



SANTA ROSA COUNTY BOARD OF COMMISSIONERS

Administrative Offices | 6495 Caroline Street, Suite M | Milton, Florida 32570-4592

JAYER WILLIAMSON, District 1
ROBERT A. "BOB" COLE, District 2
W. D. "DON" SALTER, District 3
ROB WILLIAMSON, District 4
R. LANE LYNCHARD, District 5

TONY GOMILLION, County Administrator
ROY V. ANDREWS, County Attorney
JAYNE BELL, OMB Director

MEMORANDUM

TO: Board of Commissioners
FROM: Tony Gomillion, County Administrator
DATE: April 7, 2016
SUBJECT: Magistrate Services

DISCUSSION

Discussion of the receipt of submittals for Magistrate Services

BACKGROUND

In 2015 the Board considered and adopted code revisions that allowed for the use of a special magistrate to hear code enforcement matters rather than the court system. An RFQ was advertised for these services and four (4) submittals have been received and are attached. The Board can review and rank the proposals for selection at the next meeting or direct staff otherwise should you desire additional information.

ACTIONS TO BE CONSIDERED:

Direct staff as to whether the Board desires additional information and the method of selection desired. Staff recommends the selection of two (2) in order that scheduling options are the most efficient.

Farrar Law Firm and Mediation Group

Gregory P. Farrar, Esquire
Attorney At Law
Supreme Court Certified Family Law Mediator

109 N. Palafox Street
Pensacola, Florida 32502
Telephone (850) 434-8904
www.farrarlawfirm.com

March 3, 2016

Reference Letter Santa Rosa County Board of County Commissioners request for magistrate services.

Dear Roy Andrews, Santa Rosa County Attorney

I am interested in the part time--as needed position to serve as a hearing officer in Santa Rosa County. I have practiced law in Northwest Florida since 1987 and am also a Supreme Court certified Family mediator. Attached hereafter is a relatively recent curriculum vitae.

Specific to my experience in matters similar to the position I have served in the following capacities:

Attorney for the value adjustment board for Santa Rosa County for two terms.
Hearing officer Escambia County public schools for approximately 20 years
Past president Escambia/ Santa Rosa Real Estate Counsel
Former owner of a title company

I would be willing to serve at the hourly rate range of \$125-\$175.

Thank you for your consideration.

With kind regards,


Gregory P. Farrar
Attorney & Supreme Court Certified Mediator
"WE ARE THE PEACE PEOPLE"

GPF/llw

Admitted to practice in The Florida State Courts, All Federal Courts for the Northern District of Florida, 11th Circuit Court of Appeals, 5th Circuit Court of Appeals, U.S. Supreme Court, U.S. Court of Claims, Mississippi State Courts and the Federal Courts.

Larry A. Matthews *
Raymond F. Higgins, III

Thomas R. Jenkins, Of Counsel*

- * Also admitted in Alabama
- * Certified Circuit Court Mediator
- * Board Certified Civil Trial Lawyer



114 E. Gregory Street (32502)
Post Office Box 13145
Pensacola, Florida 32591

Telephone: Pensacola (850) 434-2200
Panama City (850) 769-7200
Facsimile: (850) 434-2600

Web Address: www.matthewshigginslaw.com

March 7, 2016

Santa Rosa County Procurement Dept.
6495 Caroline Street, Suite G
Milton, FL 32570

Re: RFQ Magistrate Services

To Whom It May Concern:

Please accept this as my letter of interest regarding the position of Magistrate Services related to code enforcement related issues. As you can see from my enclosed resume, I have the qualifications and experience for the requested position. In addition, I have served as Special Magistrate for the Value Adjustment Board for Escambia County (2014-2015), and sat as Special Magistrate for the Santa Rosa VAB last October in a conflict case (Calvin Todd, Petition #2015-002-C).

Please contact me for additional information or visit my firm's website at www.matthewshigginslaw.com. My proposed hourly rate of pay would be \$125/hour.

