



City Attorney

Mission

To provide timely, efficient, and cost-effective in-house legal services and representation to the government of the City of Pembroke Pines.

Goals

To work closely and effectively with the City Commission, City Manager, and the City Administration and professional staff to continue to develop a preventative law approach to lessen risk and litigation exposure. We will accomplish this by delivering professional legal services that achieve total client satisfaction.

Objectives

Advise and assist the Mayor, the City Commission and all appropriate City personnel on various legal issues in order to best protect the interests of the City, to ensure compliance with City, State and Federal laws and to assist, as needed, in the attainment of the objectives of the City and all departments of the City.

Update and revise the City Code to adapt to the needs of the City and to eliminate outmoded and inconsistent provisions.

Use a preventative approach to departmental legal problems in order to anticipate problem areas that require legal support.

Increase revenues or savings through implementation of aggressive strategies; compliance monitoring; fine and forfeiture procedures; the initiation and prosecution of litigation by the City; and aggressive contract negotiations with City vendors, suppliers, and consultants.

Continue efforts to reduce the City's expenses by implementing aggressive in-house litigation.

Major Functions and Activities

~ CLIENT FOCUS:

Demonstrate a passion and commitment for client service.

Solicit and listen intently to client requirements and expectations.

Maximize clients' first impressions and "moments of truth."

Continuously collect client feedback and use it to improve quality.

Achieving client satisfaction requires assisting the specific needs and expectations of the client.

~ CONTINUOUS QUALITY IMPROVEMENT:

Commit that "everyday, in every way, we're getting better and better."

Plan for quality.

Quality is a never-ending effort and destination.

Clients define quality.

Quality improvements are driven by client feedback and directions.

Focus on process improvements to improve quality.

Create a culture in which we make every effort to do the right things the first time and every time.

~ LEADERSHIP:

Lead by example by involvement and demonstration of commitment to quality, service and clients.

Create a system of guidelines, not rules.

Practice a "can do" attitude.

Solicit and listen intently to clients' requirements and expectations.

Recognize change is a given; government as usual is not.

Budget Highlights

The expenditure budget for FY2014 is reduced about 5% due to expected savings in prosecutorial services and out-of-pocket expense reimbursements.

Accomplishments

Continued work with City staff as directed by the City Commission related to the development of the City Center project, meeting with potential purchasers of the property and preparing purchase/sale documents for the aggressive sale and marketing of the property.

Provided legal advice and related services in conjunction with several real property transactions,



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including those associated with the Neighborhood Stabilization Program funded through grants.

Provided guidance associated with the procurement of various goods and services for the City by assisting in finalizing bid documents, advising selection committees, drafting contracts and advising staff throughout the procurement process.

Assisted the City Commission and City staff in the development of a legislative action plan and the preparation of several legislative proposals in furtherance of the City's objectives.

Provided general assistance to the City's management and operation of the Howard C. Forman Human Services Campus site, including the preparation and review of multiple sub-subleases ensuring that such leases are issued and renewed in a manner consistent with the goals and the development of the overall Campus, and enforcement of lease terms.

Assisted with the extension of the City's agreement with the Florida Department of Children and Families for the Transitional Independent Living Facility Program. Continued to provide assistance in reviewing lease documents and regulations for potential residents of the City's Transitional Independent Living Facility and participated in meetings with involved agencies.

Continued coordination with City's special counsel regarding the funding disputes with the School Board of Broward County, Florida associated with the City's operation and ownership of the Pembroke Pines Charter Schools. Continued efforts to resolve the matter in the City's best interest in a forum other than the administrative and judicial venues.

Assisted the City Commission and City staff in the development of a strategy to support legislative proposals in furtherance of the City's objectives regarding Charter School funding.

Actively coordinated with the City and its outside consultants regarding pending legislation, including providing the City with memoranda on pending legislative proposals.

Assisted the City and its consultants with the City's Community Development Block Grant loan program and its State Housing Initiative Partnership program and associated program documents.

Collaborated with the City's consultants on the application for subsequent phases of the Neighborhood Stabilization Program of the U.S. Department of Housing and Urban Development to

implement the City's rehabilitation strategy by facilitating the purchase, rehabilitation and eventual resale of foreclosed homes within the community to private homeowners.

