

Meeting Date:

Agenda Item

September 8, 2015

1

REQUESTED COMMISSION ACTION:

Consent

Ordinance

Resolution

Consideration/
Discussion

Presentation

SHORT TITLE

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
POMPANO BEACH, FLORIDA, APPOINTING AN ASSISTANT
CITY ATTORNEY AND ESTABLISHING A SALARY TO BE
PAID; PROVIDING AN EFFECTIVE DATE.**

Summary of Purpose and Why:

A resolution appointing Carrie L. Sarver as a full-time Assistant City Attorney.

- (1) Origin of request for this action: Mark E. Berman, City Attorney
- (2) Primary staff contact: Mark E. Berman, City Attorney Ext. 4614
- (3) Expiration of contract, if applicable: _____
- (4) Fiscal impact and source of funding: _____

DEPARTMENTAL
COORDINATION

DATE

DEPARTMENTAL
RECOMMENDATION

DEPARTMENTAL HEAD SIGNATURE

City Attorney

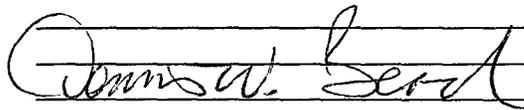
8/14/15



See City Attorney's Comm. #2015-1426



City Manager



ACTION TAKEN BY COMMISSION:

Ordinance

Resolution

Consideration

Workshop

1st Reading

1st Reading

Results:

Results:

2nd Reading

l:comsn/2015-1425



City Attorney's Communication #2015-1426

August 17, 2015

TO: Dennis W. Beach, City Manager
FROM: Mark E. Berman, Assistant City Attorney
RE: Resolution Appointing Assistant City Attorney

Attached please find the following captioned Resolution addressing the above-referenced matter:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING AN ASSISTANT CITY ATTORNEY AND ESTABLISHING A SALARY TO BE PAID; PROVIDING AN EFFECTIVE DATE.

Please place this matter on the September 8, 2015 City Commission Agenda. I have attached a Commission Agenda Cover Sheet for your convenience.

Should you have any questions regarding this matter, please feel free to contact me.


MARK E. BERMAN

/jrm
l:cor/manager/2015-1426

Attachments

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING AN ASSISTANT CITY ATTORNEY AND ESTABLISHING A SALARY TO BE PAID; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a vacancy exists for an Assistant City Attorney for the City of Pompano Beach; and

WHEREAS, the City Attorney has recommended that Carrie L. Sarver be appointed to fill said vacancy and has established to the satisfaction of the City Commission that she is well qualified for the position; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Carrie L. Sarver is hereby appointed as full-time Assistant City Attorney for the City of Pompano Beach, Florida, at an annual salary of One Hundred Nine Thousand Dollars (\$109,000.00) and shall be entitled to all employee benefits, which are provided to regular classified employees of the City.

SECTION 2. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

/jrm
8/14/15
L:reso/2015-449

Carrie L. Sarver

111 E. Monument Ave #802, Kissimmee, Florida 34741
(954) 240-7031 * Carriel.sarver@gmail.com

SUMMARY OF QUALIFICATIONS

Board Certified Specialist in City, County, and Local Government Law. Broad range of in-house experience in local government law on complex contractual and business matters involving: procurement, construction, professional engineering and design, land use, real estate development, ethics, compliance, administrative boards/committees and handling appeals from quasi-judicial tribunals. Exceptional analytical skills and strong verbal and written communication skills. Thorough knowledge of local, state and federal laws and judicial decisions relating to government rights, responsibilities and requirements. Excellent understanding of the implications and liabilities associated with regulatory compliance to protect the best interest of the organization, minimize future legal problems and avoid costly litigation. Effective in establishing an excellent rapport and maintaining a solid working relationship with management and administrative staff, both internal and external to the organization, opposing counsel, elected officials and the private interests they regulate or influence.

ADMITTED TO PRACTICE

Florida Bar, 2006

United States District Court Southern District of Florida, 2007

United States Supreme Court, 2010

PROFESSIONAL EXPERIENCE

Deputy General Counsel

Tohopekaliga (Toho) Water Authority, Kissimmee, Florida

Feb. 2014 to Present

Serve as Deputy General Counsel representing the Board of Supervisors, Executive Director and staff that serve the organization. Manage the day-to-day legal operations of a public utility providing regional stewardship over water resources in Osceola, Polk, and portions of Orange County. With a 300+ person workforce and nearly \$85 million dollar operating budget, the utility owns and operates 15 Water and 8 Wastewater Treatment Plants.

