



Kenneth A. Tinkler

SHAREHOLDER

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Overview

Ken Tinkler's practice involves a wide variety of government law issues with a focus on land use, environmental and energy permitting, ethics regulation, and election law. His experience includes representing individuals and corporations dealing with federal, state, and local government agencies, as well as representing state, county government, and constitutional officers.

Ken has helped clients navigate a broad range of government law matters, including zoning, future land use plans, ad valorem tax assessments, property tax appeals, code enforcement, variances, annexations, alcohol beverage licensing, tax incentives, and economic development. He has handled numerous large-scale land use due diligence projects for complex real estate transactions on behalf of purchasers, investors, and lenders. Ken routinely handles public hearings and meetings for clients. He also advises on parliamentary procedure questions, Florida's Sunshine Law and public records regulation, and Florida Constitution and home rule issues related to city and county charters, along with assisting local governments with implementing new legislation and ordinance drafting.

Ken also helps clients solve issues involving federal, state, regional, and local environmental regulators, including energy facility siting, submerged lands leases, and redevelopment of brownfields.

His election law experience includes representing local government officials handling election procedures and Federal Voting Rights Act requirements, and advising clients on campaign finance reporting and qualifying for election. He maintains a personal blog on these issues at www.floridaelectionlaw.com.

Ken is board certified in City, County and Local Government Law by The Florida Bar.

Experience

Election Law

- Represented Florida political committees involved with local issue and referendum campaigns and state political races.
- Represented candidates running for statewide office.
- Represented a Florida local government dealing with Department of Justice Voting Rights Act preclearance and election law issues and obtained the needed approval in a timely manner, saving the local government the expense of a special election.
- Represented a Florida supervisor of elections during presidential election year, including handling various legal disputes over voting procedures and ballot eligibility.
- Represented state officials regarding matters involving election procedures and processes during a presidential election year.
- Advised several clients on Florida and federal campaign finance regulations and ways to incorporate the regulations into corporate procedures and employee manuals.
- Assisted client with issues related to candidate appearances and campaign finance regulation.

Ethics Regulations

- Guided former county official through defense of ethics complaint and criminal investigation, along with related contract and severance dispute.
- Advised clients on state and local ethics and lobbying requirements applicable to their operations, including clients in the energy, nonprofit, real estate development, and construction sectors.
- Provide guidance and training to individuals subject to Florida's ethics and lobbying regulations.

Sunshine Law and Public Records

- Assisted multiple private entity clients with resolving the impact of Florida's Sunshine and public records laws on their operations, due to their government contracts and agreements.
- Resolved investigation of local civic group's public responsibilities under Florida's Sunshine and public records laws.

Land Use

- Represented clients throughout the state dealing with complex zoning, comprehensive plan, and redevelopment matters.
- Routinely provide land use counsel related to large-scale development projects throughout Florida for due diligence purposes and feasibility investigations.
- Advise clients on land use regulations related to their property and options available for their project plans.
- Assist clients with variances, special approvals, administrative determinations, property tax appeals, code enforcement, annexations, and other local approvals.
- Handle issues for clients related to alcohol beverage licensing involving state and local approvals throughout Florida.
- Analyze the potential for use of tax incentives and other economic development measures to support project viability and assist clients with multifaceted application processes.

Environmental Permitting

- Obtained approval of brownfield site designations throughout the state from local and state government officials.
- Resolve clients' issues involving submerged lands leases, water management district, and environmental resource permit approvals.
- Assisted client with local environmental regulatory issues related to Chinese drywall.
- Assisted client in determining viability of large energy pipeline installation, including coordination of the federal, state, and local agencies involved.
- Obtained long-term environmental approvals for client from federal and state officials, allowing project expansion plans for the next several decades to move forward.

Other Permitting

- Represented major wireless provider in code enforcement dispute over tower design and configuration.
- Represented national nonprofit in code enforcement dispute over permitted child welfare operations.
- Guided client through new business startup issues connected with the state health department.

Other Local Government Projects

- Representation of Florida city dealing with litigation over constitutional challenge to their local zoning and business regulation process.
- Assisted client with preparation of proposed state legislation.
- Advised client on implementing ordinance updates throughout the state due to legislative changes.
- Represented two charter review boards, including drafting of county charter provisions.
- Drafted local ordinance and resolution provisions to assist local governments with implementing new hearing processes and procedures authorized by general law.
- Represented Florida special district.