Advised and assisted City Commission and City staff with continued implementation of its annual fire special assessments.

Provided the City with legal advice associated with ethics matters.

Defended the city in all foreclosure and bankruptcy proceedings filed by individuals and businesses naming the City as an interested party in such proceedings.

Advised the City in all labor and collective bargaining matters.

Provided guidance to City staff and successfully filed claim and pursued collection in class action settlements of refund of insurance proceeds pertaining to insurance company's reimbursement of expenses associated with fire rescue services.

Continued to advise and assist the City on matters relating to the City's red-light-camera program including assisting with the Request for Proposals process to select a vendor to continue the program upon the expiration of the existing agreement.

Counseled and assisted the City's police department on operational issues relating to coordination with the City's red-light-camera vendor and public inquiries and questions.

Continued to attend court hearings on red-light-camera prosecutions and have been successful in obtaining rulings in favor of the City that have resulted in more efficient hearings and increased success rates at court. Continued to monitor litigation and hearings in other venues that could affect the City's red-light-camera program.

Monitored on-going legislative efforts to alter the state's red-light-camera enforcement statutes. Assisted with amending the City's red-light-camera ordinance to conform to new hearing requirements adopted in state legislation.

Worked with special counsel to settle a lawsuit challenging the City's ordinance-based red-light-camera program (prior to July 1, 2010). Updated the City Commission on the status of the settlement and assisted the City's special counsel in court proceedings related to implementing the settlement and in matters related to the claims process.



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Successfully defended a lawsuit filed against the City alleging a Sunshine Law violation from a public forum concerning the then proposed U.S. Immigration and Customs Enforcement facility in the Town of Southwest Ranches, resulting in a voluntary dismissal by the plaintiffs.

Reviewed and approved leases at the City's residential facilities, art studio (Studio 18), and commercial properties (Silver Emporium). Coordinated with City staff to enforce compliance with lease terms at such facilities, including processing and resolving approximately 13 tenant evictions annually.

Coordinated with the City's defense counsel in litigation pertaining to pension matters.

Assisted the City Commission and City staff in review and revision of certain advisory boards and the drafting of the relevant ordinances.

Provided legal guidance to the City's advisory boards on an on-going or as needed basis as warranted for each board. Provided an overview of relevant laws, such as the Sunshine Law and Public Records laws, as they pertain to advisory board operations.

Provided on-going legal services related to the City's successful operations and management of the City's Charter Schools and Early Learning Centers on various legal matters arising in the educational forum including, but not limited to, educational issues, legislative matters, contractual relationships, collective bargaining, and operational and procedural topics.

Continued prosecution of Code Enforcement matters before the Special Magistrates upon request.

Provided oversight of and supervised the implementation of the Special Magistrate process to ensure equity and due process.

Coordinated with the City's Code Enforcement Division to ensure the administrative citation process and imposition of administrative fees for the prosecution of code violations is incorporated within the overall process.

Promptly and successfully resolved claims made and litigation filed against the City.

Researched the Broward County Code of Ethics ordinance, advised the City as to its application to the City and its officials, continued coordinated efforts with the Broward County Attorney's Office, personally and in conjunction with the Broward League of Cities,

regarding the implementation of the Broward County Code of Ethics upon cities within Broward County. Provided training to the City's officials and staff in accordance with the Broward County Code of Ethics ordinance requirements. Addressed ethics questions under the ordinance and issued written legal opinions if requested.

Continued assisting the City's Police Department in the false alarm enforcement program, including assisting in operational issues relating to fines and appeals and public inquires.

Assisted the Police Department in coordinating hearings before the City's special magistrate for appeals filed by persons receiving fines for alleged violations of the City's ordinances.

Continued to facilitate the City's Traffic Enforcement & Trespass Agreement program with homeowners' associations along private roadways. On-going communications and coordination with the City's communities and staff with respect to the implementation of these agreements.

Counseled and advised the City's municipal advisory boards, the City Commission and staff in all quasi-judicial matters.

Worked with City staff to amend and update the City's quasi-judicial ordinance.

Continued an on-going review of all the City's agreements for form and legal sufficiency, including those pertaining to the City's Charter Schools.

Reviewed all Charter School, preschool and camp related on-site and off-site field trip requests for legal compliance regarding all contracts and transportation issues.

