

RESOLUTION NO. 2022 - 332

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPOINTING JAMES E. BEDSOLE AS SPECIAL MAGISTRATE; SETTING THE AMOUNT OF COMPENSATION FOR THE SPECIAL MAGISTRATE; APPROVING THE TERMS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE LAW OFFICES OF JAMES E. BEDSOLE, LLC, FOR SPECIAL MAGISTRATE SERVICES; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Johns County Ordinance No. 2007-21 (“Ordinance”) provides for the appointment of a Special Magistrate for a two-year term to hold hearings and assess fines against violators of certain county codes and ordinances; and

WHEREAS, the term of the previously appointed Special Magistrate has expired; and

WHEREAS, St. Johns County (“County”) advertised RFP 22-29 for Special Magistrate for Code Enforcement, which was advertised in accordance with County Purchasing Ordinance; and

WHEREAS, one proposal was submitted by the Law Offices of James E. Bedsole, LLC, in response to RFP 22-29, Special Magistrate for Code Enforcement, on August 11, 2022; and

WHEREAS, the County wishes to enter into an agreement with the Law Offices of James E. Bedsole, LLC, for Special Magistrate services for a two-year term in substantially the form and format attached hereto as Exhibit A (“Agreement”); and

WHEREAS, the Ordinance sets the amount of compensation paid to a Special Magistrate to be \$140 per hour, but further provides the amount of compensation is to be determined by the Board of County Commissioners (“Board”) and may be amended by resolution of the Board; and

WHEREAS, both the Board and Law Office of James E. Bedsole, LLC have agreed to compensation at an hourly rate of \$240.00 per hour, not to exceed \$34,560.00 annually, for services performed by Law Offices of James E. Bedsole, in relation to the County’s Special Magistrate Services; and

WHEREAS, the Board has determined that appointing James E. Bedsole as Special Magistrate for a two-year period, establishing an amount of compensation of \$240 per hour, and accepting the terms of the Agreement will serve the best interest of the County; and

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THAT:

Section 1. The above Recitals are hereby incorporated into the body of this Resolution, and are adopted as Finding of Fact.

Section 2. The Board of County Commissioners hereby appoints James E. Bedsole as Special Magistrate for a two-year term expiring on September 6, 2024.

Section 3. The Board of County Commissioners hereby establishes that the amount of compensation paid to the Special Magistrate shall be \$240 per hour.

Section 4. The Board of County Commissioners hereby approves the terms, provisions, conditions, and requirements of the Agreement between St. Johns County and the Law Offices of James E. Bedsole, LLC; and authorizes the County Administrator, or designee, to execute the Agreement on behalf of the County in substantially the same form and format as attached.

Section 5. To the extent that there are typographical and/or administrative errors and/or omissions that do not change the tone, tenor, or context of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.

Section 6. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of Board of County Commissioners of St. Johns County, Florida this 6th day of September, 2022.

ATTEST: Brandon J. Patty, Clerk

By: Sam Halterman
Deputy Clerk

Rendition Date: 9/8/22

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Henry Dean
Henry Dean, Chair

Effective Date: 9/6/22



SECTION 1: PROPOSAL COVER PAGE AND COVER LETTER

Please refer to the attached:

- Proposal Cover Page
- Cover Letter

RFP NO: 22-29; CODE ENFORCEMENT SPECIAL MAGISTRATE

COVER PAGE

SUBMIT ONE (1) HARD-COPY ORIGINAL PROPOSAL, AND ONE (1) EXACT ELECTRONIC PDF COPY
OF THE SUBMITTED PROPOSAL ON USB DRIVE (CD/DVD NOT ACCEPTABLE)
IN A SEALED ENVELOPE OR CONTAINER TO:

ST. JOHNS COUNTY PURCHASING DIVISION
500 SAN SEBASTIAN VIEW
ST. AUGUSTINE, FLORIDA 32084

FULL LEGAL NAME OF RESPONDENT: Law Offices of James E. Bedsole, LLC

MAILING ADDRESS: 2450 Old Moultrie Road, Ste. 104, St. Augustine, FL 32086

POINT OF CONTACT NAME & EMAIL: JAMES E. BEDSOLE, ESQ.

CONTACT EMAIL ADDRESS: service@bedsolelaw.com

DATE: August 11, 2022

Law Offices
JAMES E. BEDSOLE, LLC
2450 Old Moultrie Road, Suite 104
St. Augustine, Florida 32086
(904) 797-8701
service@bedsolelaw.com

August 10, 2022

St. Johns County Purchasing Division
500 San Sebastian Way
St. Augustine, FL 32084

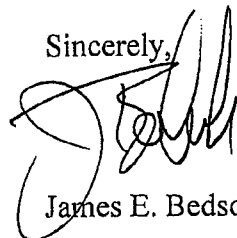
Re: RFP 22-29, County Code Enforcement Magistrate

To the Review Committee:

Thank you for allowing my firm to apply for the Code Enforcement Magistrate position. I have been a member of the Florida Bar since 1985 and have always enjoyed status as a member of the Bar in good standing and qualified to practice law in Florida. A copy of my resumé, certificate of good standing, writing samples are attached in Section 2. No litigation has ever been filed against either myself or my firm for legal malpractice, and nothing for the prior seven years, so we have no litigation history. I am the only attorney in the firm at this time and we do not associate or sub-contract with other attorneys for our work.

