

# JOHN J. ANASTASIO

[john@psllaw.net](mailto:john@psllaw.net)

## SUMMARY

A highly experienced and strategic, collaborative, and adaptive legal professional with over 40 years of practice in local government law in all facets of its operation, representing government entities, officials, employees, and citizens. Adept in both litigation and appeals, with extensive experience in administrative, local, state, and federal administrative and judicial proceedings, including jury trials, as well as transactional work, in a fast-paced legal setting, including in all aspects of legal operations. These diverse fields include:

Planning, zoning, and land development law	Environmental law
Annexation law	Housing issues
Community Redevelopment law	Chapter 120 Administrative Procedures Act
Code Enforcement	Sunshine and Public Records law
Public employee discipline under chapter 112	Labor Contract Arbitration
Employee grievances and hearings	Local government Section 1983 liability
Public Employment Relations Commission	Real estate and foreclosure/lien law
Federal and Florida Tort Claims Act	Family Medical Leave Act (FMLA)
Fair Labor Standards Act (FLSA)	Americans With Disabilities Act (ADA)
Drug Free Workplace and testing	Regulatory drafting and analysis
Occupational Health and Safety Act (OSHA)	Commercial, and contract constructions
Health Insurance...Act (HIPAA)	Florida Commission on Ethics
Equal Opportunity Employment Comm. (EEOC)	All Bankruptcy chapters
Ethics and voting conflicts	First Amendment issues
Eminent domain/inverse condemnation/takings	Emergency management (Stafford Act)
Rate setting and impact fees	Insurance issues, including cyber

## EXPERIENCE

### LOCAL GOVERNMENT LAW EXPERIENCES:

#### CEO, Law Offices of John J. Anastasio (1983-Present)

In this role, I have focused on a comprehensive range of legal services, with a primary emphasis on providing expert representation in the field of local government law. My responsibilities have encompassed advocating for various government entities, city officials, employees, and citizens, addressing legislative, contractual, regulatory, and litigation matters. Key achievements and responsibilities include:

- Collaborated with city officials to craft cost-effective resolutions for land use, code enforcement, and public employee discipline issues, employing innovative negotiation and litigation strategies.

- Employed alternative dispute resolution methods, including arbitration, mediation, and negotiation, to successfully settle real property and contract disputes in collaboration with city officials.
- Offered guidance to elected officials, enabling them to navigate and resolve public interest issues such as animal control and sober home legislation, promoting community welfare.
- Assisted governmental officials in navigating administrative challenges and disciplinary hearings, delivering expert support both prior to and during these crucial proceedings.

### **Counsel to the Honorable Joann Faiella (2010-2014)**

Mayor, City of Port Saint Lucie

Commissioner, Saint Lucie Fire District

- Provided expert legal advice to former Mayor, resulting in successful resolution of numerous complex legal issues.
- Engaged in comprehensive daily legal counsel encompassing a broad spectrum of local government law facets. This included proficient guidance on pivotal areas such as planning, zoning, and land development law, community redevelopment law, public records law, and adherence to the Sunshine Law. My role also extended to addressing labor matters, navigating complex planning and zoning issues, including those concerning sober homes and quasi-judicial hearings. I provided insightful expertise in employee discipline, adeptly handled first amendment challenges, and effectively managed administrative law issues, and public private partnership issues. Furthermore, my responsibilities spanned procurement and contract intricacies, as well as tackling nuanced topics such as bankruptcy and real property law, including facilities planning and location. My legal acumen extended to local government ethics law, and I adeptly navigated issues involving law enforcement, ensuring adherence to the highest standards of legal and ethical conduct.
- Successfully defended public records and Sunshine law litigation, resulting in the dismissal of all charges against Mayor Faiella.
- Successfully defended defamation litigation against Mayor Faiella.
- In the capacity of Counsel to the Honorable Joann Faiella during her tenure as Mayor and Commissioner of the Saint Lucie Fire District, I provided strategic guidance on multifaceted matters. Collaborating closely with the Mayor in her dual role, I offered instrumental insights on facilities planning and location, leveraging my prowess in procurement and contract law, which extended to intricate software-related matters. My involvement ensured that the Fire District's

operations were seamlessly aligned with legal regulations and sound practices. This holistic approach allowed for effective decision-making, optimal resource allocation, and a commitment to excellence in service provision.

