



*12300 Forest Hill Blvd.
Wellington, FL 33414*

SPECIAL MAGISTRATE SERVICES

REQUEST FOR PROPOSALS ("RFP")

PROPOSAL FOR SPECIAL MAGISTRATE SERVICES IN RESPONSE TO RFP

Submitted by:



John J. Fumero, Esq.

750 Park of Commerce Boulevard, Suite 210

Boca Raton, Florida 33487

t: (561) 686-3307 / f: (561) 982-7116

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Due Date & Time: July 20, 2022 at 5:00 p.m., Eastern Standard Time

SECTION 2



JOHN J. FUMERO
*Board Certified State & Federal Government
& Administrative Practice Lawyer*

E-MAIL ADDRESS:
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(561) 982-7114

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(561) 982-7116

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(561) 315-4595

July 18, 2022

Via Email: jgomez@wellingtonfl.gov

Jeff Gomez, Purchasing Supervisor, Deputy Clerk
Village of Wellington
12300 Forest Hill Blvd
Wellington, Florida 33414

Re: Letter of Interest for Special Magistrate Services, Village of Wellington

Dear Mr. Gomez:

This is in response to the Village of Wellington's ("Village") request for Letters of Interest seeking to serve as Special Magistrate for the Village in Village Code Compliance. For the reasons described below, I respectfully submit I could be an asset to the Village, and the Special Magistrate program.

Based on my experience and credentials, I have a proven track record in presiding over, and participating in, hundreds of, among other things, judicial and quasi-judicial proceedings involving a broad array of land use and local government matters. Consequently, I am uniquely qualified under the terms of Village Ordinance No. 09-4-1 to provide Special Magistrate services to the Village. I have practiced exclusively in the areas of administrative, governmental, zoning, land use, environmental, and real estate law since 1987. I have expertise in all forms of governmental, quasi-judicial and regulatory enforcement proceedings. Having practiced in the public sector, I have substantial experience in governmental law ranging from Sunshine Law to Public Records Law, and completely understand the importance of transparency and accessibility in public service.

My practice involves representation of public and private sector clients before local, state and federal governmental agencies and courts on a variety of matters, including zoning, land use and real estate, permitting, code enforcement and environmental proceedings. I am very familiar with local government law, and local government judicial and quasi-judicial hearings. I have both prosecuted code enforcement actions on behalf of local governments, and defended clients in code enforcement proceedings in various municipalities throughout Florida.

Importantly, I served as a Chairman of the Palm Beach County Environmental Control Hearing Board from 2003-2006, and City Attorney for the City of Okeechobee from 2020 to the

present. In this capacity, I conducted, and presided over, hundreds of formal and informal fact-finding hearings and quasi-judicial hearings. These hearings were equivalent to Special Magistrate hearings. At these hearings, testimony and evidence was entered, and Orders were written and issued by me.

I am Board Certified as a specialist in State and Federal Government and Administrative Practice by the Florida Bar. Board Certification recognizes specialized knowledge, skills and proficiency in state and federal government and administrative law. I am also an “AV Preeminent Rated” attorney, the highest designation awarded by Martindale-Hubbell. Fewer than 100 lawyers hold this designation in the State of Florida. Special Magistrate hearings are a form of, and generally governed by, governmental and administrative law. Additionally, I have been a Florida Supreme Court Certified Mediator for over twelve (12) years. In this capacity, I have mediated hundreds of disputed matters. As such, my dispute resolution skills are well honed.

In addition, I am familiar with the Village’s vision, and associated codes, that focus on natural resources, abundant parks, quality schools, attractive neighborhoods and equestrian interests. I have worked on projects in Wellington, and am familiar with the Village Code as well as a number of the Village staff and the Village management team. Having an office in Palm Beach County and being familiar with the region has given me a unique experience and perspective to serve the Village.

Lastly, as a lifelong resident who was born and raised in South Florida, civic involvement has been a cornerstone of both my professional and personal life. From serving as Board Member, Palm Beach County Food Bank, former President of Leadership Palm Beach County to serving on the Board of Directors of the Knight Foundation, I take much pride in participating in local community and leadership initiatives.

For these reasons, I believe I am qualified to provide Special Magistrate services concerning hearings to enforce the Village’s codes and ordinances in accordance with Chapter 162, Florida Statutes, in an equitable, expeditious, and effective manner to promote, protect, and improve the health, safety, and welfare of the residents of the Village.

Included with this letter is

1. A copy of my resume;
2. A list of professional references; and,
3. My Florida Bar profile evidencing my membership is in good standing with the Florida Bar.

I have never had any grievances filed against me, nor have I ever been suspended or publically reprimanded by the Florida Bar.

I appreciate the opportunity to submit this response for consideration by the Village, and look forward to discussing my qualifications with you and other Village staff. Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Fumero", with a stylized flourish at the end.

John J. Fumero, P.A.
For the Firm

JJF/mdd
Enclosures



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: 0716596
John J Fumero
Nason Yeager Gerson & Fumero, P.A.
750 Park of Commerce Blvd Ste 210
Boca Raton, FL 33487-3611

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 30, 1987**.