Thank you for your consideration.

Sincerely yours,

MATTHEWS & HIGGINS, LLC

A handwritten signature in black ink, appearing to read 'Larry A. Matthews', is written over the typed name and email address.

Larry A. Matthews
lmattews@matthewshigginslaw.com

LAM:nds
Enclosure



MATTHEWS & HIGGINS

Civil Trial Attorneys Representing Clients throughout the Florida Panhandle and South Alabama Area

Matthews & Higgins, a regional civil litigation law firm with a reputation for integrity and results as indicated by a Martindale-Hubbell AV® Peer-Review Rating, is available to serve clients throughout the Florida Panhandle and Southern Alabama. With decades of local and national experience, each attorney has in-depth knowledge that guides them in counseling clients during all steps of litigation, from pre-suit planning and preparation, to mediation, and through trial.



Partner Larry Matthews and Of Counsel member Thomas Jenkins are Board Certified by The Florida Bar in Civil Trial. As Board Certified Specialists, they are recognized as experts in the practice of civil litigation before state courts, federal courts, administrative agencies, and arbitrators.

Only seven percent of eligible members of The Florida Bar, or approximately 4,600 lawyers, are Board Certified.

Practice Areas

The firm represents clients in a wide variety of matters, including, but not limited to:

- Premises liability
- Personal injury defense
- Construction defects
- Insurance law
- Products liability
- Professional malpractice
- Wrongful death
- Employment law
- Civil rights
- Mass tort
- Federal tort claims
- Commercial litigation
- Healthcare law
- Class actions

The attorneys at Matthews & Higgins understand local market nuances regarding claims settlement, evidence presentation, trial preparation, and jury selection. When specialized technical expertise is required, members of the firm draw upon their extensive database of court-approved experts in the areas of injury, engineering, or damages.

Client loyalty, efficient workflow, and prompt reporting of all case developments are hallmarks of the firm's practice. Every matter is defended aggressively with a commitment to legal integrity.

Serving the Florida Panhandle and Southern Alabama

Headquartered in Pensacola, Fla., the firm also maintains offices (available by appointment) in Panama City, Fla. and Mobile, Ala. Florida counties served include Bay, Escambia, Okaloosa, Santa Rosa, and Walton Counties. In Alabama, the firm serves Baldwin and Mobile counties.

Available for Panel Counsel Consideration

Additional information on the firm's attorneys and practice areas follows. The attorneys at Matthews & Higgins invite panel counsel opportunities. Matthews & Higgins understands the need to comply with both the terms and spirit of defense counsel guidelines. In these competitive times, the firm strives to communicate with clients in a timely manner and to keep defense costs reasonable without compromising client representation.

Matthews & Higgins, LLC

114 E. Gregory Street
Pensacola, Florida 32502
850-434-2200 T
850-434-2600 F

How Matthews & Higgins Defines Success



Matthews & Higgins concentrates its practice in litigation. Our experience guides us in counseling clients on how to avoid litigation when advisable, how to prepare for it when inevitable, how to settle it when necessary, and how to win cases when they go to court.

Knowing what it takes to win is critical. In addition to knowing the court personnel in our region, we know how to select a jury, how to prepare for trial, and how to present the kind of compelling evidence that helps today's sophisticated jurors clarify the issues that decide a case.

Our firm's community relationships give us an innate understanding of the cultural factors that influence jurors' points of view. This kind of insight proves invaluable in helping clients achieve successful outcomes throughout the region.

Our access to medical, scientific, and other kinds of experts is an integral part of our success in court. To this end, we have developed long-standing relationships with top experts in a range of fields throughout the country.

We conduct focus group sessions to ensure we have explored all aspects of public opinion, and we use the results to prepare clients and subject-matter experts during mock trials. In addition, state-of-the-art trial exhibits, models, and computer simulations help to further enhance our efforts in the courtroom. We leverage the benefits of technology to maximize our efficiency in all aspects of case management.