### **Municipal Attorney's Office (1980-1982)**

Young Dorsey & Fisher

- Served under Senator John Dorsey, senior partner as the Municipal Attorney, representing **five** municipal clients including Butler, Dover, East Hanover,, representation of the Montville Municipal Utilities Authority, and Special Counsel for Parsippany on employment issues.
- Provided comprehensive legal counsel on a wide range of municipal law issues, including: legal advice during public meetings, zoning and land use regulations, redevelopment and housing laws, police and employee discipline matters, state and federal labor laws, Public Employment Relations Commission (PERC) matters, eminent domain issues, construction and contract disputes, municipal tax appeals, FERC-related municipal electric company issues, public records and public meeting acts compliance, ordinance and resolution drafting, guidance during public meetings, real property tax appeals, affordable housing litigation, impact fee and MUA-related rate making methodology.

### **Attorney for the statutory Mount Arlington, Municipal Investigating Committee 1981-1982)**

- Led a closed-door investigation of the Mount Arlington Police Department, authorized by statute. Developed and implemented procedures for conducting investigation and disciplinary hearings, and provided expert legal advice to the governing body and the investigating committee throughout the proceedings. Drafted charges against the defendants and ensured full compliance with legal requirements.

### **Special Prosecutor for Mount Arlington (1982)**

- Successfully prosecuted the Chief of Police and two other officers for violation of municipal regulations.

### **Authority Attorney for the Dover Housing Authority (1981-1982)**

- Handled housing development, Section 8 low-income housing, affordable housing, and related administrative and liability issues

### **Eminent Domaine Commissioner (1988)**

- Served as a Commissioner appointed by the Superior Court to conduct a comprehensive inquiry into the valuation of condemned property, leading to

recommendations and findings on real property valuation.

### **SELECTED EXPERIENCES:**

- Successfully challenged public records retention regulations in an administrative rule challenge before the Division of Administrative Hearings, resulting in the State of Florida adopting a valid system for public records retention while defending a mayor.
- Represented clients in numerous successful career service hearings under Chapter 112, including the only successful Career Service Board hearing in the Saint Lucie County Sheriff's Office, as well as other successful local government administrative hearings.
- Possess extensive litigation experience in public records and Sunshine law litigation, leading to the dismissal of all charges against Mayor Faiella.
- Appealed more than 100 cases in state and federal courts, resulting in numerous reported appeal decisions, including *Finnegan v. Deutsche Bank Nat'l Tr. Co.*, 96 So. 3d 1093 (Fla. 4th DCA 2012) and *Dominko v. Wells Fargo Bank, N.A.*, 102 So. 3d 696 (Fla. 4th DCA 2012)) in real property foreclosure law, *Mancini v. Personalized Air Conditioning & Heating*, 702 So. 2d 1376 (Fla. 4th DCA 1997) in defamation law, *Dalem v. Dep't of Corr.*, 720 So. 2d 575 (Fla. 4th DCA 1998) in public employee termination before Public Employees Relations Commission, *Gramm v. Port St. Lucie*, 574 So. 2d 1163 (Fla. 4th DCA 1991) and *Bernas v. Knowles*, 648 So. 2d 272 (Fla. 4th DCA 1995) in police discipline, *Rauch v. Rauch*, 711 So. 2d 582 (Fla. 4th DCA 1998) in the application of the full faith and credit provision of the United State Constitution, *Janos v. State*, 763 So. 2d 1094 (Fla. 4th DCA 1999) in the double jeopardy clause of the constitution, and broadened pretrial diversion programs in *Janos*, and *Gincley v. State*, . 267 So. 3d 444 (Fla. 4<sup>th</sup> DCA 2019)
- Authored several studies pertaining to local government legal operations, including *A Blueprint for the City of Delray Beach City Attorney's Office*, mapping out most aspects of a City Attorney's Office, *A Blueprint for the Village of Indiantown Village Attorney's Office*, mapping out a Village Attorney's Office for a startup community, *A Blueprint for the Indian River State College General Counsel's Office*, for a startup General Counsel's Office, and *The Municipal Investigating Committee Handbook*, mapping out procedures for the conduct of an investigating committee.
- Practiced in diverse areas of law, including civil trial, criminal trial, family law, civil rights law, real estate development, bankruptcy, and immigration.
- Appointed by the court as guardian ad litem for a minor in a multi-million-dollar settlement, resulting in the reduction of the minor's attorney fees by \$250,000.00.

