



400 South Federal Hwy  
Hallandale Beach, FL 33009

## City of Hallandale Beach City Commission Agenda Cover Memo

<b>Meeting Date:</b>	March 15, 2017		<b>Item Type:</b> <i>(Enter X in box)</i>	<b>Resolution</b>  X	<b>Ordinance</b>	<b>Other</b>	
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1st Reading</b>		<b>2nd Reading</b>	
	X		<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
					X		X
<b>Funding Source:</b>	City Attorney's Office		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
<b>Account Balance:</b>			<b>Quasi Judicial:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
						X	
<b>Project Number :</b>	N/A		<b>RFP/RFQ/Bid Number:</b>				
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b> <i>(Enter X in box)</i>  <b>Safety</b> <input type="checkbox"/>  <b>Quality</b> <input type="checkbox"/>  <b>Vibrant Appeal</b> <input type="checkbox"/>				
		X					
<b>Sponsor Name:</b>	Jennifer Merino, City Attorney		<b>Department:</b>	City Attorney's Office			

### Short Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING REIMBURSEMENT OF LEGAL FEES INCURRED IN THE SUCCESSFUL LEGAL DEFENSE OF VICE MAYOR LONDON IN MATTERS BEFORE THE BROWARD INSPECTOR GENERAL AND THE BROWARD STATE ATTORNEY'S OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

### Staff Summary:

**Background:**

The Broward Office of the Inspector General investigated allegations that Vice Mayor Keith London was in violation of the City Charter of Hallandale Beach with respect to his use of City equipment. Further, the Broward State Attorney's Office investigated allegations that Vice Mayor London was in violation of the Florida Sunshine Laws during meetings of the City Commission. Vice Mayor London incurred legal fees in the successful defense of these matters. The matters are now closed and there was no finding adverse to the Vice Mayor.

The City Attorney has confirmed that the City has had a consistent past practice of payment of outside counsel for the elected officials for legal fees incurred as a result of allegations arising from the performance of their public duties. There is no applicable section of the City Code or Charter governing the payment or reimbursement of these costs.

**Why Action is Necessary:**

Florida common law affords public officials the right to legal representation at public expense against matters arising out of the performance of their public duties and while serving a public purpose. The governing body must make a determination that the underlying facts indicate the allegations arose from conduct occurring while the official carried out their public duties and while serving a public purpose. The allegations themselves need not be of acts serving a public purpose. The Vice Mayor has requested payment of the invoices incurred in his defense.

**Fiscal Impact:**

The fiscal impact is \$11,405.00.

**Proposed Action:**

Legal fees must be paid if the City Commission determines that the conduct occurred while the official carried out their public duties and while serving a public purpose.

**Attachment(s):**

- Exhibit 1 – Resolution
- Exhibit 2 – Letter and Invoices from David Di Pietro & Associates
- Exhibit 3 – Summary of Allegations from David Di Pietro & Associates