- Established the organization's first in-house legal office.
- Advise Executive Management and the Board of Supervisors on legal requirements and matters including contract status, legal risks and the implications of business terms involving transactions related to the organization.
- Prepare, review and/or negotiate development agreements, construction contracts, leases, professional service agreements, finance agreements, easements, resolutions and other legal documents.
- Review and approve for legal sufficiency all agenda memoranda, exhibits and agreements for action by the Board of Supervisors.
- Assist in the development, initiation, maintenance and revision of policies and procedures to prevent illegal, unethical and improper conduct.
- Proactively manage outside counsel including the development of case strategy, litigation plans, cost management and the early resolution of cases through alternative dispute resolution.
- Monitor and coordinate claims filed against the organization; attend quarterly claims meeting with Risk Management staff to review all worker compensation and liability incidents, accidents and claims filed against the organization; counsel staff on appropriate course of action.
- Establish relationships with local, state and federal representatives in an effort to further the efforts of the organization; attend Florida Legislative Sessions.

Assistant City Attorney III

City of Fort Lauderdale, Florida

2006 to 2014

Public Works Department

- Served as primary legal counsel to the City's Public Works Department, the largest provider of infrastructure service in Broward County.

- Specifically responsible for counseling and advising multiple Divisions within Public Works: Utility Distribution and Collection Division; Environmental Services Division; Sustainability Division; Engineering and Construction Division, which provides engineering, architectural and project management services to all City projects.
- Drafted and negotiated agreements: \$689 million Waterworks 2011 Water & Wastewater Infrastructure System Program, various construction services, professional consultant services pursuant to Consultants' Competitive Negotiation Act (CCNA), development and design-build services, procurement of goods and services, settlement and project close-out documents, commercial leases and revocable license agreements for structures encroaching in public right-of-way, and grant acceptance agreements with other governmental agencies such as Florida Department of Transportation, Florida Department of Environmental Protection, Broward County, etc.
- Researched and provided legal opinions on questions of law and/or issues relating to Florida's Public Records Law, Government in the Sunshine, the powers, duties, obligations of the City, compliance with CCNA, procurement constraints imposed by Florida Statutes and the City's Purchasing Code of Ordinances.
- Reviewed all agenda memoranda, exhibits and agreements for action by the City Commission.
- Prepared, compiled and codified resolutions and ordinances implementing City Commission policy.

Department of Sustainable Development

- Served as chief legal counsel for the Historic Preservation Board. Attended monthly quasi-judicial public hearings and advised the Board on legal interpretations of the City's Unified Land Development Regulations (ULDR) regarding development applications for new construction, alterations and demolitions affecting historically designated properties. Advised on issues relating to legal interpretations of the ULDR, conflict of interests, government in the sunshine, due process, property rights, compliance with notice requirements and parliamentary procedure.
- Major accomplishment included working closely with the City's Zoning Administrator and planning staff over a 24 month period to draft, revise and overhaul 60+ pages of the City's ULDR related to the criteria, guidelines and requirements applicable to historic preservation.
- Served as co-legal counsel for the Property & Right of Way Committee. Advised Committee on real property matters, use of public right-of-way, including vacations, relocation of utilities, easement, property acquisitions, revocable licenses and coordination of easement issues relative to proposed development projects.
- Assisted outside counsel on legal matters involving complex litigation, drafting of appellate briefs on denials of development orders by the City and writs of certiorari from quasi-judicial City tribunals.

Department of Transportation and Mobility

- Drafted and negotiated agreements: commercial parking leases, procurement of parking related goods and services, private development encroaching City right-of-way, grant documents, off-street parking, City owned parking garages and ADA compliance, collection practices and appeals of citations, residential parking permit programs.
- Reviewed all agenda memoranda and exhibits prepared by management and department staff relating to traffic and parking issues for action by the City Commission.
- Prepared and codified ordinances to implement and update City parking regulations and programs.
- Assisted staff to determine more efficient and encompassing collections of fines and penalties.

Parks and Recreation Department

- Drafted and negotiated all large scale marquee special event agreements occurring in the City including the Annual Air & Sea Show, Rock the Ocean's Tortuga Music Festival on Ft. Lauderdale Beach, 2010 Super Bowl Celebration with the National Football League, Annual New Year's Eve "Downtown Countdown" Event with the Orange Bowl Committee.

EDUCATION

B.S.B.A. University of Central Florida, 2001
 Juris Doctor Nova Southeastern University, 2005

CERTIFICATIONS/PROFESSIONAL ASSOCIATIONS/COMMUNITY ACTIVITIES

Board Certified Specialist in City, County and Local Government Law, The Florida Bar
 Executive Board Member, Osceola County Bar Association
 Executive Board Member, Help Now of Osceola, Inc.
 Member, City, County, and Local Government Law Section, The Florida Bar
 Member, Florida Association of Women Lawyers