- Served as a member of the Supreme Court's E-service Committee and filed a petition for Writ of Certiorari before the United States Supreme Court.

## **EDUCATION**

### **FORMAL EDUCATION:**

Juris Doctor, Seton Hall University

Bachelor of Arts in Government with a minor in Labor Relations, Seton Hall University

Master of Public Administration Program, New York University

### **PROFESSIONAL DEVELOPMENT:**

Participated in various legal seminars, including the Association of Municipal Attorneys Annual Seminar, Annual Environmental Law Seminar, City, County & Local Gov't Law Certification Review, Sunshine Law and Records & Ethics, Public Employment Labor Relations Forum, Civil Trial Certification Review, Criminal Trial Certification Review, Appellate Law Certification Review, Advanced Legal Writing and Drafting, Circuit Court Mediator Certification, and more.

### **PROFESSIONAL AFFILIATIONS & ACTIVITIES**

- Member, Florida Bar Traffic Rules Committee (1992-1996, 2010-2014), served as Chairperson in 2012
- Member, Florida Bar Rules of Judicial Administration (2010-2011)
- Member, Florida Bar City, County & Local Government Law and Environmental and Land use Sections
- Pro Bono Awards: Received numerous awards for service from Florida Rural Legal Services, including nomination for Statewide Pro Bono Award
- Member, Military Operations Research Society (MORS)
- Member, Society for Human Resource Management

### **ADMITTED TO PRACTICE**

- Florida Supreme Court
- U.S. Court of Appeals for the 11th Circuit
- United States Supreme Court
- Middle, Northern, and Southern Federal District Courts in Florida
- U.S. Court Southern District of Florida (Member of Arbitrator Panel)

## **SKILLS**

### **MANAGEMENT:**

- Successfully managed a law practice with 1 to 5 employees for over 36 years, plus contract attorneys.

- Led the Florida Bar Traffic Rules Committee in drafting court rules, overseeing 40 judges, state attorneys, public defenders, clerks, and DHSMV administrators.

#### **IT:**

- Proficient in Microsoft Office Suite, including Word, Excel, Outlook, Access, PowerPoint, and Project.
- Experienced in electronic document analysis, such as eDiscovery, mapping graphics with Earth Pro, creating and editing PDFs with Adobe Acrobat DC, automatic document assembly, and litigation software
- Familiar with Workflow Designer 5.31 and PolicyMaker 4.0 for political feasibility analysis.
- Proficient in the use of Artificial Intelligence, in all aspects of legal operations.

#### **RESEARCH AND METHODOLOGY:**

- Skilled in legal research using Lexis-Nexis, Lexis Advanced, and Westlaw.
- Experienced in social science research techniques like study review, surveys, and focus groups.
- Familiar with physical science research methods, including study design and methodology review.
- Trained in advanced legal writing and drafting, Sigma Six for quality control, root cause analysis and cause mapping, metrology (science of measurement).

#### **PUBLIC POLICY/MANAGEMENT ANALYSIS:**

- Experienced in cost-benefit analysis, scenario planning, multicriteria decision analysis, forecasting and horizon scanning, systems analysis, game theory, risk analysis, literature reviews, PERT, critical path method (CPM), SWOT, PESTLE, brainstorming/brainstorming, CARVER plus Shock Matrix, modeling and simulation, and wargaming (business, economic, social, military), group facilitation.
- Trained in risk and probability management and strategic net assessment.

#### **NEGOTIATION:**

- Skilled in litigation negotiation, contract negotiation, mediation, and arbitration.

#### **PRESENTATION:**

- Skilled in delivering lectures, speeches, trial and appellate presentations, using the Beyond Bullet Points method.

#### **LITIGATION:**

- Experienced in federal and state nonjury and, jury trials, administrative hearings, grievance hearings, and appeals, including the Florida state trial level and appeals courts, the Middle, Northern, and Southern United States District Courts, the Eleventh Circuit Court of Appeals, Supreme Court of the United States.