Served as on-site/off-site/24-7 Police Legal Advisor to the City's Police Department, which includes conducting general legal training, providing legal advice regarding the operations and performance of police duties on an on-going basis, maintaining regular office hours at the Police Department, reviewing contracts, and advising on miscellaneous employment and labor issues, use of law enforcement trust funds, grant applications and agreements, and inter-agency agreements related to mutual aid, reciprocal aid, or traffic enforcement and task forces.

Facilitated City staff's review of regional communications and dispatch proposals in order to determine feasibility, reach compromise and ultimate reach agreement and consensus on future operations.



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Assisted the City's Police Department in forfeiture matters, including review of potential forfeitures to confirm that the item to be seized is "contraband," assisted with settlement negotiations related to seized items, and represented the City in the prosecution of forfeiture matters.

Provided excellent customer service and handled all public inquires from City's residents, constituents and others pertaining to various questions as they arose.

Advised the City Clerk's Office, as well as other departments regarding various public records matters and subpoenas duces tecum for records as well as subpoenas for testimony in various litigation matters, including those in which the City is not a party.

Provided on-going assistance regarding legal issues associated with the City's payroll and benefits.

Prepared and reviewed various license and lease agreements for the use of the City Center property by the Broward County Youth Fair, Hispanic Festival and others.

Attended all meetings of the City Commission, its Town Hall meetings and advisory board meetings as required or requested.

Represented the City in hearings, negotiations and arbitrations related to multiple and multi-level labor matters.

Provided on-going review of contracts for the City's Charter Schools and City departments.

Assisted with the on-going implementation of the special assessment for the reimbursement of expenses incurred in the abatement of nuisances on real property within the City.

Drafted a property registration ordinance for renters in the City to facilitate and address issues associated with the proliferation of squatters within the City.

Coordinated and provided legal assistance with respect to the City's acquisition of the SW 196th Avenue right-of-way to facilitate the City's construction of SW 19th Avenue roadway from Pines Boulevard south to Pembroke Road.

Prepared the agreements and amendments to the City's Code of Ordinances associated with the City's award of its Solid Waste and Recycling Collection and Disposal Services Franchise.

Negotiated and finalized the Hazardous Household Waste Program Agreement with Broward County.

Revised the City's Code of Ordinances related to the erection of ever-changing telecommunication infrastructure facilities to accommodate additional technologies being implemented by the industry to ensure continuity of the City's character, quality of life and property values once such facilities are installed.

Assisted the City with the formation and creation of the Pembroke Pines Community Services Foundation, Inc., as well as the filing of all necessary documentation and forms.

Reviewed agreements with various colleges and schools to enable their students to ride along with the City's Fire Rescue personnel to further their educational experience.

Defended the City in litigation associated with development and other disputes regarding the Village Tavern and ultimately obtaining a dismissal of litigation against the City.

Provided continuous legal memoranda and updates to the City Commission and City staff on global topics of interest pursuant to the Florida Constitution, Florida Statutes, and special laws affecting Broward County, Florida and the City.

Drafted numerous ordinances and resolutions to address the changing needs and the growth of the City.

City Attorney Performance Measures

Indicator	2010-11		2011-12		2012-13	2013-14
	Actual	Goal	Actual	Goal	Goal	Goal
Outputs						
Number of ordinances prepared for consideration by City Commission	39	40	50	40	40	40
Number of resolutions prepared for consideration by City Commission	42	45	46	45	45	45
Number of contracts reviewed, negotiated and drafted weekly	49	45	43	45	45	45
Number of real estate transactions	19	10	8	10	20	20
Number of bond issues	0	2	1	2	2	2
Number of Commission meetings attended	33	35	32	35	40	40
Number of verbal, written and electronic (E-mail) correspondences processed weekly	727	650	763	650	700	725

City Attorney - Budget Summary

Expenditure Category	2010-11 Actual	2011-12 Actual	2012-13 Budget	2013-14 Budget
Operating				
Professional Services	824,954	824,952	826,147	788,731
Office Supplies	19,716	19,716	18,922	18,922
Operating Supplies	3,214	2,271	9,600	4,000
Operating Subtotal	847,884	846,939	854,669	811,653
Total	847,884	846,939	854,669	811,653