

RAFAEL A. PAZ

5 Island Avenue, #14C, Miami Beach, Florida 33139
Tel. 305) 794-1793 – e-Mail: rafaelpazmia@gmail.com

September 28, 2021

Via NEOGOV and email: michaelsmith@miamibeachfl.gov

Mayor and City Commission
c/o Michael Smith, Human Resources Director
City of Miami Beach, Florida

Re: City Attorney - Job Number 01564

Dear Mayor and Commissioners:

By way of this letter, I very respectfully submit my application for the position of City Attorney of the City of Miami Beach.

I have served as Acting City Attorney since December, 2020, and I approach this application with eyes wide open, knowing full well the demands of the City Attorney job, and how much work there is to be done. Our City is small geographically, but we are a sophisticated international destination and enormous in scope. Thanks to the leadership of the Mayor and City Commission, the work the City Attorney's Office is tasked with performing for our City is complex, diverse and includes among the very best legal work there is to do in South Florida.

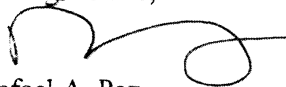
I have dedicated the last 20 years of my career to government practice because I love public service. And for the last seven years, I have been particularly lucky to serve the City I am a resident of and choose to call home, dedicating all of my professional efforts to matters that aim to benefit our community. In my view, there is no better job in Miami-Dade County.

Anyone who knows me knows that I have approached my current role as Acting City Attorney somewhat reluctantly, as I am humble and never assumed the City Attorney position was in my career trajectory. I am grateful for the opportunity to serve as Acting City Attorney for nearly 10 months now, as it has given me the confidence of knowing that I can do the job. I *am* doing the job. And more importantly, I love doing it.

If I am given the opportunity to continue to serve the City as your next City Attorney, I pledge that I would not take a single day for granted, and I would continue to stand with our dedicated team of professionals at the City Attorney's Office to provide the City with the very best possible legal advice, and to provide that advice in a way that is honest, fair, and ethical.

Thank you for considering me for the position of City Attorney.

With gratitude,


Rafael A. Paz

Contact Information -- Person ID: 48158042

Name: Rafael A. Paz Address: 5 Island Avenue, #14C
Miami Beach, Florida 33139 US

Home Phone: (305) 794-1793 Alternate Phone:

Email: rafaelpazmia@gmail.com Notification Preference: Email

Personal Information

Driver's License: Yes, Florida , P200-721-73-268-0 , Class A

Can you, after employment, submit proof of your legal right to work in the United States? Yes

What is your highest level of education? Doctorate

Preferences

Minimum
Compensation:
Are you willing to
relocate?

As stated in the Questionnaire, my compensation expectations are in line with the compensation currently provided to senior administrators in the City.

Types of
positions you will
accept:

Types of work
you will accept:

Types of shifts
you will accept:

Objective**Education****Professional**

UNIVERSITY OF PENNSYLVANIA SCHOOL OF
LAW
www.law.upenn.edu
9/1995 - 5/1998
Philadelphia, Pennsylvania

Did you graduate: Yes
Major/Minor:
Degree Received: Professional

College/University

FLORIDA INTERNATIONAL UNIVERSITY
www.fiu.edu
9/1991 - 5/1995
miami, Florida

Did you graduate: Yes
Major/Minor: Political Science/Economics
Degree Received: Bachelor's

Work Experience

**Acting City Attorney/Chief Deputy City
Attorney**
10/2014 - Present

City of Miami Beach
www.miamibeachfl.gov
1700 Convention Center Drive
Miami Beach, Florida 33139
305-673-7470

Hours worked per week: 40
Monthly Salary: \$0.00
Name of Supervisor: Mayor and City
Commission
May we contact this employer? Yes

Duties

Acting City Attorney, December, 2020 – present.

Serve as chief legal officer of the City, with responsibility for all legal affairs of the City. Provide legal counsel to the Mayor and City Commission, the City Manager, all of the City's administrative departments, and approximately 40 boards, agencies and advisory committees. Prepare and/or review all legislation, resolutions, contracts, and bonds involving the City. Advise on regulatory compliance matters and oversee extensive state and federal litigation involving the City. Responsible for administration of the City Attorney's Office, including management of an approximately \$6.2 million budget, and supervision of outside counsel and approximately 20 employees, including attorneys and legal assistants.

Chief Deputy City Attorney, Apr. 2021 – present; Deputy City Attorney, Oct. 2019 - April, 2021; First Assistant City Attorney, October, 2014 - Oct. 2019.

Serve as lead transactional attorney for the City, advising the Mayor and City Commission, City administration, and boards with respect to nearly all aspects of the City's governmental operations, including responsibility for agreements, legislation, dispute resolution and regulatory compliance matters involving the City's general business affairs, economic development, municipal finance and tax increment financing, tourism, public works, capital improvements, real estate, procurement and other matters pertaining to the operations of the City and its governance.