All of these elements complement each other to ensure Matthews & Higgins serves its clients in the most efficient, effective manner possible.

What We Believe

We believe in upholding the highest standards of ethics and setting the benchmark for quality in our profession. This includes loyalty to our clients, efficient handling of work, prompt reporting of all developments, and the production of a first-rate legal product—all hallmarks of our practice.

How We Work



Providing high-quality legal services goes beyond simply performing the services requested. We are always available to our clients and we encourage them to call us with questions concerning legal issues, information on attorneys or experts, or simply an informal evaluation.

Both our clients and our firm benefit from this sharing of ideas and information.

Our attorneys and staff provide seminars, written information on pertinent topics, and routinely provide periodic legislative and case law updates to our clients without charge.

Our firm enjoys good, long-standing relationships with other law firms. With these relationships, we are able to share information on experts and legal developments, and enhance joint defenses of cases involving co-defendants.

In addition, our firm has found the Florida mediation process to be highly effective in resolving cases. As mediators ourselves, we know the importance of a well prepared presentation at mediation, when to settle, and when to go to court.

Meet Our Insurance Defense Attorneys



Larry A. Matthews
Partner



Board Certified by
The Florida Bar
in Civil Trial

Larry A. Matthews is an expert in civil litigation, with an emphasis on the defense of personal injury matters, including automobile negligence, professional negligence, premises liability, products liability, employment law, and civil rights litigation.

Mr. Matthews is also experienced in commercial litigation, including insurance coverage matters, real property, fire, and casualty matters. In addition, he defends clients in toxic tort litigation, construction litigation, and complex class action litigation.

Awards and Recognition

- Board Certified by The Florida Bar in Civil Trial
- Martindale-Hubbell® AV® Preeminent™ Peer Review Rated
- A.M. Best's Directory of Recommended Insurance Attorneys

Memberships and Professional Involvement

- The Florida Bar
- Alabama State Bar Association
- American Board of Trial Advocates
- American Inns of Court
- American Trial Lawyers Association
- Florida Certified Circuit Court Mediator
- Florida Defense Lawyers Association
- The Federal Bar Association
- Certified Public Accountant (inactive)

Education

J.D., with Honors, Florida State University College of Law, Tallahassee, FL, 1981

B.S., with Honors, Accounting, University of Florida, Gainesville, FL, 1976

Admissions

Florida, 1982

Alabama, 1994

U.S. District Court for the Northern District of Florida, 1988

U.S. District Court for the Middle District of Florida, 1982

U.S. District Court for the Southern District of Alabama, 2005

U.S. Court of Appeals for the Eleventh Circuit, 1988

U.S. Tax Court, 1985

U.S. Supreme Court, 1998



Raymond F. Higgins, III
Partner

Ray Higgins practices in the area of general civil litigation, with a concentration on personal injury defense, automobile negligence, professional negligence, premises liability, products liability, and commercial litigation. Additional areas of focus include insurance coverage matters, real property, construction, fire, and casualty cases.

Mr. Higgins served in the United States Navy as an aviator until 1994, achieving the rank of Lieutenant Commander.

While attending law school, Mr. Higgins worked as an intern at Pine Tree Legal Assistance, Inc. in Bangor, Maine and served as a summer clerk for the First Judicial Circuit Court in Pensacola, Florida.

Memberships and Recognition

- The Florida Bar
- Escambia/Santa Rosa County Bar Association
- A.M. Best's Directory of Recommended Insurance Attorneys

Education

J.D., with Honors, Florida State University College of Law, Tallahassee, Florida, 1998

B.S., with Distinction, Physics and Chemistry, Virginia Military Institute, Lexington, VA, 1979

Admissions

Florida, 1998

U.S. District Court for the Northern District of Florida, 1998



Thomas R. Jenkins
Of Counsel



Board Certified by
The Florida Bar
in Civil Trial

Thomas R. Jenkins is an expert in the area of civil litigation. He defends corporate clients in personal injury claims, including claims based on negligence, products liability, premises liability, and various intentional torts. Mr. Jenkins also handles commercial and construction litigation cases.

