



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 City 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.

~ 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.

~ 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.

2009-10 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 prepare 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 including the negotiation and contract preparation associated with the purchase/sale of City Hall property.
- Provided guidance associated with the procurement of various goods and services for the City by assisting



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in finalizing bid documents, advising selection committees and drafting contracts.

- Assisted with legal matters associated with the construction of the I-75/Pines Boulevard interchange, including funding issues by the federal government and other legal matters relating to the Agreements with the property owners surrounding the interchange relative to the interchange improvements.
- Assisted the City Commission and City staff in the development of the City's Legislative Action Plan and the preparation of several legislative proposals in furtherance of that Plan.
- General assistance with the City's management and operation of the Howard C. Forman Human Services Campus site, including 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, enforcement of lease terms, and reviewing timely payments of rent by Susan B. Anthony (SBA) as the City issued improvement bonds to construct the facilities rented by SBA.
- Negotiated and assisted with the approval of a new three (3) year Management and Program Agreement with the Florida Department of Children and Family (DCF) for the City's Transitional Independent Living (TIL) Facility and Programming. Also negotiated and prepared a new three (3) year Sublease with DCF for the management of the TIL facilities located at the Howard C. Forman Health Services Campus. Provide continued assistance in reviewing lease documents and regulations for potential residents, participated in numerous meetings with involved agencies and attended court hearings directly affecting the programming and residents in the Program.
- Participated in and facilitated the implementation of an additional cooperative relationship between the City, SBA and DCF for SBA clients who completed their residential program, but still required treatment and counseling, and who needed housing. Ensured that the mechanism whereby DCF could lease some of the vacant TIL units to SBA for such post-residency treatment program participants was incorporated in the new Programming Agreement and Sublease with DCF for the TIL, and attended numerous meetings and negotiation sessions with the parties involved relating to implementation of the SBA program.
- Continued to monitor the Inter-local Agreement with a neighboring municipality to resolve disputes regarding ingress and egress issues associated with public streets and continued to work to resolution of

continuing disputes associated with this matter.

- Coordinated continued discovery and litigation in conjunction with special counsel regarding 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 negotiation with The School Board of Broward County, Florida to attempt to resolve outstanding disputes.
- Worked with the City's special counsel to file an administrative challenge with the Florida Department of Administrative Hearings (DOAH) against The School Board of Broward County, Florida, seeking a determination regarding the School Board's continued refusal to consider distributing 2 mill funds to charter schools. This involved the preparation of legal briefs, review of public records associated with the School Board's policies, collaboration with special counsel, and attendance at hearings.
- Actively coordinated with the City and its outside consultants regarding pending legislation.
- Coordinated with the City's consultants on revising the City's Community Development Block Grant commercial loan program and its State Housing Initiative Partnership program and associated program documents.
- Collaborated with the City's consultants on the implementation of the Neighborhood Stabilization Program (NSP) of the U.S. Department of Housing and Urban Development to implement the City's rehabilitation strategy by drafting strategies, policies, contracts and procedures in conformance with state statutes and the City's code of ordinances to enable the City to utilize federal funds to purchase foreclosed homes within the City, provide for the rehabilitation of such properties and their eventual resale to private homeowners with the City's financial assistance utilizing certain financing mechanisms created and implemented under the NSP program.
- Assisted the City with the annual re-certification process for its Fire Protection Special Assessment which includes assisting with the development of the assessed costs, preparation of the required resolutions, advising of the relevant notice requirements, conducting the public hearing, and review of miscellaneous issues that may arise.
- Continued defense of the City in litigation filed by a resident challenging the 2007-2008 Fire Protection Assessment.
- Provided the City with legal advice associated with



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all election matters.

- Advised the City in all labor and collective bargaining matters associated with budgetary shortfalls, including freezing of salaries, layoffs, and declarations of financial urgency.
- Defended the City in all foreclosure and bankruptcy proceedings filed by individuals and businesses naming the City as an interested party in such proceedings.
- Effectively prosecuted municipal ordinance violations issued by the City's Police Department, including parking matters.
- Advised staff and effectively aided in the enforcement of the City's regulations pertaining to sexual predators.
- Participated in the implementation of the City's red light camera system with the City's Police Department, City Engineer, City Code Enforcement Division and Finance Department, to commence the levying of civil fees for violations of the City's ordinances.
- Implemented the appeal hearing process for red light camera violations, including the training of police and code enforcement personnel on the presentation of cases and associated evidentiary matters, and attend hearings to address legal issues that may arise during such hearings.
- Negotiated Amendments with American Traffic Solutions (ATS) relating to the Active Phase of the Program, including extensions of the time for the City Commission to terminate the agreement for convenience in light of pending litigation and proposed legislation. Further negotiated a form License Agreement with Broward County to permit signage for the City's red light camera program to be placed in the County's right-of-way including attendance at multiple negotiation sessions as well as appearing before the County Commission.
- Participated in meeting with the Florida League of Cities and provided information relating to proposed legislation addressing red light camera enforcement programs and kept City staff and Commission informed of the status of such legislation throughout the process.
- Defended the City in litigation relating to the City's red light camera program.
- Facilitated the approval of leases and the amendment and implementation of such amended

