



AGENDA ITEM REQUEST FORM

TOWN MANAGER

Connie Hoffmann

Department Submitting Request

Dept Head's Signature

REGULAR
COMMISSION MTG
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

ROUNDTABLE
MEETING
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

- April 27, 2011
- May 24, 2011
- June 28, 2011
- July 26, 2011

- April 15 (5:00 pm)
- May 13 (5:00 pm)
- June 10 (5:00 pm)
- July 15 (5:00 pm)

- April 12, 2011
- May 10, 2011
- June 14, 2011
- July 12, 2011

- April 1 (5:00 pm)
- April 29 (5:00 pm)
- June 3 (5:00 pm)
- July 1 (5:00 pm)

- | | | | |
|---------------------------------------|---|---------------------------------------|---|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports | <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Quasi Judicial | <input type="checkbox"/> Old Business | <input type="checkbox"/> New Business |

FY2011 DESIGNATED HIGH PRIORITY ITEM
PRIORITY ITEM: GOVERNMENT EFFICIENCY

SUBJECT TITLE: SECOND READING - ORDINANCE 2011-12 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE IV, "OFFICERS AND EMPLOYEES," SECTION 2-67 "SAME-DUTIES.

EXPLANATION: The Town Commission discussed its desire to reduce and control attorney fees at the June Roundtable meeting. The Town Attorney and Town Manager reported that they have been working on a more efficient way of handling preparation of contracts and agreements which involved using standard RFP, RFQ, contract and agreement forms and formats. Now that those standard contracts and RFP & RFQ formats are in use, the Town Attorney and Town Manager agree that further efficiencies could be achieved if the Code requirement that the Town Attorney review and sign every single contract and written legal instrument be modified to only require her review and execution of those contracts and legal instruments that have an annual cost of more than \$15,000, provided that the Attorney-approved forms and formats are utilized. This ordinance amends the Code to provide for that procedure. The Attorney would still be required to review and execute contracts that exceed \$15,000 in cost in any given fiscal year.

When this suggestion was raised at the Roundtable meeting, the Commission asked staff to provide information on the number of contracts that fall below various dollar thresholds. A review of this fiscal year's experience so far indicated the following contracts currently in active use:

- 18 contracts or agreement with a value below \$10,000
- 13 contracts or agreements with a value between \$10,000 - \$15,000
- 5 contracts or agreements with a value of \$15,001 - \$20,000
- 4 contracts or agreements with a value of \$20,001 - \$30,000
- 14 contracts in excess of \$30,000

A good number of these contracts are multi-year contracts that were executed in prior fiscal years, so the Attorney was not involved in reviewing them this year, except for contracts such as the Choice and Global Coral Reef contracts which were renegotiated this year.

As we move into implementing our capital improvement plan, there will be significantly more contracts in excess of \$30,000 for design and construction that will require the Town Attorney's review, so it makes sense to implement this change for the smaller contracts at this time.



Item No. _____

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RECOMMENDATION: Adopt the Ordinance 2011-12 on second reading.

EXHIBITS: Ordinance 2011-12

FISCAL IMPACT AND APPROPRIATION OF FUNDS: Cost avoidance measure.

Reviewed by Town Attorney

Yes No

Town Manager Initials CH

ORDINANCE 2011-12

1 **AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-**
2 **SEA, FLORIDA, AMENDING CHAPTER 2,**
3 **“ADMINISTRATION,” ARTICLE IV, “OFFICERS AND**
4 **EMPLOYEES,” SECTION 2-67. “SAME-DUTIES;”**
5 **PROVIDING FOR CODIFICATION; PROVIDING FOR**
6 **SEVERABILITY; PROVIDING FOR CONFLICTS; AND**
7 **PROVIDING FOR AN EFFECTIVE DATE.**
8
9

10 **WHEREAS,** the Town Commission recognizes that changes to the adopted Code of
11 Ordinances are periodically necessary in order to ensure that the Town’s regulations are current
12 and consistent with the Town’s fiscal and regulatory needs; and

13 **WHEREAS,** Chapter 2, “Administration,” Article IV, “Officers and Employees,”
14 Section 2-67. “Same –Duties,” provides for the duties of the Town Attorney; and

15 **WHEREAS,** the Town Attorney has prepared standard contract forms and standard
16 agreement forms for the Town staff to utilize; and

17 **WHEREAS,** the Town Attorney and Town Manager are in agreement that it would be
18 more efficient if the Town Attorney was not required by the Code of Ordinances to review and
19 sign contracts or agreements \$15,000.00 or less in value in one year provided that the Town
20 Attorney-approved contract or agreement forms are utilized; and

21 **WHEREAS,** the Town Commission concurs and desires to revise the Town Attorney’s
22 duties to provide for the more efficient approach; and

23 **WHEREAS,** the Town Commission conducted a first and second reading of the proposed
24 ordinance at duly noticed public hearings, as required by law, and after having received input from
25 and participation by interested members of the public and staff, the Town Commission has
26 determined that this Ordinance is consistent with the Town’s Comprehensive Plan and in the best
27 interest of the Town, its residents, and its visitors.
28

ORDINANCE 2011-12

88 Approved as to form only for the use
89 by the Town of Lauderdale-By-The-Sea:
90
91 _____
92 Town Attorney, Susan L. Trevarthen