



**MICHAEL J. SATZ**  
**STATE ATTORNEY**  
SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA  
BROWARD COUNTY COURTHOUSE  
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JUDICIAL HALLANDALE  
CITY CLERK

17 OCT 25 AM 11:57

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**CLOSE-OUT MEMORANDUM**

**To:** File

**From:** David Schulson *DS*

**Re:** Former Hallandale Beach Commissioner William Julian  
File #SP16-08-081

**Date:** October 23, 2017

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**Reason for Close-out:**

On August 23 & 24, 2016, Bob Norman, an investigative reporter for WPLG Channel 10 News, broadcast a two-part series on then City of Hallandale Beach Commissioner and Vice-Mayor William "Bill" Julian. This series was primarily based upon an audio recording of Commissioner Julian obtained by Bob Norman from Evan Ross, a political consultant/lobbyist and friend of City of Hallandale Beach Commissioner Keith London, and an interview of Commissioner Julian by Bob Norman. During the very brief audio recording of Commissioner Julian and Bob Norman's subsequent interview with him, Commissioner Julian discussed conversations with Michael Meyers, the President of Concord Wilshire Real Estate Group, LLC which serves as the Manager of the Diplomat Golf Course Venture, LLC ("Developer"), as well as conversations with Debbie Orshefsky, the attorney who represents the Developer of the Diplomat Golf and Tennis Club Project ("Project") in the City of Hallandale Beach. During the audio recording and his subsequent interview with Bob Norman, Commissioner Julian mentioned promises allegedly made by Mr. Meyers and Ms. Orshefsky which might be construed as part of an effort to influence his vote at the Commission Meeting on March 2 & 3, 2016 in support of the Project.

After the broadcast of Bob Norman's two-part series on Commissioner Julian, ASAIC Timothy Donnelly assigned ASA Ryan Kelley to investigate this matter and determine if there was evidence of Bribery and Unlawful Compensation. After ASA Kelley was re-assigned from the Special Prosecutions Unit to the Career Criminal Unit, ASAIC Donnelly re-assigned this matter to me on January 13, 2017.

I have now taken the sworn statements of Michael Meyers, Debbie Orshefsky, Evan Ross, and Commissioner Keith London. I have also reviewed a video of portions of the City Commission meeting regarding the Project, a robocall attacking Commissioner Julian

which was prepared by Evan Ross and sent to the citizens of Hallandale Beach on March 3, 2016, recorded conversations of Commissioner Julian, and a 302 Investigation Report prepared by FBI Special Agents Marco Rodriguez and John Bernardo which includes a summary of their interview of Commissioner Julian on August 26, 2016. After reviewing the evidence and the applicable law for Bribery under F.S. 838.015 and for Unlawful Compensation under F.S. 838.016, I have found no corpus for these crimes, and, thus, insufficient evidence to warrant the filing of any criminal charges against former Commissioner Julian.

As detailed below, the loose language used by Commissioner Julian in an audio recording on March 3, 2016 and in an interview with Bob Norman in August of 2016 regarding alleged promises made by Mr. Meyers and Ms. Orshefsky do not establish a corpus of any crime or otherwise provide sufficient evidence to warrant the filing of a Bribery and/or an Unlawful Compensation charge against former Commissioner Julian. There is absolutely no evidence that Commissioner Julian ever received any improper payment or benefit of any kind from Mr. Meyers, Ms. Orshefsky, or from any representative of the Developer of the Project.

On March 2, 2016, City of Hallandale Beach Mayor Joy Cooper called a Regular City Commission Meeting to order at 6:42 pm and Mayor Cooper did not adjourn the meeting until March 3, 2016 at 2:28 am. The great majority of the nearly eight (8) hours of meeting time was spent receiving public comments and discussing the proposed Development Agreement between the City of Hallandale Beach and the Developer for the Project. During the early morning hours on March 3<sup>rd</sup>, the City Commission approved and authorized the City Manager to execute the Development Agreement, as Amended during the course of the meeting, by a vote of 4/1 with Commissioner Lazarow as the sole dissenting vote. Pursuant to this vote, the Development Agreement, as Amended, was memorialized in a written Development Agreement executed by all parties on March 17, 2016.

Within the Development Agreement are approximately \$7 million in financial commitments by the Developer to the City of Hallandale Beach in order to move the project forward. These financial commitments range from \$3.5 million for improvements to Atlantic Shores Blvd. to a \$25,000 contribution by the Developer to the City Historic Commission.

