

**Florida League of Cities
Florida Cities of Excellence Award
Nomination for City Attorney of the Year**

**Pamela Akin
City Attorney
City of Clearwater, Fla.**

Pamela Akin became the City of Clearwater's City Attorney in October 1994. Before coming to Clearwater, she worked with the City Attorney's Office for the City of Tampa for 11 years, with the last 6.5 years as Tampa's City Attorney. She obtained her Bachelor of Science Degree in Nursing from the University of Florida in 1975. She worked in the neo-natal intensive care unit at the University of Illinois Teaching Hospital from 1975 to 1979, first as a staff nurse then was promoted to head nurse of the entire unit. She obtained her Juris Doctor degree from Stetson University's College of Law in 1982. At Stetson, Akin was a member of the Law Review.

Pamela Akin is a member of the Florida Bar Association, the Clearwater Bar Association, and the Florida Municipal Attorneys Association. She is admitted to practice in the Eleventh Circuit of the U. S. Court of Appeals, the Middle District of the Florida U. S. District Court, and the U. S. Supreme Court.

As City Attorney for the City of Clearwater, Akin is responsible for advising the City Council, the City Manager, city departments, and city boards, as well as managing the law office. Her staff includes 5 attorneys, 2 paralegals, and 4 support staff. Under her direction, the City has prevailed in several significant cases, including *Times Publishing v. City of Clearwater*, a landmark public records law case decided by the Florida Supreme Court, involving public employees' personal email.

There have been numerous challenges to City ordinances and provisions of the City Charter in recent years. Akin doesn't have the luxury of choosing her cases, like a lot of lawyers do. Since the City is almost always the defendant, she has successfully defended such challenges in each and every instance.

One such suit became a landmark case for municipalities. In *Granite State Outdoor Advertising, Inc. v. City of Clearwater*, Granite State Outdoor Advertising Inc. challenged the constitutionality of Clearwater's sign ordinance. The company never actually erected any billboards, but instead sold the permits it won through its court challenges to billboard giants such as Clear Channel Outdoor, formerly Eller Media. U.S. District Judge James Moody Jr. did find a few minor problems with Clearwater's ordinance, but they paled in comparison to Granite State's argument that the entire sign code should be struck down because it was unconstitutional.

The case went to the United States Court of Appeals for the Eleventh Circuit, in which a three-judge panel determined that Granite State lacked "standing" to mount a facial challenge to the entirety of the sign regulations, and only had standing to challenge the provisions that caused the actual injury. The Granite State decision cited the "actual case or controversy" provisions contained within Article III of the United States Constitution to limit the type of suit recently described in a California Public Law Journal article as the "sign code shakedown" scheme. Granite State petitioned for a Writ of Certiorari to the United States Supreme Court, but that petition was denied.

In other communities, Granite State's tactics have proven successful. More than one hundred suits have been filed in recent years in federal courts seeking to strike down the entirety of a local government's sign regulations by alleging deficiencies with various provisions that have absolutely nothing to do with provisions that led to the denial or rejection of applications to

erect unlawful billboards. Many federal courts have followed the November 2003 *Granite State Outdoor Advertising, Inc. v. City of Clearwater* decision. This could not have happened without Akin's expertise, strength, and skillful knowledge of the law.

Clearwater has battled to reduce sign clutter and defend its sign ordinances against a determined sign industry for more than 17 years. Akin and her staff are extremely skilled and dedicated in drafting ordinances such as the sign ordinance that have withstood constitutional scrutiny.

Akin was also instrumental in the success of the recent referendum to allow the building of boat slips in the downtown area. She was involved in drafting the ordinance and the ballot question to ensure that the language was clear and understandable, and that it indicated specifically what would be allowed if the referendum was passed.

During Akin's tenure, the City Attorney's office has achieved remarkable productivity and stability. She has created an open environment in which employees feel comfortable asking questions, taking on new responsibilities, and developing their personal and professional skills and goals. In her interaction with Council Members, City officers, and employees, she works diligently to provide legal advice that is accurate, timely and well researched. She also fully explains her legal opinions to her clients to ensure that they completely understand the applicable laws.

Akin was the President of the Florida Municipal Attorneys Association from 1994 to 1995. In 1999, she received the Paul S. Buchman Award as the *Outstanding Municipal Attorney of the Year* for the State of Florida. She was selected by a panel of her peers as one of *Florida Trend* magazine's "Legal Elite," naming her one of 62 of the best government attorneys in Florida two years in a row, in both 2007 and 2008.