

RESOLUTION NO. R-13-080

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA PROVIDING FOR THE APPOINTMENT OF COUNTY HEARING OFFICERS FROM THE REVISED GENERAL LIST FOR ADMINISTRATIVE HEARINGS AS REQUIRED BY SECTION 304.1 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE AND SECTION 2-2-109 OF THE MANATEE COUNTY CODE OF LAWS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 304.1 of the Manatee County Land Development Code provides for the appointment of Hearing Officers by the Board of County Commissioners for land use matters; and

WHEREAS, Section 2-2-109 of the Manatee County Code of Laws also provides for the appointment of Hearing Officers by the Board of County Commissioners for general due process hearings; and

WHEREAS, the appointment of Hearing Officers is necessary and appropriate to conduct county administrative hearings as provided for in various laws or ordinances; and

WHEREAS, individual Hearing Officers are appointed as needed from a general list of prospective Hearing Officers; and

WHEREAS, the County Attorney has provided updated advice to the Commission regarding qualified local attorneys to act as Hearing Officers; and

WHEREAS, the prospective Hearing Officers will be appointed to preside over certain land use matters and due process matters from the lists provided as exhibits to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida that:

1. The individuals set forth on Exhibit "A" attached hereto are approved to act as Land Use Hearing Officers for Manatee County, Florida, and to conduct administrative hearings and issue recommended or final administrative orders of the County where authorized, and in accordance with

the duties and powers granted to such officers under Section 304.1, *et seq.*, of the Manatee County Land Development Code.

2. The individuals set forth on Exhibit "B" attached hereto are approved to act as Due Process Hearing Officers for Manatee County, Florida, and to conduct administrative hearings and issue recommended or final administrative orders of the County where authorized, and in accordance with the duties and powers granted to such officers under Section 2-2-107, *et seq.*, of the Manatee County Code.

3. Nothing in this resolution shall preclude the Board of County Commissioners from appointing additional Hearing Officers or removing Hearing Officers as it deems necessary.

4. All Hearing Officers will be compensated at an hourly rate of \$200.00 per hour. Travel expenses will not be compensated.

5. Resolutions 12-200 and 13-058 are hereby repealed by this resolution.

6. This resolution shall become effective immediately upon adoption.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Manatee County, Florida with a quorum present and voting this 7th day of May, 2013.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: Larry Bustle
Chairperson



Attest:

R. B. SHORE
Clerk of the Circuit Court

By: Wade Jensen
Deputy Clerk

HEARING OFFICERS
LAND USE

Name	Address	Phone Number	Email
Fernandez, Kelly M.	Hankin, Persson et al. 1820 Ringling Blvd. Sarasota, FL 34236	941-365-4950	kfernandez@sarasotalawfirm.com
Groot, Lonnie N.	Stenstrom, McIntosh et al. 1001 Heathrow Park Ln., Ste. 4001 Lake Mary, FL 32746	407-322-2171 386-748-3685 (c)	lgroot@stenstrom.com
Holtzendorf, Howard	1412 Fairway Drive Tallahassee, FL 32301 831 North Johnson Avenue Arcadia, Florida 34266	850-222-2699 850-321-3741	hholtzen@att.net
Johnson-Velez, Susan	607 West Bay Street Tampa, FL 33606	813-254-4150	susan@sjvlawfirm.com
Radson, Marion	739 NW 23 rd Street Gainesville, FL 32607	352-256-2767	radsonmj@gmail.com
Stotts, Dennis M.	Lewis, Longman & Walker 101 Riverfront Blvd., Ste. 620 Bradenton, FL 34205	941-708-4040	dstotts@llw-law.com
Wittmer, Meg	Wittmer & Linehan, PLLC 2014 Fourth Street Sarasota, FL 34237	941-365-2296 941-320-4005 (c)	mawittmer1@me.com

EXHIBIT "A"