Responsible for negotiation and drafting of agreements and related documents involving complex public-private partnerships, major capital projects, matters requiring voter referendum approval and other initiatives of the City Commission, including the following:

- The Miami Beach Convention Center Renovation Project, a \$600+ million project, the largest construction project in the City's history;
- The Convention Center Headquarter Hotel Project, a voter-approved public-private project and key component of the City's long-term strategy to drive convention-related business to the City;
- The 500 Alton Project, a public-private partnership and mixed-use development which will result in significant public benefits to the City, including creation of a 3.0-acre public park in an area of the City lacking public green space;
- The 2018 General Obligation Bond Program, which successfully resulted in voter referendum approval of \$439 million in bonds for public safety, infrastructure and parks and recreation projects throughout the City;
- The City's mitigation of its damages and recovery of the \$3.6 million in funds stolen from the City's general depository bank accounts in 2017, including negotiation of key settlement agreements with banks and related parties;
- The City's emergency response to the COVID-19 pandemic, including drafting of City's numerous emergency measures and researching the unprecedented associated legal issues, securing of testing sites, conversion of the Convention Center as a makeshift hospital, and collaboration with the City's communications team to provide guidance to the public by reconciling rapidly-evolving, and often conflicting, state and county orders; and
- Numerous matters relating to the general operations of the City, including development and construction agreements, financing documents, leases, operating and management agreements and resolution of disputes with the City's concessionaires, tenants, construction contractors, permittees and major event partners, such as Art Basel Miami Beach and others.

Senior University Counsel

3/2007 - 9/2014

Florida International University
www.fiu.edu
11200 SW 8th Street
Miami, Florida 33199
305-348-2103

Hours worked per week: 40

Monthly Salary: \$0.00

Name of Supervisor: Cristina Mendoza -
General Counsel

May we contact this employer? Yes

Duties

Provided legal advice to the University, the largest university in South Florida and one of the largest public universities in the United States, and related affiliated organizations, including the FIU Foundation, Inc., and The Wolfsonian-FIU, with respect to a wide variety of matters, including major business and/or real estate transactions, charitable giving, intellectual property, procurement, financings, tax, conflict of interest/ethics, lobbying activity and Sunshine/public records issues. Negotiated and drafted complex contracts, including but not limited to development agreements, affiliation agreements, license agreements, vendor agreements, major gift agreements, leases and real estate acquisition-related documents. Drafted policies, board resolutions and related documents. Assisted in the resolution of disputes and provided oversight of outside litigation, bond and trademark counsel. Conducted board member orientations and employee trainings on compliance-related topics. Served as University liaison to South Beach Wine & Food Festival, with separate management responsibility and oversight of the Festival auxiliary unit's budget, personnel, vendor and sponsor contracts, and compliance functions.

Reason for Leaving

Left FIU to join City Attorney's Office at the City of Miami Beach.

Adjunct Instructor

9/2003 - 5/2013

University of Miami School of Law
www.law.miami.edu
1311 Miller Road
Coral Gables, Florida 33146
305-284-2339

Hours worked per week: 10

Monthly Salary: \$0.00

Name of Supervisor: Janet Stearns - Dean of Students

May we contact this employer? Yes

Duties

Prepared course materials tailored specifically for LL.M. students in the Comparative Law Program. Taught Legal Communications & Research in the fall semesters, and Contract Drafting & Negotiation in the spring semesters.

Assistant County Attorney

9/2003 - 3/2007

Miami-Dade County Attorney's Office
www.miamidade.gov
111 NW 1st Street
Miami, Florida 33128
305-375-5151

Hours worked per week: 40

Monthly Salary: \$0.00

Name of Supervisor: Bob Cuevas - County Attorney

May we contact this employer? Yes

Duties

Represented Miami-Dade County in connection with a variety of commercial and litigation matters, including contract negotiation and dispute resolution proceedings relating to the construction of the Adrienne Arsht Center for the Performing Arts and various capital improvement projects at Miami International Airport; advised various County departments with regard to procurement, negotiation, and award of leases, contracts for goods and services, and professional services agreements; assisted County departments in resolution of contract and other disputes; represented Miami-Dade County in wide variety of federal and state litigation, arbitrations, and bid protest proceedings.

Judicial Law Clerk

9/2001 - 9/2003

United States District Court, Southern District of Florida
www.flsd.uscourts.gov
400 North Miami Avenue
Miami, Florida 33128
305-523-5130

Hours worked per week: 40

Monthly Salary: \$0.00

Name of Supervisor: Judge Donald L. Graham
- United States District Judge

May we contact this employer? Yes

Duties

Drafted orders and opinions, prepared bench memoranda, conducted legal research, and assisted Judge Graham in courtroom proceedings.

Associate in Litigation Group

5/2000 - 9/2001

Akerman LLP
www.akerman.com
98 SE 7th Street
Miami, Florida 33131
305-374-5600

Hours worked per week: 40

Monthly Salary: \$0.00

Name of Supervisor: John O'Sullivan - Partner

May we contact this employer? Yes

Duties

Prepared filings and legal memoranda in federal and state securities and antitrust litigation; coordinated discovery, conducted depositions, and argued motions in federal and state court.

Associate, Litigation Group

5/1999 - 5/2000

Morgan Lewis & Bockius, LLP
www.morganlewis.com
600 Brickell Avenue
Miami, Florida 33131
305-415-3000

Hours worked per week: 40

Monthly Salary: \$0.00

Name of Supervisor: Robert Brochin - Partner

May we contact this employer? Yes

Duties

Prepared filings and legal memoranda in connection with international arbitrations, securities arbitrations, and federal and state litigation.

