

JOSE SMITH, Attorney at Law
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Rick Rivera
Administrator, MBERP

Dear Rick;

I will briefly highlight some of my accomplishments in private practice, as an elected official and as a City Attorney in Miami Beach and North Miami Beach.

I am a 58 year resident of Miami Beach. I graduated with honors in 1973 from the University of Florida College of Law. After gaining considerable trial and appellate experience in a downtown Miami civil litigation firm, I founded my own firm in 1983 in North Miami Beach.

In November 1997, I was elected to the Miami Beach City Commission where I served with distinction until 2005. I sponsored legislation involving land use, ethics and procurement reforms. While a commissioner, I chaired the City's Finance Committee and led delegations to all 3 Wall Street rating firms. Our presentations resulted in several upgrades to the city's bond ratings. I also oversaw the issuance of nearly \$1 billion in General Obligation Bonds, Revenue Bonds, and Health Facilities Bonds. I also testified before U. S. Congressional Committees and the State of Florida to secure grants and funding for city projects. I served on the Metropolitan Planning Organization (MPO) where I dealt with county wide transportation issues. Perhaps my proudest legacy was working with my colleagues on the City Commission to make the city a world class destination dedicated to the arts, culture, great architecture and historic preservation. In 2000, I led the original city delegation to Basel, Switzerland. Along with Mayor Kasdin and Norman Braman, I helped bring to the city "Art Basel Miami Beach", the world's greatest art exhibition.

I was appointed Miami Beach City Attorney in 2006 by a unanimous vote of the City Commission. I served the city well, enhancing the prestige and reputation of the office. I was recognized in the "South Florida Legal Guide", as one of "South Florida's Top Government Attorneys". I was featured in Florida Trend Magazine as a top government attorney in "Florida Legal Elite". I have published articles and am a frequent lecturer at South Florida universities. I often assist other cities draft or interpret legislation. As a member of the Dade League of Cities Legal Advisory Committee, I helped publish its "Elected Officials Handbook".

I was appointed North Miami Beach City Attorney in 2014. I spearheaded the drafting of legislation including charter reform, short term rental legislation, medical marijuana, and quality of life initiatives. I also served as an ex officio Trustee member of the Pension Board for Management Employees. Working closely with my fellow Board members, we made the Plan actuarially sound, improved returns on investments and reduced administrative expenses. I currently serve as a Special Magistrate in N. Miami.

I look forward to serving on the Pension Board and pledge to always protect the best interests of my fellow retirees.

Jose Smith, Esq.



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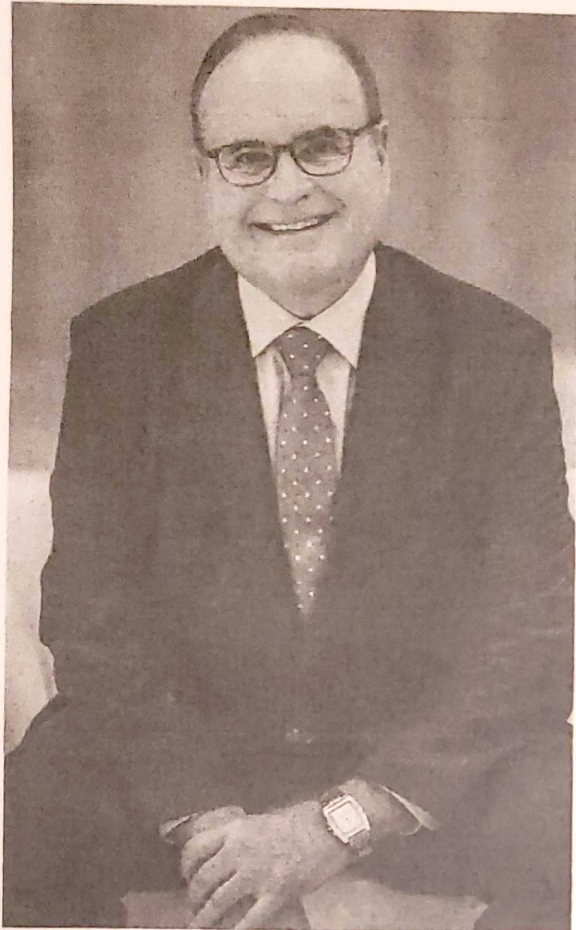
Jose Smith

Jose Smith

Jose Smith – Of Counsel

PROFESSIONAL SUMMARY

Mr. Smith graduated with honors from the University of Florida College of Law in 1973. After gaining considerable litigation and appellate experience at a prestigious Miami law firm, Mr. Smith founded his own firm in North Miami Beach in 1983. He was a Florida Bar Board Certified Trial Lawyer from 1992–1997. In 1997, he was elected to the Miami Beach City Commission where he served with distinction until 2005. Thereafter, he was unanimously appointed to serve as Miami Beach city attorney, holding the position until 2014. He then served as city attorney in North Miami Beach until 2018. Over the last 20 years, Mr. Smith has been involved in virtually all aspects of local government law. From complex litigation to Sunshine



Law, Public Records, governments ethics, and procurement transactions, Mr. Smith has developed a unique, well rounded expertise in identifying complex legal problems and finding practical solutions for his municipal clients. He currently serves as Special Magistrate for the City of North Miami.