Mr. Jenkins is a Vietnam-era veteran, having served in the United States Navy, United States Army, and the Illinois National Guard.

Awards and Recognition

- Board Certified by The Florida Bar in Civil Trial
- AV® Preeminent™ 5.0 out of 5 Peer Review Rating by Martindale-Hubbell
- A.M. Best's Directory of Recommended Insurance Attorneys

Memberships and Professional Involvement

- The Florida Bar
- Alabama State Bar Association

Education

J.D., with High Honors, Florida State University College of Law, Tallahassee, FL, 1982

Order of the Coif

M.B.A., Eastern Illinois University, Charleston, IL, 1979

B.S., Business, Eastern Illinois University, Charleston, IL, 1975

Admissions

Florida, 1982

Alabama, 1984

U.S. District Court for the Northern District of Florida, 1984

U.S. Court of Appeals for the Eleventh Circuit, 1988

Martindale-Hubbell Peer Review Ratings are trademarks and AV, BV, AV Preeminent and BV Distinguished are registered certification marks of Internet Brands, Inc.



Billing Philosophy

The defense attorneys at Matthews & Higgins strive to identify the most effective resolution plan at the earliest possible date. The firm understands that time is money, and that the faster a claim is resolved—whether at trial, mediation or arbitration, by motion, or through settlement—the lower the expense. Early implementation of a mutually agreed-upon case resolution strategy helps to minimize defense costs.

Overall, the firm offers competitive rates for the Florida Panhandle and Southern Alabama markets.

Alternative fee arrangements are available depending on the volume and complexity of cases.

Electronic Billing

Tab3 Billing Software is used for billing and reporting purposes. Matthews & Higgins understands that timely reports and accurate budgets benefit both the attorney and client.

The firm has worked with many national insurance carriers, and is fully equipped to provide case management reports and invoices in a format and frequency required by client litigation guidelines.

Ethics and Professional Liability

Neither the firm, nor any of its attorneys, have been sued in a court of law for attorney malpractice or subject to any disciplinary action by a state bar association.

The firm maintains a professional liability policy with sufficient insurance coverage to comply with defense counsel guidelines. Details are available upon request.

Firm Contact Information

Matthews & Higgins, LLC

114 E. Gregory Street
Pensacola, Florida 32502
850-434-2200 T
850-434-2600 F

Larry A. Matthews, Esq.

lmattews@matthewshigginslaw.com

Raymond F. Higgins III

rhiggins@matthewshigginslaw.com



Exhibit 1. Representative Cases*

The attorneys at Matthews & Higgins have represented insurance companies in numerous coverage disputes in the past with results that the client found to be favorable.

Interstate Fire & Cas. Co. v. Abernathy, 93 So.3d 352 (Fla. 1st DCA 2012) is the most recent and significant reported case in which the firm's attorneys were heavily involved.

In that case the insurance company client denied coverage for a non-profit organization when a young man was severely injured at a charity event the organization was sponsoring. When the insurer denied coverage because coverage was requested after the injury occurred, the injured person entered into a Coblenz agreement with the non-profit organization agreeing a reasonable settlement amount would be \$6.25 million, and sued the insurer.

In the lawsuit, the insurer questioned the reasonableness of the settlement amount, and argued there was no coverage because the certificate of insurance that may have provided coverage was requested and issued after the incident. The trial court granted the injured person summary judgment on both issues.

On appeal the Florida First District Court of Appeal reversed, finding the certificate of insurance provided no coverage to the non-profit organization, and directed the trial court to enter judgment in favor of the insurer. The insurer was ultimately able to recover most of its costs.

A full list of representative cases is available on request.

