



Pinellas County

Staff Report

File #: 17-1944A, **Version:** 1

Subject:

Selection of Special Magistrate Code Enforcement Candidates pursuant to Pinellas County Code, Chapter 2, Article VIII.

Recommended Action:

Approve the selection of four (4) candidates to serve as Code Enforcement Special Magistrates for a length of term not to exceed three years and authorize the County staff to execute contracts accordingly.

Strategic Plan:

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community.

Background Information:

In 2007 Pinellas County established by ordinance Code Enforcement by Special Magistrate. Over the subsequent years, several County departments have processed enforcement actions through the Special Magistrate program. Initially the program was operating with a few Special Magistrates that served on a rotational basis. However, over the past several years the program has been operating with a single Special Magistrate.

In August 2017, the Board of County Commissioners (Board) approved revisions to the ordinance implementing some additional best management practices and refinements based on applicable law.

County staff, inclusive of Development Review Service and County Attorney's office, has solicited applications for Special Magistrate and evaluated the resumes and applications of the candidates, based on the minimum qualifications established in the revised ordinance. Attached for reference are copies of the qualified candidates' resumes and applications as well as a copy of the standard contract.

It is recommended that the Board appoint all four (4) candidates and direct the County Administrator or designee to negotiate the contracts and identify three (3) seated Special Magistrates and one (1) alternate. All four (4) candidates have been vetted by staff and are deemed as meeting the minimum qualifications established in the ordinance.

Once the appointments have been made, the County would execute the contracts and the Special Magistrates would work with the Special Magistrate administrative division of the Development Review Services (DRS) Department to create a work schedule. It is anticipated that the Special Magistrates would serve on a rotational basis (i.e. one meeting per quarter) during the three-year term. In the event one of the three (3) Primary Special Magistrates is unable to serve out the term of their appointment, the alternate will be called into service. Having three (3) Special Magistrates serve

would allow for adequate coverage and a sufficient number of cases to be handled by each during the rotational schedule.

Fiscal Impact:

The hourly rate for service will be established prior to the execution of the contract. The previous rate was \$175 per hour. It is anticipated that a new rate would be negotiated for the selected Special Magistrates of up to, but not exceeding, \$200 per hour. The total amount budgeted for services in FY18 is \$55,000. It should be noted that property owners taken to the Special Magistrate are charged the contractual hourly rate for the Special Magistrate services if Pinellas County prevails at the hearing. Therefore, a portion of the cost of the Special Magistrate program is funded by assessed fees and lien settlements.

Staff Member Responsible:

Blake Lyon, Director, Development Review Services and Code Enforcement

Attachments:

Application Materials and Resumes for the following candidates:

- Fuller
- Mathieu
- Moore
- Trask

Special Magistrate Contract