



Broward County

Legislation Details (With Text)

File #: 21-651 **Version:** 1

Status: Agenda Ready

In control: County Attorney

On agenda: 4/20/2021 **Final action:** 4/20/2021

Title: MOTION TO APPROVE form agreement between Broward County and hearing officers for hearing officer services for a term of five (5) years, unless terminated earlier; to authorize the County Attorney to make any modifications that neither add unreasonable legal risk nor increase the County's financial obligations; and to authorize the County Attorney to execute same on behalf of the County.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Hearing Officer Relevant Experience Chart, 2. Exhibit 2 - Hearing Officer Form Agreement

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO APPROVE form agreement between Broward County and hearing officers for hearing officer services for a term of five (5) years, unless terminated earlier; to authorize the County Attorney to make any modifications that neither add unreasonable legal risk nor increase the County's financial obligations; and to authorize the County Attorney to execute same on behalf of the County.

Why Action is Necessary

Agreements for hearing officer services require approval by the Board.

What Action Accomplishes

Agreements provide for hearing officer services for various County matters.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Chapters 154, 162, and 489 of the Florida Statutes and Chapters 2, 4, 7, 8½, 9, 20, 21, 27, and 39 of the Broward County Code of Ordinances allow for certain determinations of the County to be heard by or appealed to an impartial hearing officer. The Office of the County Attorney placed a solicitation

with the Florida Bar Career Center, TJ Reddick Bar Association, Caribbean Bar Association, Gwen S. Cherry Black Women Lawyers Association, Haitian Lawyers Association, and Broward County Hispanic Bar Association for attorneys to serve as hearing officers in proceedings related to violations or appeals of administrative decisions or regulations in areas that include, but are not limited to, building, zoning, building contractors, tree trimmers, child care facilities licensing, family child care homes licensing, animal care, consumer protection, Florida's Health Care Responsibility Act (HCRA), airport regulations, living wage, cannabis civil citation program, and environmental protection. The attorneys listed in Exhibit 1 possess the experience required in Florida judicial or administrative procedures and a minimum of ten years' experience in land use, zoning, environmental, construction, HCRA, or local government law.

Provided as Exhibit 2 is a copy of the form agreement between Broward County and the prospective hearing officers. The Office of the County Attorney recommends approval of the Agreement for execution by the County Attorney, substantially in the form attached hereto, permitting the County Attorney to make modifications he determines to be in the best interest of the County provided they do not increase the County's financial obligation or create unreasonable legal risk, with those attorneys listed in Exhibit 1.

Broward County incurred \$35,286.59 in fees for hearing officer services in Fiscal Year 2019 and \$39,143.09 in Fiscal Year 2020.

Source of Additional Information

Maite Azcoitia, Deputy County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

Each requirement processed against this open-end agreement will be funded by the appropriate source at the time of release.