***DISCLAIMER: Results may not be typical. You may not have as beneficial a result.**

Terrezza Law
125 South Alcaniz St. Ste. 4
Pensacola, FL 32502
Tel 8507645291 Fax 8503449756
john@terrezzalaw.com
www.terrezzalaw.com



February 19, 2016

Santa Rosa County Procurement Department
6495 Caroline Street Suite G
Milton, Florida 32570

Re: Request for Proposals
RFQ- Magistrate Services

INTRODUCTION

This proposal is submitted pursuant to Santa Rosa County's Request for Qualifications for Magistrate Services.

PROPOSAL

Attorney John A. Terrezza, proposes to serve as a Hearing Officer to hear cases dealing with Code Enforcement violations for Santa Rosa County, Florida. Mr. Terrezza is experienced, capable, and agreeable to providing such services for Santa Rosa County. Services as Magistrate shall be billed monthly, on an hourly basis, at a reduced hourly rate of \$125.00 per hour.

ATTORNEY RESUME

Attorney Terrezza is well qualified to serve as Magistrate related to Code Enforcement issues in Santa Rosa County because he is a member of the Florida Bar who also holds a Certificate in Land Use and Environmental Law. Attorney Terrezza has experience representing federal contractors in administrative debarment hearings before N.A.S.A., has represented individuals in administrative hearings at the Florida D.H.S.M.V., and has served as a Hearing Officer on behalf of the State of Florida. Attorney Terrezza's resume is attached to this proposal for your consideration.

Warm regards,

A handwritten signature in cursive script that reads 'John Terrezza'.

John Anthony Terrezza

Enc(s)

John A. Terrezza, Esq.
P.O. Box 13301 Pensacola, FL 32591
(850) 764-5291 john@terrezzalaw.com

Bar Admissions: Florida Bar No. 0088236 / U.S.D.C. N.D.F.L. / U.S.D.C. M.D.F.L. / U.S.C.A. 11th Circuit

EDUCATION

The Florida State University College of Law

Juris Doctor; Certificate in Environmental and Land Use Law

Class Rank: 127/265 (Top 47%)

Journal of Land Use and Environmental Law – Articles and Notes Editor & Member

Tallahassee, FL

May 2009

The University of Florida

Bachelor of Arts, Environmental Science

Gainesville, FL

May 2006

WORK EXPERIENCE

Terrezza Law

Solo Practitioner

Pensacola, FL

May 2015-present

I manage all aspects of my law practice, focusing on criminal defense and representing court appointed and retained clients in both State and Federal courts throughout the panhandle of Florida.

The Law Office of Lloyd L. Vipperman Jr.

Associate Attorney

Gainesville, FL

March 2010 – March 2015

I focused on criminal defense at the trial and appellate levels, representing clients facing all degree of criminal charges in courts throughout the Eighth Judicial Circuit and the Northern District of Florida. I made multiple daily court appearances, handled hundreds of cases through disposition, and obtained acquittals at jury trials in County and Circuit Court as lead counsel. I drafted numerous criminal and civil appellate briefs, and successfully reversed a criminal case in the United States Court of Appeals for the 11th Circuit. I also handled non-criminal matters collateral to my criminal caseload including defense of forfeiture actions and various administrative hearings.

Florida Department of Community Affairs

Certified Legal Intern

Tallahassee, FL

Summer 2008

I worked to enforce Florida's Growth Management Act. Served as Hearing Officer on behalf of the State of Florida, traveled to engage in mediation with local governments, and drafted declaratory statements for the Florida Building Commission.