During the months prior to the City Commission meeting on March 2<sup>nd</sup> & 3<sup>rd</sup>, each commissioner had the opportunity to meet individually on one or more occasions with Mr. Meyers or other representatives of the Developer to not only raise questions or discuss concerns about the Project, but also to present to the Developer an "ask for" or "wish list" of extractions from the Developer. For example, Commissioner Julian was the commissioner with a strong interest in the historic preservation of the City of Hallandale Beach, and, ultimately, the Developer agreed to his request, as mentioned above, to contribute the sum of \$25,000 to the City Historic Commission. During one of these meetings, Commissioner Julian also informed Mr. Meyers of his volunteer efforts on behalf

of a charity called Feeding South Florida ("FSF"), and FSF's need for a refrigerated van. During the sworn statement of Mr. Meyers taken on February 7, 2017, he remembered a brief discussion with Commissioner Julian regarding FSF and the need for a van, but testified that he never made a commitment on behalf of the Developer to purchase the van, and, in fact, no van was or has been purchased by the Developer for FSF.

Throughout the City Commission meeting on March 2<sup>nd</sup> & 3<sup>rd</sup>, Commissioner Julian hardly spoke at all. However, during the discussion of the Project, Commissioner London held court for well over an hour in an effort to extract additional financial commitments from the Developer. For example, Commissioner London requested an additional \$25,000 contribution from the Developer to the City Historic Commission for a total contribution of \$50,000. There was no vote by the commission on this request as the Motion for this request failed due to a lack of a Second. Commissioner London requested a \$100,000 contribution from the Developer for a fire truck. Since the Developer had already agreed to a Maximum Public Safety Contribution of \$811,189, there was also no vote by the commission on this request as the Motion for this request failed due to a lack of a Second. Commissioner London also requested an additional contribution of \$1 million for parking, and, after the Motion for this request failed by a 2/3 vote, Commissioner London reduced his request for a contribution from \$1million to \$500,000. The Motion for the reduced request also failed by 2/3 vote. These parking requests made by Commissioner London failed because the Developer had already agreed to contribute approximately \$1 million to provide 45 additional public parking spaces within the development. Finally, Commissioner London requested an additional \$1 million from the Developer for the DeSoto Waterway Shoreline Improvement Plan or Sunrise Park Contribution which was approved by a 4/1 voice vote with Commissioner Lazarow as the sole dissenting vote.

Evan Ross was present throughout the March 2<sup>nd</sup> & 3<sup>rd</sup> City Commission meeting, and, after the conclusion of the meeting, Evan Ross prepared a script for a robocall which unfairly attacked Commissioner Julian. The robocall was sent to the citizens of the City of Hallandale Beach on March 3<sup>rd</sup> and stated the following:

*"This is an important message for Hallandale voters. Last night, while approving the new massive Diplomat development, Commissioner Bill Julian voted against a \$700,000 contribution from the developer for a new park at Three Island. Julian also voted against the developer contributions for historic preservation, a new fire truck, and \$1 million to help address our parking problem. Maybe, Bill Julian needs to be reminded that he is supposed to represent Hallandale's residents, not the wealthy developers whom he expects to fund his campaign."*

As I detailed above, this robocall was an unjust attack on Commissioner Julian. To reiterate, the City Commission never voted on additional contributions for historic preservation or a fire truck, and the Developer had already agreed to provide approximately \$1 million to address the parking issue and further agreed on March 3<sup>rd</sup> to contribute \$1 million for a park.

Needless to say, Commissioner Julian was extremely upset with this robocall. Commissioner Julian proceeded to dial the number for the robocall at least 10 times so that relatives, friends, and city staff could hear the message. However, Commissioner Julian did not always disconnect his telephone when the robocall message ended, and, apparently, had no idea that his subsequent remarks in reaction to the robocall were then recorded on the robocall's voicemail line.

During one particular recorded voicemail, Commissioner Julian states in pertinent part the following:

*"What they don't know is they're buying the food bank a frigging van that I couldn't tell anybody," and "Orshefsky tells me, don't worry, before this, don't worry, we'll have 300 people out in the street for you when you run for office."*

On August 26, 2016, just two days after the broadcast of part two of Bob Norman's piece on Commissioner Julian, FBI Special Agents Rodriguez and Bernardo met Commissioner Julian at Jack's Diner in Hollywood. Commissioner Julian recounted his meeting with Mr. Meyers regarding FSF, Commissioner Julian told Special Agents Rodriguez and Bernardo that Mr. Meyers never promised to give and never gave FSF a van prior to or after his vote in support of the project. Commissioner Julian further discussed the issue of the 300 campaign workers and told Special Agents Rodriguez and Bernardo that Ms. Orshefsky never promised to provide him with 300 campaign workers which was confirmed by Ms. Orshefsky during her sworn statement taken on February 10, 2017. During my investigation of this matter, the only funds received by Commissioner Julian were four legal campaign contributions, each in the amount of \$1,000, for a total of \$4,000 from the Developer and three entities comprised of investors in the project.

Essentially, the bottom line is that there was no substantive evidence and no corpus behind the loose language used by Commissioner Julian to serve as a basis for any criminal charges against former Commissioner Julian. Thus, this matter should now be closed.

APPROVED:

*Linethy L. Donnelly*

DATE:

*10.23.2017*