

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

FLORIDA DEPARTMENT OF ECONOMIC
OPPORTUNITY,

Petitioner,

vs.

Case No. 22-3609GM

CITY OF GAINESVILLE, FLORIDA,

Respondent.

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NOTICE OF HEARING BY ZOOM CONFERENCE

A hearing will be held in this case on February 27 and 28, 2023, at 9:00 a.m., Eastern Time, or as soon thereafter as can be heard by Zoom conference, which can be accessed via the internet, cell phone, or landline. Witnesses, parties, representatives, and/or attorneys, shall be available at the time of the hearing and must be in a quiet place away from noises and distractions at their home, work, or other place of their choosing. Testimony will not be taken from anyone driving a motor vehicle. Continuances will be granted only by order of the Administrative Law Judge for good cause shown.

ISSUE: Whether Comprehensive Plan Amendment No. 22-03ESR will adversely affect an important state resource or facility.

AUTHORITY: Chapter 120, Florida Statutes; and Florida Administrative Code Chapter 28-106, Parts I and II.

The parties shall arrange to have all witnesses and evidence available at the time of hearing. Subpoenas will be issued by the Administrative Law Judge upon request of the parties. Registered e-filers shall request subpoenas through eALJ. All parties have the right to present oral argument and to cross-examine opposing witnesses. All parties have the right to be represented by counsel or other qualified representative, in accordance with Florida Administrative Code Rule 28-106.106. As with any hearing, the failure to appear may constitute a waiver of the right to present evidence, or be grounds for closure of the file without further proceedings.

FILING PLEADINGS, OTHER PAPERS, AND EVIDENCE: The Division of Administrative Hearings ("DOAH") accepts electronic filing of pleadings, other papers, and proposed evidence through its eALJ system. **Counsel and qualified**

representatives must register to e-file through eALJ. Parties not represented by counsel or other qualified representatives are strongly encouraged to register to e-file through eALJ. **Registration is available at <https://www.doah.state.fl.us/eALJ/Registration.aspx>.** Information concerning e-filing pleadings and/or exhibits through eALJ is available at <https://www.doah.state.fl.us/eALJSupport/FilingExhibits/story.html>.

Parties must submit their proposed exhibits and a notice of filing the proposed exhibits at least five days before the hearing. Counsel and qualified representatives must electronically file their proposed exhibits and notice of filing same through eALJ. Parties not represented by counsel or qualified representatives must file their proposed exhibits and the notice of filing: 1) electronically through eALJ after registering to e-file; 2) by U.S. Mail or hand delivery to the Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; or 3) by facsimile to (850) 921-6847. If the proposed exhibits are filed by U.S. Mail, they may be provided in PDF format on a thumb/USB drive. The proposed exhibits will not be considered unless they are admitted into evidence during the final hearing.

Copies of documents submitted to DOAH must have **confidential portions redacted** and be provided to the other parties.

Most hearings are open to the public. Members of the public may observe, but may not participate in the proceedings.

HEARING INSTRUCTIONS:

At least 15 minutes before the commencement of the hearing, the parties and the court reporter are instructed to join the Zoom conference by one of the following two methods:

1. **Computer or Cell Phone with Web Camera** – If there is stable access to the internet and either a computer or cell phone with a camera, access the following website to join the meeting: <https://zoom.us/join>. Each participant will be prompted to download/run the Zoom application and enter the following information:

Meeting ID: 885 7395 8208

Meeting Passcode: 613226

Participants will be placed in a waiting room until their hearing is called. The participants should immediately enable their computer audio and then start their web camera through the "Start Video" icon in the tool bar along the bottom of the Zoom window. If you have stable internet access and a computer/cell phone with a camera, this is the preferred method for attending the hearing.

2. Cell Phone or Landline without Camera – If a participant does not have stable internet access and/or a computer/cell phone with a camera, they may participate in the hearing by dialing the following number from a cell phone or regular landline phone and entering the following information:

Telephone Number: (929) 436-2866
Meeting ID: 885 7395 8208
Participant ID: press the pound symbol (#)
Meeting Passcode: 613226

The following procedures shall apply to the Zoom hearing:

1. Make sure your computer and/or cell phone is fully charged.

2. In order to avoid multiple disruptions, limit participants speaking over each other, and to provide the best overall audio quality, participants are asked to mute their microphones when not speaking. The mute/unmute feature is located at the left-hand side of the bottom of the Zoom window, if using the Zoom application; or by pressing *6, if participating by telephone.

3. Each witness shall be sworn in remotely by the undersigned. Witnesses will need their driver license number or state identification card number, which will be redacted in any transcript of the proceedings.

4. The Zoom recording feature will not be used. The agency shall be responsible for preserving the testimony at the final hearing. Fla. Admin. Code R. 28-106.214.

December 07, 2022



E. GARY EARLY
Administrative Law Judge
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In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's assistant no later than ten days prior to the hearing. The Judge's assistant may be contacted at (850) 488-9675, via 800-955-8771 (TTY), 800-955-1339 (ASCIID), 800-955-8770 (Voice), or 844-463-9710 (Spanish) Florida Relay Service.