ACTIVITIES & INTERESTS

- Member, National Association of Criminal Defense Attorneys
- Member, Florida Association of Criminal Defense Attorneys
- Member, Escambia Santa Rosa Bar Association
- Junior, Pensacola American Inn of Court
- Criminal Justice Act Panel Member, Northern District of Florida, Pensacola Division



D. Anthony Washnock, P.A.

Civil Trial Practitioner

4628 Summerdale Blvd.

Pace, Florida 32571

(850) 221-9419

dwashnock@bellsouth.net

Florida # 0286590

Tennessee # 022333

Arkansas # 97183

February 24, 2016

HAND DELIVERY

Santa Rosa County Commission

c/o Santa Rosa County Procurement Department

6495 Caroline Street

Suite G

Milton, Florida, 32570

Re: RFO- Magistrate Services

Dear Commission:

I write in response to Procurement's Notice of RFO for Magistrate Services with two (2) objectives:

1. to submit a letter of interest (with **proposed hourly rate of pay of \$125**) describing the qualifications the Santa Rosa County Commission should consider in deciding whether to engage me to perform the magistrate services; and
2. to communicate support and appreciation for the efforts Santa Rosa County is making to promote, protect, and improve the health, safety, and welfare of the citizens according to the Florida Statutes.¹

As to the first objective, my normal hourly rate is \$250 per hour, however, I propose a reasonable hourly rate of \$125 to be commensurate with the essential duties and responsibilities of a Hearings Officer when considered within the factors in *Rule 4-1.5(b), Rules Regulating the Florida Bar* regarding reasonable fees for legal services. My qualification as applied to the RFQ is very simple. The creation of an evidentiary record by objectively listening to people's testimony, obtaining the relevant documents and photos, and effective verbal and written legal communication are skills I have developed over the last twenty (20) years in an exclusively civil trial practice in good standing with the bar of three states (Florida, Tennessee, and Arkansas) as well as federal court. I have drafted hundreds of orders for Circuit Judges accurately describing evidentiary findings and their relation to conclusions of law.

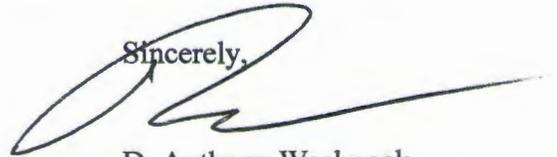
¹ FLORIDA STATUTES §162.02, Intent.—It is the intent of this part to promote, protect, and improve the health, safety, and welfare of the citizens of the counties and municipalities of this state by authorizing the creation of administrative boards with authority to impose administrative fines and other noncriminal penalties to provide an equitable, expeditious, effective, and inexpensive method of enforcing any codes and ordinances in force in counties and municipalities, where a pending or repeated violation continues to exist.

I would bring a common-sense approach to the hearings process dealing with issues that can arise in a county so diverse as Santa Rosa. One aspect that has given me special insight useful to a Special Magistrate is for many years I have been receiving referrals from the Escambia/Santa Rosa Bar Association for complaints pertaining to business use of land in a residential area, nuisance claims for lighting and noise, or junk accumulation on someone's land. The knowledge and experience when coupled with a willingness to learn more about the County Code and Ordinances would translate well into magistrate service.

I have run my own lawfirm as a solo practitioner since 2000 so my resume can be summarized quickly. Prior to 2006, my civil trial practice was located in the city of Pensacola where I represented people and businesses on land use issues pertaining to densely populated areas including beaches, residential neighborhoods, businesses and construction/zoning similar to what can be found in Gulf Breeze and Navarre. Because I live in Chumuckla, I moved my civil trial practice to Pace in 2007 where I have continued to address similar cases including rural land use matters.

Secondly, whether I am engaged or another talented local attorney, as a Santa Rosa County resident and Santa Rosa farmer/rancher, it is exciting to see this Commission and its County Attorney working hard to implement the hearings processes made available by the legislature. After talking with County Attorney Andrews, it was clear that because most of the complaints I have received from Santa Rosa citizens through the years did not give rise to Circuit Court litigation, the enforcement hearings process will lead to a better understanding of the application of County Codes and Ordinances and everyone's need to comply. The hearings process will provide a fair, equitable, and inexpensive civil enforcement avenue for resolution of enforcement issues to preserve the citizens' safety and health. Thank you for your hard work, continued efforts, and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Anthony Washnock', written over the word 'Sincerely,'.

D. Anthony Washnock

Enc. (11) copies

ec: Roy Andrews, County Attorney