PRACTICE AREAS

- Municipal Government Law
- Professional Ethics, Conflict of Interest, Sunshine Law, Public Records
- Complex Civil Litigation (torts, municipal and commercial litigation)
- Procurement, Public/Private Partnerships (P-3's)
- Election Law
- Code Compliance
- Real Estate, Land Use and Zoning Litigation
- Public Finance

EDUCATION

- College: University of Florida, B.A. (with honors) 1971
- Law School: University of Florida, College of Law, J. D. (with honors) 1973

BAR ADMISSIONS

- The Florida Bar (1974)

COURT ADMISSIONS

- U. S. Court of Appeals, Eleventh Circuit
- U. S. District Court, Southern District of Florida

PROFESSIONAL ACTIVITIES

- Florida Bar Board Certified Civil Trial Lawyer (1992-1997)
- Florida Bar Grievance Committee (1993-1995)
- Florida Bar Fee Arbitration Committee (1997-1998)
- Florida Bar Standing Committee on the Unauthorized Practice of Law (1983-1988)
- Miami Beach Bar Association
- Miami Dade County League of Cities Legal Advisory Committee
- American Arbitration Association (1978-1990)

HONORS AND AWARDS

- South Florida Legal Guide, "South Florida's Top

Government Attorneys" (2012)

- Florida Trend's Magazine, "Florida Legal Elite" (2008)

LANGUAGES

- Spanish
- English

CIVIC ACTIVITIES

- Miami Beach City Commissioner (1997-2005)
- Chair, City of Miami Beach Finance and Citywide Projects Committee (2001-2005) oversaw issuance of city bonds.
- Chair, City of Miami Beach Community Affairs Committee (1998-2001)
- Miami-Dade Metropolitan Planning Organization (2001-2005)
- Chair, City of Miami Beach City Attorney's Oversight Committee (1998-2005)
- Miami Beach Planning Board (1996-1997)
- Miami Beach Community Development Advisory Committee (1994-1996)
- Chairman, Normandy Shores Neighborhood District Advisory Council (1994-1996)
- Miami Beach Charter Review and Revision Board (1992-1993)
- Jackie Gleason Theater Booking Policy Committee (1992-1993)
- Miami Beach Tourist and Convention Center Expansion Authority (1986-1991)
- Founder, Mt Sinai Medical Center Foundation (2006-Present)
- Board of Directors, Normandy Shores, Homeowners Association (1992-1997)
- General Counsel, North Miami Beach Community Redevelopment Agency
- Trustee, Pension Board for Management Employees
- Member, Evaluation Committee for Selection of North Miami City Attorney (2017)
- Fundraising for non profit and charitable organizations
- Golden Angels, Jackson Memorial Hospital Foundation

PRESENTATIONS

- Dispute Resolution and Tort Litigation Techniques.
Lecture with Professor Kim McCoy, Florida
international University Law School (March 2009)
- University of Miami Pre Law Advisory Club, Legal
Topics (September 7, 2011)
- Sunshine Law: Ethics Training for Constitutional
Officers, St Thomas University, (November 7, 2013),
Power Point Presentation coordinated with Professor
Robert Meyers
- Havana and Miami: Political Influences of Cuban
Americans in South Florida. Lecture to Drew
University students at the University of Miami Otto G.
Richter Library (January 14, 2016)
- Havana and Miami: Political Issues involving Cuban
American in South Florida. Lecture to Drew
University students at Hampton Inn, Miami
Dadeland (May 17, 2017)

SELECT REPORTED DECISIONS

- Fernandez v Valle, 364 So. 2d 835, (Fla. 3d DCA 1978)
- Kala Investments v Sklar, 538 So. 2d 909 (Fla 3d DCA
1989)
- Manrique v Bob's Plumbing Co., 573 So. 2d 422 (Fla
3rd DCA 1991)
- A2 Group v City of Miami Beach, 962 So. 2d 349 (Fla
3d DCA 2007)
- Monticello Insurance Co., v City of Miami Beach 2009
WL667959, (USDC, Southern District of Fla 3/11/09)
- City of Miami Beach v Star Island Entertainment, 68
So 3d 914 (Fla 3d DCA, 2011)
- City of Miami Beach v Kuoni, 81 So. 3d 530 (Fla 3d
DCA, 2012)
- Llewellyn v City of Miami Beach, 11 So. 3d 958 (Fla 3d
DCA, 2009)
- Hernandez v City of Miami Beach, 23 So. 3d 163 (Fla
3d DCA, 2009)
- Downs v City of Miami Beach, 13 So. 3d 1064 (Fla 3e
DCA, 2009)
- Cabral v City of Miami Beach, 76 So. 3d 324 (Fla 3d
DCA, 2011)
- Eisenberg Development Corp. v city of Miami Beach,
100 So. 3d 702 (Fla. 3d DCA, 2012)
- City of Miami Beach v Pension Fund for Firefighters &

Police Officers, 91 So. 3d 237 (Fla 3d DCA, 2012)

- Smart v City of Miami Beach, 933 F. Supp. 2d 1366 (USDC, Southern District of Florida 3/26/13), affirmed by 11th US Circuit Court of Appeals
- Parham v City of Miami Beach, 49 So 3d 259 (Fla 3d DCA, 2010)
- Eisenberg v City of Miami Beach, 54 F. Supp. 3d 1312 (USDC Southern District of Florida 9/19/14)
- Let Miami Beach Decide v City of Miami Beach, 120 So. 3d 1282 (Fla 3d DCA, 2013)
- City of Miami Beach v Perkins, 139 So. 3rd 309 (Fla 3d DCA, 2014)
- City of Miami Beach v Miami Beach Fraternal Order of Police, 134 So. 3d 463 (Fla 3d DCA, 2014)
- Alvey v City of North Miami Beach, 189 So. 3d 859 9Fla 3d 2015)
- Friends of the Oleta River v City of North Miami Beach and Braha Dixie, 11th Cir Appellate Division Case No. 13-343 (10/16/14)
- Alvey v City of North Miami Beach, 206 So 3d 67 (Fla 3d DCA, 2016)

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