Associate

8/1998 - 9/1999

Arnold & Porter
www.arnoldporter.com
555 NW 12th Street
Washington, District of Columbia 20004
202-942-5088

Hours worked per week: 40

Monthly Salary: \$0.00

Name of Supervisor: James Sandman -
Managing Partner

May we contact this employer? Yes

Duties

Prepared agency and court filings, legal memoranda, and opinion letters. Coordinated large document productions and prepared witnesses providing testimony in merger investigations before the Federal Trade Commission.

Certificates and Licenses

Skills

Office Skills

Typing:

Data Entry:

Additional Information

References

Professional
Jessell, Kenneth
Senior Vice President and Chief Financial Officer,
Florida International University
305-348-2101
kjessell@fiu.edu

Professional
Mendoza, Cristina
Former General Counsel, Florida International
University
305-322-4573
crmendoza99@aol.com

Professional
Graham, Honorable Donald L.
United States District Judge
305-523-5130

Professional
Aguila, Raul J.
City Attorney, City of Miami Beach
305-673-7470

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
Application Cover Letter and Resume_Rafael A. Paz.pdf	Application Cover Letter and Resume_Rafael A. Paz.pdf	Cover Letter	Job Seeker

Agency-Wide Questions

1. Q: Referral Source (Check only one [1])

A: City Employee

2. Q: Do you wish to claim Veterans' Preference? For eligibility requirements, please visit <http://www.floridavets.org/benefits/veteranspref.asp> If you are claiming Veterans' Preference, it is your responsibility to submit documentation (DD 214 form, Member 4) sustaining your claim at the time of application. If you are claiming disability, a letter from the Florida Department of Veteran's Affairs or Department of Defense indicating your service-connected disability is required. PLEASE ATTACH APPROPRIATE DOCUMENTS TO YOUR APPLICATION.

A: No

3. Q: If claiming Veterans' Preference, please indicate which category you are claiming. Under the State of Florida Veterans' Preference Law, preference in appointment shall be given by the State of Florida and its political subdivisions to those persons in categories 1 and 2 and then to those in categories 3 and 4. If you are claiming Veterans' Preference, it is your responsibility to submit documentation (DD 214 form, Member 4) sustaining your claim at the time of application. If you are claiming disability, a letter from the Florida Department of Veteran's Affairs or Department of Defense indicating your service-connected disability is required. PLEASE ATTACH APPROPRIATE DOCUMENTS TO YOUR APPLICATION.

A:

4. Q: The City of Miami Beach shall provide reasonable accommodations, due to any disability, for all applicants and employees. Will you require any special accommodations prior to any test(s) and/or interviews for which you may be selected?

A: No

5. Q: Are you a current or previous City of Miami Beach employee?

A: Yes

-
6. Q: If you answered "Yes" to the previous question, please provide the following information: whether you are current or previous employee of the City, current/previous classification (position), current/previous department/division; if already separated, year and reason for separation.

A: Yes; see resume.

7. Q: Are you related to any City of Miami Beach employee(s)?

A: No

8. Q: If you answered "Yes" to previous question, please provide the following information: employee's name, title, department/division, relationship to you.

A:

9. Q: May we contact your present employer regarding your record of employment?

A: Yes

10. Q: Are you currently a subject of any criminal or ethics investigation by any governmental agency? If so, please explain the nature of the investigation; otherwise, put "N/A."

A: N/A

Supplemental Questions

1. Q: Do you have ten (10) years of local government senior level experience in a medium to large, complex urban setting in Florida with significant experience as a government attorney in South Florida strongly preferred?

A: Yes

2. Q: Are you licensed to practice law in the State of Florida and be a member of The Florida Bar?

A: Yes

3. Q: I acknowledge that I must submit the Candidate Introduction and the Personal Disclosure Questionnaire Forms attached to the advertisement to michaelsmith@miamibeachfl.gov no later than 5:00 PM EDT FRIDAY October 1, 2021. (Note: Please be sure to sign the form with your actual signature)

A: I acknowledge and agree to the above

4. Q: I acknowledge that in order to claim Veterans Preference, I must indicate it on the application form and attach proper documentation. If you are not claiming Veterans Preference, please check box indicating N/A.

A: N/A

RAFAEL A. PAZ

5 Island Avenue, #14C
Miami Beach, Florida 33139
(305) 794-1793
rafaelpazmia@gmail.com

EXPERIENCE

CITY OF MIAMI BEACH, FLORIDA, Miami Beach, Florida, October, 2014 - present.

Acting City Attorney, December, 2020 – present. Serve as chief legal officer of the City, with responsibility for all legal affairs of the City. Provide legal counsel to the Mayor and City Commission, the City Manager, all of the City's administrative departments, and approximately 40 boards, agencies and advisory committees. Prepare and/or review all legislation, resolutions, contracts, and bonds involving the City, advise on regulatory compliance matters and oversee extensive state and federal litigation involving the City. Responsible for administration of the City Attorney's Office, including management of an approximately \$6.2 million budget, and supervision of outside counsel and approximately 20 employees, including attorneys and legal assistants.