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 28th day of **February, 2022**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-171665



SECTION 3

John J. Fumero
jfumero@nasonyeager.com

- City, County, and Local Government Law
- Code Enforcement
- Dispute Resolution and Mediation
- Federal & State Civil and Administrative Litigation
- Sunshine Law, Ethics, and Public Records
- Legislation and Policy Drafting
- Land Use and Zoning
- Public-Private Partnerships
- Public Works Projects
- Procurement and Contracting Support

John J. Fumero provides strategic legal counsel and representation to a wide array of public sector clients, including cities, counties and special taxing districts throughout the State of Florida. He is board certified by the Florida bar in state and federal governmental and administrative law. Fumero has been involved in governmental law for more than three decades, and has represented and advised local governments and other governmental entities, as both general and special counsel. His practice encompasses number of areas including public contracts and procurement, human resources issues, open meeting, ethics and public records laws, zoning and land use regulations and disputes, ordinance and resolution drafting services, permit and licensing applications, code violations, community development projects, intergovernmental agreements, litigation in administrative, state or federal courts, interpretation of local, state and federal laws, ordinances and regulations, representation before state and federal agencies, and complex regulations or document preparation.

Certifications and Recognition

Mr. Fumero is AV rated by Martindale Hubbell, the highest rating an attorney can earn from her peers. He is board certified as a specialist in State and Federal Government and Administrative Practice by The Florida Bar and is also a Florida Supreme Court-certified mediator, and holds certification in Negotiation and Policy from Harvard Law School.

Education

Juris Doctor (JD), University of Miami, Coral Gables, FL

Bachelor of Arts (BA), University of Miami, Coral Gables, FL

QUALIFICATION STATEMENT

JOHN J. FUMERO, for over three decades, has provided strategic legal counsel to a wide array of public and private sector clients throughout the State of Florida. He is board certified by the Florida Bar in State and Federal Governmental & Administrative Law. He formerly served as General Counsel to the South Florida Water Management District, and as general and special counsel to various cities, counties, state agencies and special taxing districts. His practice encompasses procurement, public/private partnerships, property rights, zoning/land use, environmental permitting, public works, including sunshine, ethics and public records laws, as well as litigation related to these areas of law in administrative, state & federal courts. He is also a Florida Supreme Court-certified mediator.

Importantly, he served as a Hearing Officer for the Palm Beach County Environmental Control Hearing Board. In this capacity, he conducted, and presided over, hundreds of formal and informal fact-finding hearings and quasi-judicial hearings. These hearings were equivalent to special magistrate hearings. At these hearings, testimony and evidence was entered, and he wrote and issued Orders. Mr. Fumero presently serves as Special Magistrate for the City of Dania Beach in Broward County, and is the City Attorney for the City of Okeechobee.

He is an “AV Preeminent Rated” attorney, the highest designation awarded by Martindale-Hubbell. He is also Board Certified as a specialist in State and Federal Government and Administrative Practice by the Florida Bar. Board Certification recognizes specialized knowledge, skills and proficiency in state and federal government and administrative law. Special Magistrate hearings are a form of, and generally governed by, governmental and administrative law. Additionally, he has been a Florida Supreme Court Certified Mediator for over twenty (20) years. In this capacity, he has mediated hundreds of disputed matters. As such, his dispute resolution skills are well-honed.

His practice generally involves representation of public sector clients before local, state and federal governmental agencies and courts on a variety of matters, including zoning, land use and real estate, permitting, code enforcement and environmental proceedings. He has both prosecuted code enforcement actions on behalf of local governments, and defended clients in code enforcement proceedings in various municipalities throughout Florida.

For these reasons, he is qualified to provide Special Magistrate Services concerning hearings to enforce the City’s codes and ordinances in an equitable, expeditious, and effective manner to promote, protect, and improve the health, safety, and welfare of the residents of the City.

SECTION 4

ENGAGEMENTS / REFERENCES

City Attorney City of Okeechobee

Engagement: Among other things, oversee City's code enforcement program. Represent City in special magistrate proceedings.

Reference: Gary Ritter, City Administrator

Contact: (863) 763-9811 / gritter@cityofokeechobee.com

Address: 55 SE 3rd Avenue
Okeechobee, FL 34974

General Counsel Port of Palm Beach District

Engagement: Among other things, represent Port in quasi-judicial and code enforcement issues.

Reference: Manny Almira, Executive Director

Contact: (561) 383-4131 / malmira@portofpalmbeach.com

Address: Port of Palm Beach District
1 East 11th Street
Riviera Beach, FL 33404

District Counsel Central County Water Control District

Engagement: Among other things, serve special magistrate in code enforcement proceedings.

Reference: Juan Mata, Seat #5 Chair

Contact: (561) 261-6651 / seat5@ccwcdfl.com

Reference: Herminio Bussott, District Manager
Becky Hernandez, Assistant District Manager

Contact: (863) 983-5797 / manager@ccwcdfl.com and assistantdistrictmanager@ccwcdfl.com

Address: 475 S. Cabbage Palm Street
Clewiston, FL 33440