lease agreements at the City's Residence Facilities. Coordinated with City staff to enforce compliance with lease terms at such residential facilities, including processing of tenant evictions when necessary.

- Facilitate the leasing of the new Art Colony by drafting lease agreements and coordinating compliance with the lease terms.
- Assisted in the negotiation process of the City's collective bargaining agreements with the City's unions and the implementation of the correlating pension modifications through the review and revision of pension documents, drafting of ordinances and applicable pension plan amendments.
- Counseled the City regarding the agreement with The School Board of Broward County, Florida for the School Board's use of the City's resources for School Resource Officers and drug sniffing dogs in district public schools within the City.
- Assisted the City in review of its advisory boards and the drafting of relevant ordinances.
- Drafted ordinances regulating the businesses providing pain management to prevent the misuse and improper distribution of narcotic drugs.
- Provided legal guidance to the City regarding the creation and appointment of the City's audit committee along with drafting the relevant legislation.
- Provided the City Commission with legal guidance in the process of creating a new City Auditor position and the drafting and implementation of a referendum regarding charter amendments to create such position which reports to the City Commission.
- Continued research, advice and assistance to the City regarding the City's development and implementation of affordable housing within the City.
- Continued coordination and preparation of the execution and recordation of the loan documents necessary to secure the City's interests in multiple new manufactured homes being placed on the lots within the Holly Lake Mobile Home Park.
- Facilitated the City's collection efforts related to payments returned for insufficient funds and non-payment of monies owed to the City resulting in increased payment levels.
- On-going coordinated efforts between the Broward County Court system, Broward County Court Administrator, Broward County Clerk of Court, and the Broward County Commission with the City to



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continue utilization and funding for the Broward County Court Traffic Magistrate Program.

- On-going review of dangerous dog matters, including ordinance revisions, evaluation and analysis of numerous individual incidences reported within the City and monitoring of pending legislation on related matters.
- Provide on-going legal services related to the 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 and operational and procedural topics.
- Monitored legislation and drafted resolutions regarding the City's position on various issues pending before the Florida Legislature affecting municipal issues, home rule powers and budgets.
- Assisted the City in the transition of the City's Building Department services to a private contractor, including assistance with the creation of the bid request documents, the selection process, and the contractual documents.
- Facilitated the City's efforts to minimize the number of False Alarms the City is responding to by preparing an ordinance relating to False Alarm penalties and the collection of such fines, and assisted in the selection process for an outside vendor to collect such False Alarm penalties on the City's behalf.
- Assisted the City with numerous procurement issues, including the preparation or review of bid documents and requests for proposals and qualifications, advising selection committees and ensuring compliance with City ordinances and state statutes relating to such procurement matters.
- Continued prosecution of Code Enforcement matters before the Special Magistrates.
- Oversee the appointment of qualified special masters for Code Enforcement matters and supervise the implementation of the special magistrate process to ensure equity and due process.
- Advised City staff in Code Enforcement matters resulting from the increase in vacant and abandoned properties within the City due to the national and statewide economic and credit crisis.
- On-going coordination with the City's Code Enforcement Department to ensure the administrative citation process and imposition of administrative fees

for the prosecution of code violations is incorporated within the overall process.