Chief Deputy City Attorney, Apr. 2021 – present; *Deputy City Attorney*, Oct. 2019 - April, 2021; *First Assistant City Attorney*, October, 2014 - Oct. 2019. Serve as lead transactional attorney for the City, advising the Mayor and City Commission, City administration, and boards with respect to nearly all aspects of the City's governmental operations, including responsibility for agreements, legislation, dispute resolution and regulatory compliance matters involving the City's general business affairs, economic development, municipal finance and tax increment financing, tourism, public works, capital improvements, real estate, procurement and other matters pertaining to the operations of the City and its governance.

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- The 500 Alton Project, a public-private partnership and mixed-use development which will result in significant public benefits to the City, including creation of a 3.0-acre public park in an area of the City lacking public green space;
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FLORIDA INTERNATIONAL UNIVERSITY, Miami, Florida, 2007 – 2014.

Senior University Counsel. Provided legal advice to the University, the largest university in South Florida and one of the largest public universities in the United States, and related affiliated organizations, including the FIU Foundation, Inc., and The Wolfsonian-FIU, with respect to a wide variety of matters, including major business and/or real estate transactions, charitable giving, intellectual property, procurement, financings, tax, conflict of interest/ethics, lobbying activity and Sunshine/public records issues. Negotiated and drafted complex contracts, including but not limited to development agreements, affiliation agreements, license agreements, vendor agreements, major gift agreements, leases and real estate acquisition-related documents. Drafted policies, board resolutions and related documents. Assisted in the resolution of disputes and provided oversight of outside litigation, bond and trademark counsel. Conducted board member orientations and employee trainings on compliance-related topics. Served as University liaison to South Beach Wine & Food Festival, with separate management responsibility and oversight of the Festival auxiliary unit's budget, personnel, vendor and sponsor contracts, and compliance functions.

UNIVERSITY OF MIAMI SCHOOL OF LAW, Coral Gables, Fla., 2003 – 2013.

Adjunct Instructor. Prepared course materials tailored specifically for LL.M. students in the Comparative Law Program. Taught Legal Communications & Research in the fall semesters, and Contract Drafting & Negotiation in the spring semesters.

MIAMI-DADE COUNTY ATTORNEY'S OFFICE, Miami, Florida, 2003- 2007

Assistant County Attorney. Represented Miami-Dade County in connection with a variety of commercial and litigation matters, including contract negotiation and dispute resolution proceedings relating to the construction of the Adrienne Arsht Center for the Performing Arts and various capital improvement projects at Miami International Airport; advised various County departments with regard to procurement, negotiation, and award of leases, contracts for goods and

services, and professional services agreements; assisted County departments in resolution of contract and other disputes; represented Miami-Dade County in wide variety of federal and state litigation, arbitrations, and bid protest proceedings.

UNITED STATES DISTRICT COURT, Southern District of Florida, 2001- 2003.

Judicial Law Clerk to Hon. Donald L. Graham. Drafted orders and opinions, prepared bench memoranda, conducted legal research, and assisted Judge Graham in courtroom proceedings.

AKERMAN, SENTERFITT & EIDSON, P.A., Miami, Florida, 2000 – 2001.

Associate in Litigation Group. Prepared filings and legal memoranda in federal and state securities and antitrust litigation; coordinated discovery, conducted depositions, and argued motions in federal and state court.

MORGAN, LEWIS & BOCKIUS LLP, Miami, Florida, 1999 – 2000.

Associate in Litigation Group. Prepared filings and legal memoranda in connection with international arbitrations, securities arbitrations, and federal and state litigation.

ARNOLD & PORTER, Washington, D.C., 1998 – 1999.

Associate in Antitrust Group. Prepared agency and court filings, legal memoranda, and opinion letters. Coordinated large document productions and prepared witnesses providing testimony in merger investigations before the Federal Trade Commission.

EDUCATION AND BAR ADMISSION

UNIVERSITY OF PENNSYLVANIA SCHOOL OF LAW, Philadelphia, PA,
Juris Doctor, 1998.

FLORIDA INTERNATIONAL UNIVERSITY, Miami, FL,
B.A., Political Science, 1995.

FLORIDA BAR, Member, 1998.

Smith, Michael - HR Dir.

From: Smith, Michael - HR Dir.
Sent: Wednesday, September 29, 2021 6:03 PM
To: Smith, Michael - HR Dir.
Subject: FW: Rafael Paz Application - City Attorney - Job Number 01564

From: Rafael Paz <rafaelpazmia@gmail.com>
Sent: Wednesday, September 29, 2021 5:25 PM
To: Smith, Michael - HR Dir. <MichaelSmith@miamibeachfl.gov>
Subject: Re: Rafael Paz Application - City Attorney - Job Number 01564

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Dear Mike,

My apologies; I just noticed I inadvertently omitted a professional reference as part of my application. If possible, I would like to add the following reference:

Geri Bonzon-Keenan, County Attorney, Miami-Dade County

Tel: (305) 375-5151
Email: gbk@miamidade.gov

Thank you,

Rafael Paz

MIAMI BEACH

City Attorney Search Introduction Questionnaire

Applicant Name: **Rafael A. Paz**

Do you have any certification(s)? If yes, please list them.								
Current Position	Acting City Attorney / Chief Deputy City Attorney							
Current Employer	City of Miami Beach							
Located in [name of city]	City of Miami Beach							
[name of state]	Florida							
Number of employees in the organization that receive services from you/your group:	2,000 +							
Organization's Total Budget:	\$675 Million							
Your Unit's Budget is	\$6.2 Million							
Number of staff reporting to you	20 Full-Time Employees							
Place an "x" in the box in front of the services you/your organization provides.	<input checked="" type="checkbox"/>	Police	<input checked="" type="checkbox"/>	Fire	<input checked="" type="checkbox"/>	Parks and Rec.	<input checked="" type="checkbox"/>	Public Works
	<input checked="" type="checkbox"/>	Water	<input checked="" type="checkbox"/>	Economic. Development.	<input checked="" type="checkbox"/>	PZB		
	<input checked="" type="checkbox"/>	Other:	All municipal services for operation of the City					
Place an "x" in the box in front of the functional areas that report to you now.	<input checked="" type="checkbox"/>	Developing Legislation				<input checked="" type="checkbox"/>	Review of Contracts	
	<input checked="" type="checkbox"/>	Interlocal Agreements				<input checked="" type="checkbox"/>	Development Agreements	
	<input checked="" type="checkbox"/>	CRA, Business Improvement Dist, Neighborhood Imp. Dist.				<input checked="" type="checkbox"/>	Liability Defense	
	<input checked="" type="checkbox"/>	Evaluation of Ethical Standards and Policies				<input checked="" type="checkbox"/>	Labor Defense	
	<input checked="" type="checkbox"/>	Other	All matters relating to legal advice and representation of City					
Place an "x" in the box in front of the functional areas that report to you in the past.	<input checked="" type="checkbox"/>	Developing Legislation				<input checked="" type="checkbox"/>	Review of Contracts	
	<input checked="" type="checkbox"/>	CRA, Business Improvement Dist., Neighborhood Improvement Dist.				<input checked="" type="checkbox"/>	Development Agreements	
	<input checked="" type="checkbox"/>	Interlocal Agreements				<input checked="" type="checkbox"/>	Liability Defense	
	<input checked="" type="checkbox"/>	Evaluation of Ethical Standards and Policies				<input checked="" type="checkbox"/>	Labor Defense	
		Other						

<p>What is your management style?</p>	<p>My management style is both participative and collaborative, and my most important responsibility as a leader is to provide my team with the resources and support necessary for them to excel in their roles. I believe that a legal team is at its strongest when working together to craft creative solutions to its client's most difficult problems. I have always prided myself on my strong work ethic, and I believe in leadership by example. I would never ask anyone to do something that I would not be willing to do myself.</p>
<p>What is your vision for the Office of City Attorney</p>	<p>My vision is to build upon the Office's excellent team of professionals -- attorneys and assistants alike -- and foster a culture where providing responsive, quality legal advice in a timely fashion, backed by solid research and analysis, is the baseline expectation. We will continue to work hand-in-hand with our Elected Officials, Administration, and key stakeholders to assist in sound decision-making and governance of our City. The Office will be guided by the basic principle that, as attorneys, we do not make business decisions or create policy, but provide the clearest legal guidance possible.</p>
<p>What would you do in your first 100 days?</p>	<ul style="list-style-type: none"> • Continue my current efforts as Acting City Attorney to meet with each member of the Office one-on-one to review their workload, the expectations of their position, and ensure that they have the resources and support necessary to excel. • Based upon the above reviews, I plan to reallocate the work and resources of the Office to better align with the City's strategic priorities and the team's strengths, with a particular focus on supporting the City in its current multi-disciplinary effort to holistically address public safety and quality of life matters. • Recruit and fill vacant mid-level/senior attorney positions (including my own prior position handling major transactions and related work for the City), with qualified, creative, and responsive attorneys. • Promote unity and inclusivity throughout the Office by building upon existing practices to create additional opportunities for attorneys of varying experience and expertise to collaborate. • Work with the City Administration and City Commission to review and identify opportunities to proactively improve and/or clarify the City Code.

<p>What will you have accomplished in the first year?</p>	<p>To begin with, the priority of the City Attorney's Office will always be to protect and advance the City's legal interests and the City Commission's legislative and administrative priorities, and I would continue to focus on that priority in the same manner as I have done in the last year during my period of service as Acting City Attorney. I will fill vacant positions with qualified, creative, and responsive attorneys.</p> <p>As a department head, I will provide greater transparency into the work of the Office. The City Attorney's Office is involved in all aspects of the administration of the City, and that work is readily apparent during every City Commission meeting, but I will focus on the following:</p> <ul style="list-style-type: none"> • Regular reporting into the litigation and prosecution work of the Office, including providing greater visibility with respect to the progress of litigation and matters requiring selection of outside counsel and related expenditures; • Implementing an e-contracts system for review and tracking of contracts, to better integrate the City Attorney's intake process with the Administration, with the goal of expanding the system to cover resolutions and other matters once the system is fully operationalized; • Identifying areas where the Administration, City Clerk's office, and City Attorney's Office could better collaborate with respect to training for new employees, including new senior staff, with respect to the City Code and the City's highly intricate agenda process for City Commission and Commission Committee meetings; and • Identifying opportunities to streamline internal processes and strengthen our partnership with the City Administration.
<p>What was your greatest career achievement?</p>	<p>Without a doubt, my appointment as Acting City Attorney for the City of Miami Beach in December, 2020. It is an honor to have been entrusted with the responsibility and opportunity to lead an office of dedicated attorneys, and to serve the city I love and am fortunate to call home.</p>
<p>What has been your biggest failure? What did you learn from it?</p>	<p>I don't believe that lawyers should be measured in terms of the "success" or "failure" of any specific matter or outcome. As lawyers, we cannot guarantee outcomes. We can only control the quality of our work product and provide our best advice and professional judgment.</p> <p>When I think about this question, I think what it is really asking is what I consider to be my biggest "weakness." In the last year, I have realized that my greatest weakness is the incredible pressure I place</p>

