



## 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.

### Budget Highlights

The 2011-12 budget provides the same level of service as the current year.

### 2010-11 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.

Prepared purchase and sale agreement with Mill Creek for the sale of a residential parcel of City



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Center and assisted with the purchaser's due diligence related to this transaction.

Provided legal advice and related services in conjunction with several real property transactions, including those associated with the Neighborhood Stabilization Program funded through grants from the federal government.

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.

Coordinated with the City staff in drafting revisions to the City's procurement code.

Continued assistance regarding legal matters associated with the construction and repair of the I-75/Pines Boulevard interchange, including funding issues by the federal government and other legal matters related to the Agreements with the property owners surrounding the interchange relative to the interchange improvements.

Assisted with legal matters pertaining to the improvements to Sheridan Street.

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.

On-going general assistance with 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, 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.

Provided continued assistance in reviewing lease documents and regulations for potential residents of the City's Transitional Independent Living Facility pursuant to the City's Program Agreement with the Florida Department of Children and Families, participated in meetings with involved agencies and attended court hearings directly affecting the programming and residents in the 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 a resolution of continuing disputes associated with this matter.

Coordinated 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 interests in a forum other than the administrative and judicial venues.

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 commercial 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.

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 all election matters, including those associated with a commission vacancy and special election.

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.

Effectively prosecuted municipal ordinance violations issued by the City's Police Department, including parking matters.

Facilitated the City's implementation of its red light camera program with the City's Police Department and prosecuted violators in County Court as compelled by the Court and defended the City in matters on appeal.



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Negotiated Amendments with American Traffic Solutions (ATS) relating to the expansion of the red light camera program.

Continued to coordinate with the Florida and Broward League of Cities relating to proposed legislation addressing red light camera enforcement programs.

Reviewed and approved leases at the City's Residential Facilities. Coordinated with City staff to enforce compliance with lease terms at such residential facilities, including processing of tenant evictions as necessary.

Facilitated the leasing of the City's new Art Colony by drafting and revising lease agreements and coordinating compliance with the lease terms by the artist tenants.

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

Assisted the City with the reconstitution of its Charter Review Board, provided legal research and advice as to potential amendments to the City's Charter.

Assisted the City Commission in review of its 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.

Monitored ongoing legislative efforts to regulate pain clinics associated with the City's ordinance to prevent the misuse and improper distribution of narcotic drugs and regulation of such businesses within the City.

Drafted legislation to implement the Charter position of Commission Auditor. Further assisted the City Commission and City staff to identify the desired job duties and functions, as well as to develop the job description for the position. Facilitated the development of the bid documents necessary to procure the desired services.

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.

Continued on-going efforts between the Broward County Court system, Broward County Court Administrator, Broward County Clerk of Court and Broward County Commission with the City associated

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

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 and operational and procedural topics.

Researched issues and assisted City staff with issues associated with the City's transition of the City's Building Department to a private contractor.

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

Provided oversight of the appointment of qualified Special Masters for Code Enforcement matters and supervised the implementation of the special magistrate process to ensure equity and due process.

Coordinated 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.

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

Researched the Broward County Code of Ethics, advised the City of its application to the City and its officials, and continued coordinated efforts with the Broward County Attorney's Office, personally and in conjunction with the Broward League of Cities, regarding the implementation ordinance to be adopted by the County Commission to implement the County's Code of Ethics upon the cities within Broward County.

Provided research to the City Commission regarding the tethering of dogs and coordinated with activists and the City staff to draft an ordinance to regulate this activity.

Reviewed the flooding issues at SW 196 Avenue and researched available potential solutions to present to the City.

Coordinated with the City's Planning staff to amend and update the City's Comprehensive Plan.

Coordinated with the City's Public Services Department and the City Engineer to draft an ordinance amending the City's landscaping and irrigation regulations.



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Researched and prepared an ordinance to regulate news racks within the City.

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

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.

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

Assisted City staff in reviewing regional communications and dispatch proposals in order to determine feasibility.

Represented the City in the prosecution of all Police forfeiture matters.

Advised 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, including those in which the City is not a party.

Advised the City regarding legal issues associated with the City's payroll and benefits.

Advised City staff regarding the operational implications of Senate Bill 360 adopted by the Florida Legislature, and the subsequent adoption of Senate Bill 1752 regarding permit extension.

Monitored and provided updates to City Commission and City staff related to litigation filed by the City of Weston regarding the application of Senate Bill 360 and its progeny.

Reviewed the U.S. Federal Trade Commission's Rules and Regulations related to identity protection and Red Flag Rules as related to the City's Utility Accounts, credit transactions and other activities.

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

Negotiated the termination of the Leachate Treatment Agreement between the City and Broward County.

Advised the City Commission and City staff regarding the appropriate use of the City Seal.

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 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 Ordinances to adapt to the needs of the growth of the City.

# City Attorney Performance Measures

General Government 6 - 29

Indicator	2008-09		2009-10		2010-11	2011-12
	Actual	Goal	Actual	Goal	Goal	Goal
<b>Outputs</b>						
Number of ordinances prepared for consideration by City Commission	39	40	31	40	40	40
Number of resolutions prepared for consideration by City Commission	38	50	46	45	45	45
Number of contracts reviewed, negotiated and drafted weekly	39	37	42	45	45	45
Number of real estate transactions	18	5	16	4	10	10
Number of bond issues	1	3	1	3	2	2
Number of Commission meetings attended	36	35	34	35	35	35
Number of verbal, written and electronic (E-mail) correspondence processed weekly	650	645	670	650	650	650



**City Attorney - Budget Summary**

<b>Expenditure Category</b>	<b>2008-09 Actual</b>	<b>2009-10 Actual</b>	<b>2010-11 Budget</b>	<b>2011-12 Budget</b>
Operating Expenses				
Professional Services	880,596	860,596	824,959	824,959
Office Supplies	19,716	19,716	19,710	19,710
Operating Supplies	4,439	3,459	10,000	10,000
Operating Expenses Subtotal	904,751	883,771	854,669	854,669
<b>Total</b>	<b>904,751</b>	<b>883,771</b>	<b>854,669</b>	<b>854,669</b>