I have experience representing a number of government entities such as the School Board of St. Johns County (1989 to 1997), the Value Adjustment Board of St. Johns County (2010 to the present), the Value Adjustment Board of Putnam County (2017 to present), and the St. Augustine Port, Waterway and Beach District (2010 to 2020). I also served for two years as an attorney magistrate for the Value Adjustment Board of St. Johns County (2007-2008), and the Value Adjustment Board of Nassau County (2009 to 2021), and the VAB of Flagler County (2017). I still serve when necessary as a magistrate for St. Johns County Animal Control Division hearings, and have prior experience serving as the Code Enforcement Magistrate for St. Johns County (2008 and 2009). Writing samples from some of these activities are attached in Section 2, herein. My current schedule is flexible and will easily allow for the caseload your RFP projects, at an hourly billing rate of \$240.00 per hour, which represents a forty percent (40%) discount from our current office rate. All of the original attachments required by the RFP are attached as Exhibit E. Thank you for your consideration of this application. Please feel free to contact me if you have any questions or need clarification of any item.

Sincerely,



James E. Bedsole

JEB/rbg
Enclosures
wk/rg/code.enf.st.johns/lets/locklear 8-8-22

SECTION 2: STAFF QUALIFICATIONS AND PROFESSIONAL TEAM

Please refer to the attached:

- Resume
- Florida Bar Certificate of Good Standing
- St. Johns County Business License
- Certificates of insurance to be furnished upon award of contract per RFP page 15, Pararaph G
- Copy of Attachment "F" Claims, Liens, Litigation History (original is contained in Section 7, herein)
- No subcontractors are used by our firm, therefore we have no information to provide on them.
- Legal Writing samples

RESUME

JAMES E. BEDSOLE

2450 Old Moultrie Road, Ste. 104

St. Augustine, FL 32086

Phone: (904) 797-8701

Email: service@bedsolelaw.com

EDUCATION

JURIS DOCTOR, May, 1985

University of Florida College of Law

- Academic Honors 1984 and 1985, University of Florida Law School
- Judicial Clerkship, 8th Circuit, 1983-1984
- Research Assistant, University of Florida Center For Governmental Responsibility, 1984-1985

Continuing Legal Education in Real Property, Probate, Trusts, General Civil Trials and Litigation, Estate Planning, Medicaid, Administrative Law, Animal Law and Florida Homestead Law, 1990-2022. (Eleven (11) hours per year required).

Certified Circuit Civil Mediation Training, 2007, University of South Florida Center For Alternative Dispute Resolution

BACHELOR OF ARTS, Cum Laude, 1975

Florida State University

- Academic Honors, 1973-1975

EXPERIENCE AND ACTIVITIES

ADMITTED TO PRACTICE in all courts of the State of Florida.

MEMBER, St. Johns County Bar Association, the Florida Bar, Florida Bar Real Property, Probate and Trust Law Section and Animal Law Section. Former member of the Florida Academy of Trial Lawyers, Association of Trial Lawyers of America, Florida Association of School Board Attorneys and Local Government Law Section of the Florida Bar, 1985-2015.

MENTOR ATTORNEY, Florida Bar's voluntary Lawyers Assisting Lawyers Program advising other Florida attorneys throughout the state who seek practical advice on issues relating to probate law, estate planning, medicaid and real estate law, 2000-2022.

GENERAL COUNSEL, St. Augustine Port, Waterway and Beach District, 2010 - 2022. This is a special district with authority over waterways and beaches within most of St. Johns County. Issues include public funding, taxation, Florida TRIM laws, Environmental Law, public contract administration, and elections.

GENERAL COUNSEL, School Board of St. Johns County, 1990-1996, Special Counsel, 1988-1990, Special Council 1996-2000, on limited issues related to real estate transactions and expulsions.

SPECIAL COUNSEL, Board of County Commissioners, St. Johns County, in certain real property litigation in which the county was a party, 1997-2000.

MANAGING PARTNER, Bedsole and Conner, 7 Old Mission Avenue, St. Augustine, Florida 1993-2008. Areas of practice included litigation in decedents' estates, real estate, commercial contracts, real estate transactions, probate administration, medicaid planning and appeals, land use, and non-profit corporations, 1997-2008.

PARTNER, Bennett and Bedsole, St. Augustine, Florida, 1986-1993, general civil practice and representation of local government agencies.