	<p>on myself to be directly and personally involved in every matter. I cannot and should not take every call, cover every meeting, or write every memo. Learning to better delegate is a work in progress for me, and one that I am confident will improve once we fill vacant staff positions and the entire team is in place.</p>
Do you view yourself as a change agent?	<p>Absolutely, and I believe I am positioned to bring about positive change in the areas I have highlighted above as my priorities during my first year, particularly with respect to a focus on providing greater transparency into the work of the Office and identifying opportunities to improve processes.</p>
What legal innovations have you introduced during your career?	<p>I care a great deal about efficiency and have always strived to handle as much volume as possible, as efficiently as possible. At the City of Miami Beach, I have developed many of the City's current contract templates, particularly for the more complex agreements for construction (including the templates for all construction Invitation to Bid projects, Design/Build, Construction Manager at Risk, and Architectural and Engineering agreements). These templates have served their intended function of including strong contract terms that protect the City's interests, while also facilitating the progress of procurements and contract administration, as compared to when I first joined the City in 2014.</p> <p>In addition, as mentioned above, I am currently working with our City's IT Department to pilot an e-contracts system that will streamline the way contracts are submitted to the City Attorney's Office and assist departments in tracking of matters and status of contracts. Once fully operationalized, this system will serve as the basis for submission, tracking and reporting of other matters submitted to the City Attorney's Office for review.</p>
As a Municipal Legal Professional, who is your customer(s)?	<p>The Mayor and City Commission, as the governing body, is the client. In the course of serving the client, the City Attorney's Office also represents the Administration, the City Clerk and Inspector General, and members of the City's land use boards and advisory boards.</p> <p>However, as a resident of the City of Miami Beach, I am keenly aware that the City's decision-making and operations directly impact the City's many stakeholders, and most importantly, the residents we collectively serve.</p>

<p>Briefly describe your experience with development agreements.</p>	<p>As reflected in greater detail in my resume, I have served as the lead attorney on all of the City Commission's major public-private projects in the City in the last 7 years, including with respect to projects the City Commission has determined would serve to increase the City's tax base, generate revenue and provide other public benefits to the City, whether those public benefits come in the form of the creation of a much-needed public park at no cost to the City, or an increase in the City's workforce housing inventory, or otherwise. The experience is particularly relevant to the generalist role required of a City Attorney, as the work has provided me with an opportunity to collaborate with many City departments and gain detailed knowledge of the functions of nearly all City departments, including the Planning Department, Building Department, Public Works Department, Parking Department, Transportation Department, Office of Capital Improvements, Economic Development, Finance Department, and others.</p> <p>As many of the matters I have worked on affect external stakeholders and require significant community outreach and/or voter referendum approval under the City Charter, the work is also relevant to the position of City Attorney, as it has provided me with an appreciation for the important role of community stakeholders (whether it's on land use matters, public safety or quality of life matters, or other matters), and the need to integrate community feedback into all aspects of the work of the City Attorney's Office, to the fullest extent possible.</p>
<p>Briefly describe your experience with conducting investigations.</p>	<p>Although the City Attorney's Office is not charged under the City Charter with conducting investigations, I have had direct oversight of the Office with respect to assisting and advising departments with regard to regulatory compliance matters, code enforcement and employment-related investigations, and other matters. In addition, in my prior position as Senior Counsel to Florida International University, the largest university in South Florida and one of the largest public universities in the United States, I directly worked on a number of compliance investigations relating to NIH research grants, NCAA compliance matters for the Division I Athletics Department, IRS matters for affiliated organizations of the University, and other compliance-related investigations.</p>
<p>Briefly describe your experience assisting with economic development and tourism.</p>	<p>As set forth more fully in my resume, since 2014, I have served as the lead attorney for the City oneconomic development and tourism matters, including:</p> <ul style="list-style-type: none"> • all major public-private partnerships the City Commission has prioritized and supported;

