



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.

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.

Continued coordination regarding purchaser's due diligence related to the City's sale of the residential parcel of City Center to Mills Creek.

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



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

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, and enforcement of lease terms.

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 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 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.

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

Provided the City with legal advice associated with all election 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 settlement of refund of insurance proceeds pertaining to insurance company's reimbursement of expenses associated with fire rescue services.

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

Continued to advise and assist the City on matters relating to the City's red-light-camera program including representing the City in on-going negotiations with the City's red-light-camera vendor on contract modifications.

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 hearing 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.

Worked with special counsel in representing the City in lawsuit challenging the City's ordinance-based red light camera program (prior to July 1, 2010). Advised the City Commission on the status of the



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lawsuit and potential settlement and, once the City Commission approved a settlement, assisted the City's special counsel in court proceedings related to implementing the settlement and in matters relating to the claims process.

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 of tenant evictions as necessary.

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

Advised the City Commission regarding potential amendments to the City's Charter as recommended by the City's Charter Review Board.

Assisted the City Commission 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.

Assisted the City Commission with respect to implementing the Charter position of Commission Auditor and further advised the City Commission and City staff with respect to revision of the Commission Auditor contract, duties and responsibilities.

Facilitated the City's collection efforts related to payments returned for insufficient funds and non-payment of monies through the procurement of and contracting with a collection company to facilitate collections.

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.

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 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 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 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.

Assisted the City Commission and City staff with the flooding issues at SW 196 Avenue.

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 inquiries.

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 Agreement program with homeowners' association along private roadways. Revised the Agreement to include restrictions associated with trespassing to empower the City's police department to enforce trespassing issues. On-going communications and coordination with the City's communities and staff with respect to the implementation of these Agreements.

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.



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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 related to mutual aid or traffic enforcement and task forces.

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

Assisted the City 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; represented the City in the prosecution of 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.

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.

Comprehensive review and revision to the City's Code of Ordinances pertaining to the City's advisory boards.

Review of signage provisions of the City's Code of Ordinances and coordination with City staff.

Preparation of ordinance formally establishing the City Seal and ensuring the City's proprietary protection of same.

Coordination with City staff to craft a local vendor preference ordinance.

Assist City staff with various subpoena matters including, but not limited to, subpoenas duces tecum for City records and subpoenas for testimony in various litigation matters.

Ongoing review of various continuing contracts for the City's Charter Schools and City departments.

Coordination with the City Clerk's Office and IT Department to address logistical components of the registration and disclosure requirements of the newly enacted County Code of Ethics.

Advised and counseled City staff regarding the conveyance of escheated properties and drafted the appropriate legal documents to effectuate such conveyance.

Drafted proposal for City to become a regional PSAP dispatch center.

Coordinated with Broward County Supervisor of Elections regarding mail ballot and absentee ballot initiatives.

Assisted City staff with the renegotiation and preparation of revised landscape and park use agreement with Chapel Trail Homeowners' Association.

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

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 and the City.

Facilitated with the draft or the necessary ordinance to update and re-write the City's building regulations.

Coordinated with City staff to revise the City's parking regulations.

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

City Attorney Performance Measures

Indicator	2009-10		2010-11		2011-12	2012-13
	Actual	Goal	Actual	Goal	Goal	Goal
Outputs						
Number of ordinances prepared for consideration by City Commission	31	40	39	40	40	40
Number of resolutions prepared for consideration by City Commission	46	45	42	45	45	45
Number of contracts reviewed, negotiated and drafted weekly	42	45	49	45	45	45
Number of real estate transactions	16	4	19	10	10	20
Number of bond issues	1	3	0	2	2	2
Number of Commission meetings attended	34	35	33	35	35	40
Number of verbal, written and electronic (E-mail) correspondence processed weekly	670	650	727	650	650	700

City Attorney - Budget Summary

Expenditure Category	2009-10 Actual	2010-11 Actual	2011-12 Budget	2012-13 Budget
Operating				
Professional Services	860,596	824,954	824,959	826,147
Office Supplies	19,716	19,716	19,710	18,922
Operating Supplies	3,459	3,214	10,000	9,600
Operating Subtotal	883,771	847,884	854,669	854,669
Total	883,771	847,884	854,669	854,669