**HEARING OFFICERS
DUE PROCESS**

Name	Address	Phone Number	Email
Conn, Donald	Pennington, PA 2701 North Rocky Point Drive, Ste. 900, Tampa, Florida 33607	Tel. 813-639-9599 Cell 727-641-9963	dconn@penningtonlaw.com
Hawkins, John D. (Jack)	Grimes Goebel Grimes Hawkins Gladfelter & Galvano, PL 1023 Manatee Avenue West Bradenton, Florida 34205	Tel. (941) 748-0151, Fax. (941) 748-0158	jhawkins@grimesgoebel.com
Holtzendorf, Howard	1412 Fairway Drive Tallahassee, FL 32301, 831 North Johnson Avenue Arcadia, Florida 34266	Tel. 850-222-2699 Cell. 850-321-3741	hholtzen@att.net
Peebles, Douglas	Peebles Law Firm, P.A. 1201 6 th Avenue West, Ste. 505 Bradenton, Florida 34205	Tel. 941-742-6611 Fax. 941-742-6622	dap@dpeebles.com
Stotts, Dennis M.	Lewis, Longman & Walker, PA 101 Riverfront Blvd., Ste. 620 Bradenton, Florida 34205	Tel. 941-708-4040 Fax. 941-708-4024	dstotts@llw-law.com
Thompson, Steve W.	Najmy Thompson, PL 1401 8 th Avenue West Bradenton, Florida 34205	Tel. 941-748-2216 Fax. 941-748-2218	sthompson@najmythompson.com
Wittmer, Meg A.	Wittmer & Linehan, PLLC 2014 Fourth Street, Sarasota, Florida 34237	Tel. 941-365-2296 Fax. 941-365-0829	mawittmer1@me.com

EXHIBIT "B"

May 7, 2013 - Regular Meeting
Agenda Item #12

Subject

Resolution R-13-080-Appointment of Land Use/Due Process Hearing Officers.

Briefings

None

Approved in Open Session 5/7/13
Manatee Board of County Commissioners

Contact and/or Presenter Information

James A. Minix, Chief Assistant County Attorney
Jo Ann Grace, Legal Assistant, Ext. 3750

Action Requested

Motion to adopt Resolution R-13-080 Appointment of Hearing Officers for Manatee County Land Use and Due Process administrative matters.

Enabling/Regulating Authority

Sec. 125.01, Florida Statutes, Sec. 304.1 of the Manatee County Land Development Code, and Sec. 2-2-109 of the Manatee County Code of Laws.

Background Discussion

Manatee County Hearing Officers are authorized to act as such under the Land Development Code and the Manatee County Code of Laws. Proposed Resolution R-13-080 authorizes the appointment of Hearing Officers from the approved lists attached hereto as Exhibits A & B. Exhibit A is a list of Hearing Officers approved for quasi judicial land use hearings. Exhibit B is a list of Hearing Officers approved for other due process administrative hearings.

The Resolution also provides that Hearing Officers will be paid an hourly rate of \$200.00 per hour excluding travel time. The County Attorney's Office recommends approval of this Resolution.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

See attached Proposed Resolution R-13-080 and Exhibits A & B.

Reviewing Attorney

N/A

Instructions to Board Records

Please return a fully approved electronic copy of this agenda item with supporting documents to joann.grace@mymanatee.org. **cc: Nicolette Coetzee & Debbie Bassett, CAO,**
Thank you. **5/8/13, RLL**

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [HO RESOLUTION 2013.pdf](#)

Attachment: [HRG OFFCR Res Exhibits A&B.pdf](#)

From: [Robin Liberty](#)
To: ["joann.grace@mymanatee.org"](mailto:joann.grace@mymanatee.org)
Cc: ["nicolette.coetzee@mymanatee.org"](mailto:nicolette.coetzee@mymanatee.org); ["debbie.bassett@mymanatee.org"](mailto:debbie.bassett@mymanatee.org)
Subject: BCC Mtg 5/7/13: Item 12 - Appointment of Hearing Officers
Date: Thursday, May 09, 2013 10:07:00 AM
Attachments: [BC20130507DOCA12.pdf](#)

Attached is executed Resolution R-13-080 and stamped agenda package, approved by the County Commission on 5/7/13.

Robin Liberty
Board Records
For R.B. "Chips" Shore
Manatee County Clerk of the Circuit Court & Comptroller
www.manateeclerk.com
robin.liberty@manateeclerk.com
941-749-1800, ext. 4181

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