	<ul style="list-style-type: none"> • the Miami Beach Convention Center and all matters relating to convention business, including agreements with major event partners like Art Basel Miami Beach; • all matters relating to the Miami Beach Redevelopment Agency, including negotiation of key amendments to Interlocal Agreements with Miami-Dade County; • the City's recent successful effort to create the North Beach Community Redevelopment Agency, a key component of the City's strategy to revitalize North Beach; • all matters relating to City's major event or cultural partners or cultural initiatives, including City's Art in Public Places program; and • municipal financings (including the City's G.O. Bond program) which serve to fund capital improvements to support the City's continued economic development efforts, work that is particularly relevant in support of the City Commission's continual efforts to creatively identify funding sources for critical capital projects which currently lack funding.
<p>Briefly describe your experience in creating a transparent working environment.</p>	<p>A transparent working environment is an important element of collegiality and teamwork in the workplace, as mystery and the lack of information flow can be unsettling for staff and has the potential to breed mistrust or a lack of engagement.</p> <p>In terms of using transparency to stimulate engagement, one example that comes to mind is my personal approach when it comes to working with young professionals in the Office, whether it's a young lawyer or one of the many summer law clerks that have participated in the City Attorney's Office summer clerkship program over the years. It would be easier to simply give a clerk or young lawyer a research assignment and ask for caselaw or a memorandum of law. It is much more effective, however, to share information with them about the context and all of the relevant information into who the players are, what is at stake, what are the organizational goals or conflicts involved, and other relevant matters. I have found that this kind of transparent approach makes the assignments substantively more interesting, engages our young professionals, encourages them to think about how their work contributes to the greater picture, and ultimately, gets them to produce better work product.</p> <p>Without communication and accountability there can be no transparency. In my tenure as Acting City Attorney, I have made significant efforts to ensure that no attorney operates in a silo, as it is a natural tendency for attorneys working within the same practice</p>

	<p>area to gravitate to each other. With respect to litigation, I instructed each attorney with any responsibility over litigation to meet with and brief the Deputy City Attorney now charged with overseeing litigation matters with regard to their caseload, in an effort to create a litigation portal to provide ready access to details and status of each case. I will continue to encourage, and in many cases formalize, these kinds of interactions as they promote transparency in workload, allow for the reallocation of work when necessary, and foster collaboration between junior and senior attorneys. As the lead attorney for all transactional and legislative matters, I regularly have these same discussions with attorneys working on such matters.</p> <p>In terms of fostering transparency within the City as a whole, the City Attorney's Office is routinely involved in advising and training City departments and boards as to their obligations under Florida's public records and open meetings laws, in an effort to work with the Administration to create a culture of compliance.</p>
Do you have experience building a high-performance organization?	<p>Since 2014, when I joined the City Attorney's Office, I have had the pleasure of working under our current City Attorney, Raul Aguila. As Acting City Attorney, I am fortunate to have inherited a high-performance legal office and working with these professionals has been the highlight of my career.</p> <p>Over the past ten months, I have identified a number of areas where the Office's performance and processes can be further improved (as outlined above), and I have taken the necessary steps as Acting City Attorney to readily implement those efforts if I am appointed City Attorney.</p>
Tell me about an effort you undertook or participated in to determine whether a legal strategy or initiative was the most feasible or efficient solution to a particular need or problem.	<p>At the City Attorney's Office, we routinely adapt our legal strategy to respond to new information and changed circumstances, to ensure successful outcomes. One example that comes to mind was the legal response I led, working very closely with the City Manager, to recover the \$3.6 million stolen from the City's bank accounts in 2017 as part of a bank fraud scheme, and our successful effort to mitigate the City's damages, recover the stolen taxpayer funds, and make the City whole. The strategy for the recovery of funds evolved as we obtained additional information about the criminal scheme, identified all of the relevant parties, clawed back funds and assets to the fullest extent possible, and negotiated settlements with the various banking institutions involved and other entities involved. Within a year of the initial discovery of the scheme, our efforts resulted in the City's recovery of the stolen funds.</p>

<p>Tell me about an effort where you led a team of people from other departments to evaluate or solve an organizational problem.</p>	<p>I have been involved in many matters where I work with other departments in a lead role. One example which comes to mind this year was the collective effort of the City Attorney's Office and Administration to address the overwhelming crowd control issues the City experienced during the 2021 "Spring Break" high impact period. I worked with the City Manager, Police Chief, and department heads to ensure the City's March, 20, 2021 Declaration of the State of Emergency and related emergency measures were drafted and issued within a matter of hours following the City Manager's decision to take action to protect our City, and also worked with the City Attorney's Office team and multiple departments as we responded in a coordinated manner to the myriad of legal and enforcement-related questions raised thereafter by the City Commission, including advising with respect to regulations of sidewalk cafes, exotic vehicles, excessive noise on charter vessels, alcohol hours, short-term rentals, and other contributors to the challenges facing the City during this period. The work involved coordination with many departments, including the Police Department, Code Enforcement, Planning, Public Works, and other departments. With the City Commission's leadership, our efforts led to adoption of legislation relating to many of these matters, in an effort to strengthen the City's response to public safety and quality of life concerns.</p> <p>As a further example, at the same time as we were collectively addressing a state of emergency and all of the matters identified above, I led the effort, along with the City Clerk and City's procurement director, with regard to the entire search process for the selection of the City Manager, to solve for the organizational problem of identifying the City's chief executive officer. With my direct, hands-on role, the process was conducted timely and smoothly, in a transparent and fair manner.</p>
<p>What is the most difficult project you have ever been part of? What did you do to make the effort successful?</p>	<p>The most difficult matter I ever worked on was not a "project" but rather the City's emergency response to the COVID-19 pandemic. I played a lead role in the drafting of the City's emergency measures, particularly during the early period from March, 2020 through July, 2020, where much of the local economy and social and cultural life of the City was shut down in an effort to curb the spread of the virus prior to the development of a vaccine. The work involved a significant team effort, with daily briefings with the Administration and City Commission. My role was drafting emergency measures (often daily), researching of unprecedented legal issues, reconciling of conflicting state orders and county orders that evolved at a very rapid pace, and coordination of communication efforts across government agencies to provide guidance to the City's elected and appointed leaders, businesses, and residents.</p>