LAW CLERK, Selber and Selber, Jacksonville, Florida, 1985-1986, commercial litigation firm representing institutional creditors in Florida courts and U.S. Bankruptcy Court.

INDEPENDENT RESIDENTIAL SUB-CONTRACTOR, St. Johns County, Florida, 1978-1982.

PSYCHOLOGICAL TECHNICIAN, Tri-County Mental Health Services, St. Augustine, Florida, 1976-1977.

EMERGENCY SERVICES/CRISIS INTERVENTION SPECIALIST, Florida State University Counseling Center, 1974-1975.

ANIMAL CONTROL HEARING MAGISTRATE, St. Johns County, Florida, on an as-needed basis, 2009-2022. Cases involving attacks by dogs on humans and animals. Issues usually revolve around the severity of injuries and the owners' efforts to control their animals, or the lack thereof. Hearings are designed to review decisions by the Department of Animal Control and recommended outcome which may be followed by the County Administrator.

CODE ENFORCEMENT MAGISTRATE, St. Johns County, 2007-2009. Cases at that time were predominantly signage violations by residential developers. Many involved public nuisance and health problems created by trash, debris, junk automobiles and construction on residential property. Some dealt with business-related issues such as zoning and allowed uses.

PRIVATE COUNSEL VAB OF ST. JOHNS COUNTY, now serving as private counsel for Value Adjustment Board. Issues include ad valorem taxation of business and private property, homestead and all other exemptions from property tax, land use classifications, public meeting law, public record law, and due process law in evidentiary hearings, 2010-2022.

PRIVATE COUNSEL VAB OF PUTNAM COUNTY, same position and issues for Value Adjustment Board of Putnam County, a neighbor of St. Johns County. Putnam is considered economically constrained compared to most Florida Counties, 2018-2022.



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0500194
James Edwin Bedsole
Law Office of James E. Bedsole
Law Offices of James E Bedsole, LLC 2450 Old
Moultrie Rd Ste 104
Saint Augustine, FL 32086-3100

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **October 16, 1985**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 10th day of **August, 2022**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-194171



This Receipt is issued pursuant to
County ordinance 87-36

**2022/2023 ST. JOHNS COUNTY
LOCAL BUSINESS TAX RECEIPT**
MUST BE DISPLAYED IN A CONSPICUOUS PLACE

Account 1004883
EXPIRES September 30, 2023

Business Type Attorney
Location 2450 Old Moultrie Rd # 104
St Augustine FL 32084

Business Name James E Bedsole

Owner Name Bedsole James E

Mailing Address [REDACTED]
St. Augustine, FL 32086



New Business	
Transfer	
Tax	30.00
Penalty	0.00
Cost	0.00
Total	30.00

**DENNIS W. HOLLINGSWORTH
ST. JOHNS COUNTY TAX COLLECTOR**

This receipt does not constitute a franchise, an agreement, permission or authority to perform the services or operate the business described herein when a franchise, an agreement, or other county commission, state or federal permission or authority is required by county, state or federal law.

This form becomes a receipt only when validated below

Paid by receipt(s) 2021-800322 on 07/07/22 for \$30.00

RFP NO: 22-29; CODE ENFORCEMENT SPECIAL MAGISTRATE

ATTACHMENT "F"
CLAIMS, LIENS, LITIGATION HISTORY
(Complete and Submit)

1. Within the past 7 years, has your organization filed suit or a formal claim against a project owner (as a prime or subcontractor) or been sued by or had a formal claim filed by an owner, subcontractor or supplier resulting from a construction dispute? Yes ___ No X If yes, please attach additional sheet(s) to include:

Description of every action Captions of the Litigation or Arbitration

Amount at issue: _____ Name (s) of the attorneys representing all parties:

Amount actually recovered, if any: _____

Name(s) of the project owner(s)/manager(s) to include address and phone number:

2. List all pending litigation and or arbitration.

NONE

3. List and explain all litigation and arbitration within the past seven (7) years - pending, resolved, dismissed, etc.

NONE

4. Within the past 7 years, please list all Liens, including Federal, State and Local, which have been filed against your Company. List in detail the type of Lien, date, amount and current status of each Lien.

NONE

5. Have you ever abandoned a job, been terminated or had a performance/surety bond called to complete a job?

Yes ___ No X If yes, please explain in detail:

6. For all claims filed against your company within the past five (5) years, have all been resolved satisfactorily with final judgment in favor of your company within 90 days of the date the judgment became final? Yes ___ No ___ If no, please explain why?

NO CLAIMS FILED AT ANY TIME

7. List the status of all pending claims currently filed against your company:

N/A

Liquidated Damages

1. Has a project owner ever withheld retainage, issued liquidated damages or made a claim against any Performance and Payment Bonds? Yes _____ No X _____ If yes, please explain in detail:

(Use additional or supplemental pages as needed)