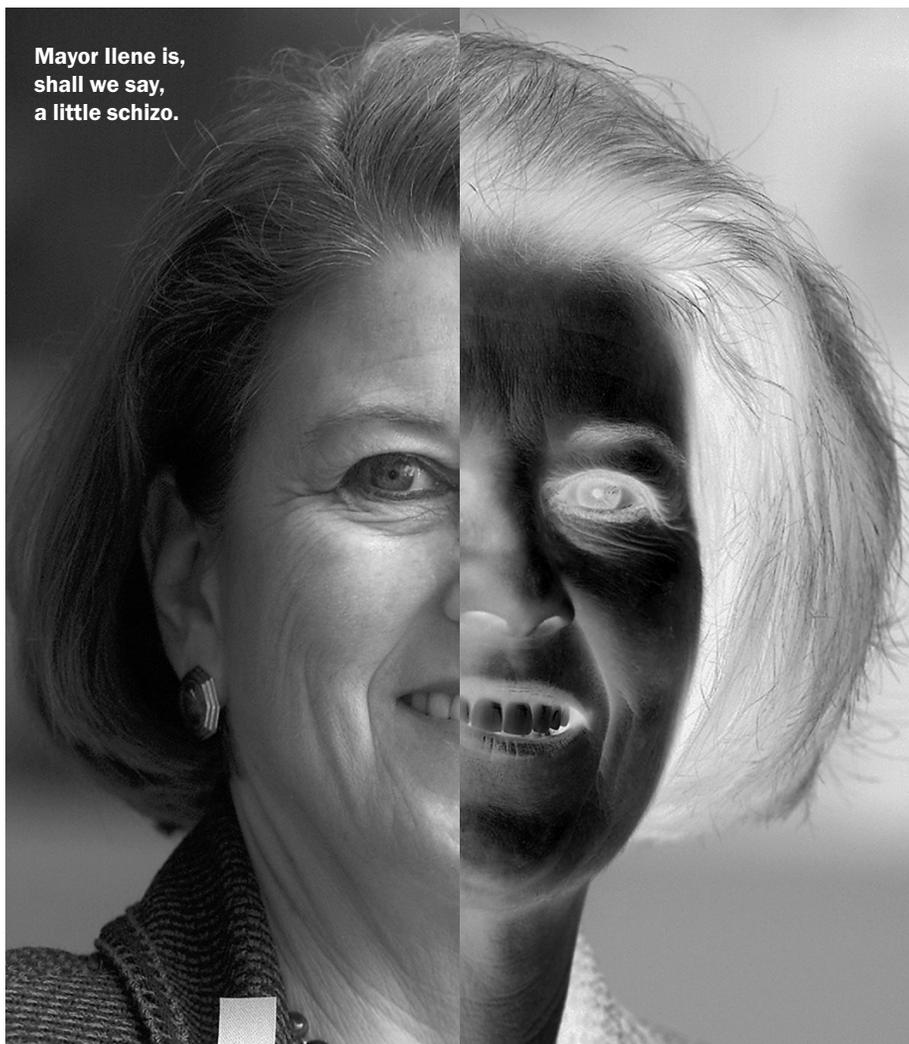
Lieberman, who was then county vice mayor, assured the town that the County Commission would approve the new grant money, and to prove it, she brought a letter of support from her friend, then-county Mayor Diana Wasserman-Rubin. “Broward County is continuing to grow rapidly and your project will certainly help to accommodate that growth,” Wasserman-Rubin wrote in the January 23, 2003, letter addressed to Wohl.

(Wasserman-Rubin says that even though she knew that her colleague was employed by Pinnacle, she never discussed the company with Lieberman and was unaware that her fellow commissioner used the letter in her lobbying efforts. She said she had met with Wohl at his request and introduced him to county staff.)

When Pembroke Park Commissioner Howard Clark balked at the Pinnacle plan during the meeting, which wasn’t covered by the media, Lieberman lost her collegial tone. She made a veiled threat to sue the town, saying that if the commission didn’t apply for the county grant, it would be in “capricious and arbitrary” violation of its contract with Pinnacle.

Then she interrupted town attorney Christopher Ryan, **continued on page 15**

Lieberman assured the town the County Commission would approve the grant money.