- Provided legal advice regarding the overhaul of the City's advisory boards and the resulting appointment process.
- Promptly and successfully resolved claims made and litigation filed against the City.
- Continued negotiation of matters regarding the Large User Agreement for wastewater treatment with the City of Hollywood.
- Continued assistance and advice to City staff to prepare leases for the bays located at the Southwest Focal Point Senior Center Emporium resulting in providing easy access to medical care and other services to residents and visitors without leaving the facility.
- Facilitated the process of outsourcing the services of the Alzheimer's Day Care Facility at the Southwest Focal Point Senior Center by advising City staff on the procurement process to solicit proposals for a vendor to provide the service and negotiation of the contract with the successful vendor.
- Assisted the City with the implementation and construction of a new senior/teen center in the western portion of the City, advised City staff on the procurement process to obtain proposals on the operation of the facility and negotiated a contract with YMCA, the successful bidder.
- Assisted the City Departments in drafting and implementing day-to-day policies and procedures.
- Attended meetings of and provided legal advice to the Pembroke Pines Charter Elementary and Middle School Advisory Board, the Pembroke Pines Charter High School Advisory Board, and the City's Education Advisory Board.
- Advised the City's municipal advisory boards, City Commission and staff in all quasi-judicial matters.
- Reviewed for form and legal sufficiency, and negotiated modifications as warranted, for all agreements entered into by the City, including those involving the City's Charter Schools.
- On-going review of all field trip requests of the City's Charter Schools to ensure compliance with the City's policies and state law, and review of associated contracts.
- Serve as on-site/off-site/24-7 Police Legal Advisor



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for 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, advising on; miscellaneous employment and labor issues, use of trust funds for law enforcement purposes, grant applications and agreements, and inter-agency agreements relating to mutual aid or traffic enforcement and task forces.

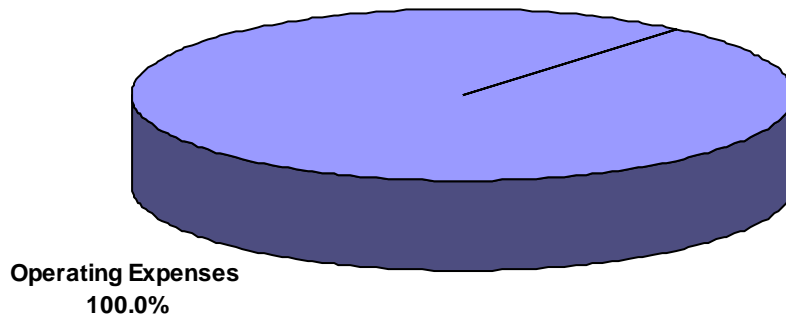
- Reviewed proposed Interlocal Agreement with Broward Sheriff's Office for regional communications, as well as attended meetings with Fire and Police administration and Sheriff's Office counsel.
- Represent the City in the prosecution of all Police forfeiture matters.
- Advise and assist the Police Department with residential issues pertaining to the enforcement of the City's sexual offender ordinance.
- Advise the City Clerk's Office, as well as other departments, regarding various public record matters and subpoenas duces tecum for records as well as subpoenas for testimony in various litigation matters.
- Advise the City regarding legal issues associated with the City's payroll and benefits.
- Monitor and advise the City on all bankruptcy matters in which the City is named as a creditor.
- Defend the City in all foreclosure proceedings in which the City has an interest in the subject real property arising out of Code Enforcement or Utility liens, or mortgages associated with the City's home buying assistance or home rehabilitation assistance programs (CDBG or SHIP).
- Attended all meetings of the City Commission, its Town Hall meetings and advisory board meetings, as required.
- Represented the City in hearings, negotiations, and arbitrations relating to multiple and multi-level labor matters.
- Provided continuous legal memoranda and updates to the City Commission and Administration on global topics of interest pursuant to the Florida Constitution, Florida Statutes and special laws affecting Broward County, Florida.
- Drafted numerous ordinances amending the City's Code of Ordinance to adapt to the needs of the growth of the City.

City Attorney Performance Measures

Indicator	2007-08		2008-09		2009-10	2010-11
	Actual	Goal	Actual	Goal	Goal	Goal
Outputs						
Number of ordinances prepared for consideration by City Commission	36	40	39	40	40	40
Number of resolutions prepared for consideration by City Commission	43	45	38	50	45	45
Number of contracts reviewed, negotiated and drafted weekly	36	35	39	37	45	45
Number of real estate transactions	15	6	18	5	4	10
Number of bond issues	2	3	1	3	3	2
Number of Commission meetings attended	27	25	36	35 ~	35~	35~
Number of verbal, written and electronic (E-mail) correspondence processed weekly	650	625	650	645	650	650

~ Reflects an anticipated increase in the number of special meetings, workshops and town hall meetings.

City Attorney - Expenditure Summary



Expenditure Category	2007-08 Actual	2008-09 Actual	2009-10 Budget	2010-11 Budget
Operating Expenses				
Professional Services	811,751	880,596	880,570	826,147
Office Supplies	18,096	19,716	19,710	18,922
Operating Supplies	10,066	4,439	10,000	9,600
Operating Expenses Subtotal	839,913	904,751	910,280	854,669
Total	839,913	904,751	910,280	854,669