	I am confident that the manner in which I, along with other valued members of the City Attorney's Office, provided support with respect to all of the legal issues relating to the pandemic, speaks for itself and evidences the dedication with which this Office would approach any challenge facing the City in the future.
Describe a situation where you were presented with an ethics violation allegation and how you dealt with it.	As the City's lawyer, I respond to ethics-related questions nearly every day, and routinely provide advice on ethics matters to members of the Commission, the City Manager and City Administration, as well as land use and advisory board members. I regularly work with staff to the County Commission on Ethics on issues implicating the County or City codes of ethics. Occasionally, I am asked to advise on potential ethics violations, and work with Ethics Commission staff to facilitate their review and/or investigations. But to answer the question more specifically, if anyone presented me with a potential ethics violation, I would take all necessary steps to reach out to the individual involved and advise them of their obligations under the County and City codes of ethics.
What are the challenges you see facing local government, and the City Attorney's Office in particular, in the next 10 years?	From the lawyer's perspective, the biggest challenge facing local governments today and in the coming years involves the annual effort by the Florida Legislature to preempt local regulations and chip away at municipal home rule powers. Whether the subject is short-term rentals, building/code enforcement, or municipal emergency powers, state preemption of local government regulations makes it very difficult for the City's public officials to do their job, and strips us of our ability to solve for the City's problems in a way that is tailored to the needs of the City and its residents.
Six phrases you would use to describe yourself.	<ul style="list-style-type: none"> • Responsive • Engaged Listener • Solutions-oriented • Ethical • Hard-working • Dedicated
What is your current compensation?	\$265,000, annually

<p>What are your compensation expectations if hired?</p>	<p>My expectations are in line with the range of compensation for senior administrators in the City.</p>
<p>Is there anything else about yourself you would like to tell us that would be helpful in evaluating you for this position?</p>	<p>For the past 12 years, I've called the City of Miami Beach my home, and since 2014, it has been an honor to work in the City Attorney's Office and dedicate all of my professional efforts to matters that directly impact and aim to benefit my own community.</p> <p>It is a privilege to be surrounded by talented professionals who care about our City, and I am grateful to the City Commission and my colleagues in the Administration and the City Attorney's Office for the experience, and for making me a better lawyer.</p> <p>Thank you for considering my application to serve as your next City Attorney.</p>

**Please return this form to michaelsmith@miamibeachfl.gov
no later than 5:00 PM EDT FRIDAY October 1, 2021.
 (Note: Please be sure to sign the form with your actual signature)**



Rafael A. Paz

MIAMIBEACH

Personal Disclosure Questionnaire

Applicant Name: Rafael A. Paz

The following questions are designed so that we will be able to make full disclosure to our selection committee concerning your background. Please answer them honestly. Cutting corners or misrepresenting your past may result in you being eliminated from further consideration. We understand that frivolous charges are sometimes made and that charges do not mean you were guilty. We also understand that you may have been wronged and needed to seek compensation. The bottom line is that we want to be certain that the selection committee is fully informed. If you have any questions, please contact us for clarification. This information will also be shared with a third-party investigation firm who will investigate your background on our behalf.

Please explain any yes answers on a separate sheet of paper.

1. Have you ever been charged or convicted of a felony?
Yes ☐ No ☒
2. Have you even been involved in a domestic abuse incident that resulted in you being arrested or that was covered by the media?
Yes ☐ No ☒
3. Have you ever declared bankruptcy?
Yes ☐ No ☒
4. Have you ever been the subject of a civil rights violation complaint that was investigated or resulted in a lawsuit?
Yes ☐ No ☒
5. Have you ever been the subject of a sexual harassment complaint that was investigated or resulted in a lawsuit?
Yes ☐ No ☒
6. Have you ever been convicted of driving while under the influence?
Yes ☐ No ☒
7. Have you ever sued a current or former employer?
Yes ☐ No ☒
8. Do you have a personal, Face Book or other type of social media account?
Yes ☒ No ☐
9. If so, please provide the information below:
Facebook, Instagram
10. Is there anything else in your background that might cause a reasonable person concern if he/she became aware of it through the press or any other mechanism?
Yes ☐ No ☒

Attested to: [Signature] 9-28-21
Signature of Applicant:

Please return this form to michaelsmith@miamibeachfl.gov via PDF
no later than 5:00 PM EDT FRIDAY October 1, 2021.

(Note: Please be sure to sign the form with your actual signature)