Mayor Ilene is, shall we say, a little schizo.

telling him — quite wrongly — that the town wouldn't lose any grant money. "Would we both agree to that?" she repeated and pointedly asked Ryan.

"Yes, but —" the lawyer tried to respond.

"Thank you!" Lieberman shot him down.

She was so aggressive that Clark likened her to Judge Judy, the TV personality famous for dominating the litigants on her show. A city commissioner, Emma Shoaff, found no humor in the matter. She confronted Lieberman directly about her dual role as county commissioner and developer's lobbyist.

"We better start looking at this thing all over again," Shoaff said of the project.

"It's money you wouldn't get," Lieberman insisted.

"Why is the county helping us now when they haven't helped us in the past?" Shoaff asked, before answering her own question. "Because they are working for those people [at Pinnacle], that's why, which is not right."

"With all due respect, this is a capital improvement grant ...," Lieberman replied rather incongruously. "The town would not get these funds but for this project."

The two women began talking over each other, prompting then-city Mayor Annette Wexler, a proponent of the project, to tell Shoaff that Lieberman had the floor.

"She wasn't speaking; I was speaking — I had the floor," Shoaff countered. "I can't understand what [Lieberman] says. Where has the county been? You're so willing to help us now; where have you been before?"

Lieberman, in the end, was victorious. The five-member commission voted 3-1 to apply for the county grant money. Wexler, who didn't respond to an interview request from *New Times*, abstained from the vote because she was involved in a land deal with Pinnacle.

In the months after the meeting, the city surrendered \$30,000 of its grant money and the County Commission signed off on about \$300,000 for Pinnacle. After goading the town into applying for the grant, Lieberman abstained from voting on its approval, citing her conflict of interest with the company.

How much money Lieberman made in the deal isn't known. She has refused to discuss her Pinnacle salary, though she's reported about \$90,000 in outside income from her law practice during the past couple of years.

Even though Lieberman said she was acting as Michelson, the private lawyer, when she addressed the commission, Shoaff says she believes the fact that she's Broward mayor helped sway other commissioners. "With getting the money from the county and with her being a county official," Shoaff says, "I think that's very wrong what she did."

And she says that even though she personally likes Lieberman, the dispute over Pinnacle has strained their public relationship to the point that they can't work together. "We are too mad at each other over it," she says.

In a written response to *New Times*, Lieberman denied she did anything wrong in her work for Pinnacle. "I have listened to the tape of the Pembroke Park meeting

and your interpretations of events and the law are clearly erroneous and incredibly misleading..." she wrote. "I did absolutely nothing illegal or unethical for this client or any other client — ever."

Lieberman denied implying that Pinnacle would take legal action against the town and claimed that Shoaff wasn't referring to Lieberman when the Pembroke commissioner complained about county employees' working for Pinnacle.

Shoaff laughed when told of the mayor's contention. "Of course I was talking about [Lieberman]," the town commissioner said. "She was the only county person there, wasn't she?"

As for the fact that Pembroke Park gave up money that has since been earmarked for her client, the mayor wrote: "I misled no one. Pembroke Park lost no

money. You can confirm this with the town manager."

Pembroke Park Manager Bob Levy, however, acknowledges that the town gave up \$30,000 to benefit Pinnacle. Moreover, he says the mayor shouldn't have been allowed to lobby the city on Pinnacle's behalf in the first place. "It creates undue influence and the impression of a backroom deal," says Levy, a retired medical doctor who has run the town for the past 15 years. "And it's really not fair."

Lieberman also wrote in her response that she wasn't involved in the grant process at the county level. Indeed, *New Times* has found no evidence that she manipulated county staff or her fellow commissioners in steering the grant money to Pinnacle Oaks. Those grants are generally handled by county Human Services Di-

rector Marlene Wilson, who says she often speaks with the mayor about affordable-housing issues. When asked if she'd spoken with Lieberman about any Pinnacle projects, Wilson said, "In the context of overall funding or agenda, possibly. I can't say never. I can't recall any time she's done something or influenced something in terms of Pinnacle."

That, however, doesn't change the views of city officials who believe that the mayor never should have been allowed to lobby for the developer. "What Lieberman did, I believe, was unethical," Shoaff says. "And I just wish someone would expose Pinnacle for whatever it is. I think it's underhanded."

**Contact the author to discuss the story:
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