All Insights

06.19.2019 Hillsborough County Voters Pass Transportation Surtax – And Now It's June...

04.04.2019 The Developing Climate: How Climate Change Affects the Development Industry

11.08.2018 Hillsborough County Voters Pass Transportation Surtax - What Happens Next?

11.07.2018 Florida Election Recounts – Again

11.07.2018	Florida Voters Enact Automatic Restoration of Voting Rights for Floridians With Felony Convictions
04.09.2018	Florida Election Law Change Impacts Candidates
01.11.2018	Carlton Fields and Firm Client Girl Scouts of West Central Florida, Inc. Finalists for WEDU “Be More” Awards
05.10.2016	Economic Incentive Applications and Florida’s Public Records and Sunshine Law
05.10.2016	Key Economic Incentives for Businesses Considering a Florida Location
04.28.2016	Hillsborough County Adopts Mobility Fees, Ends Push for Transportation Sales Tax
03.27.2016	Will Hillsborough County Adopt Mobility Fees in April?
05.02.2013	Governor Signs Priority Legislation Amending Florida's Ethics Regulation & Campaign Finance Laws
11.07.2012	Local Government Economic Development Property Tax Exemptions
06.04.2012	Florida Redistricting in 2012: The Political and Legal Drama
05.28.2010	PACE (Energy Finance Districts) Now Enabled in Florida
01.12.2009	Florida Election Procedural and Legal Changes from 2000 to 2008: A Primer

Recognition

- Board Certified in City, County and Local Government Law by The Florida Bar (since 2005)
- AV Rated by Martindale-Hubbell
- Chair’s Award for Outstanding Service from the City, County and Local Government Law Section of The Florida Bar (2006)
- Judy Florence Memorial Outstanding Service Award from the Environmental and Land Use Law Section of The Florida Bar (2013)
- Paul S. Buchman Award for Outstanding Legal Public Service from the City, County and Local Government Law Section of The Florida Bar (2014)

Professional & Community Involvement

- The Florida Bar
 - City, County and Local Government Law Section
 - Executive Council Member
 - Chair (2011-2012)
 - Chair-Elect (2010-2011)
 - Secretary-Treasurer (2009-2010)
 - City, County and Local Government Law Certification Committee (2013-present)
 - Chair (2016-2017)
 - Vice-Chair (2015-2016)
 - Environmental and Land Use Law Section
- Justice Teaching Volunteer
 - Franklin Middle Magnet School/Boys Preparatory Academy (2007-present)
 - Ferrell Middle School/Girls Preparatory Academy (2016-present)
- American Bar Association
 - Section of Real Property, Trust and Estate Law
 - Liaison to Environment, Energy and Resources Section (2016-2017)
 - Chair, Land Use and Environmental Group (2014-2016)
- Hillsborough County Bar Association
- American Bar Foundation
 - Fellow
- National Association of Parliamentarians, Tampa Alpha Chapter
- Florida Association of Parliamentarians
- Westshore Alliance
 - Board of Directors, (2010-present)
 - Executive Committee (2017-present)
- Alpha Phi Omega, National Co-Ed Community Service Fraternity (1990-present)
 - National Board of Directors (2016-present)
- Leadership Westshore, Class of 2008
- Tampa Connection, Class of 2005

Speaking Engagements

- "Local Government Law," CLE International, Tampa, FL (March 3, 2017).
- "How the 'Sharing Economy' and Automation Will Change Our Real Estate World," ABA Section of Real Property, Trust and Estate Law's 28th Annual Spring Symposia, Boston (May 13, 2016).
- "Commercial Real Estate: Zoning and Land Use," ABA Section of Real Property,

Trust and Estate Law's Fundamentals of Commercial Real Estate Webinar Series (May 27, 2015).

- "Voter ID and Election Law: The Electoral Landscape in 2012," ABA Law Student Division's 2012 Fall Regional Circuit Meeting, Tampa, FL (September 29, 2012).
- "Florida Election Law Update," Plant City Bar Association, Plant City, FL (September 14, 2012).
- "Swamps & Sinkholes: An Ethics Update for Land Use and Environmental Lawyers," Environmental and Land Use Law Section Annual Conference, Ponte Vedra Beach, FL (August 9-11, 2012).
- "May You Live in Interesting Times: Florida Land Use in 2012," Plant City Bar Association, Plant City, FL (June 8, 2012).
- "Funding and Legal Framework for Florida's Transportation Future," Florida American Planning Association Annual Conference, Tampa, FL (September 15, 2010).
- "Amendment 4 and Florida Election Law," The Florida Bar's Environmental and Land Use Law Section Annual Update, Ponte Vedra Beach, FL (August 13, 2010).
- "Due Diligence Investigations," Florida Legal Education Association's 2010 Real Estate Team Seminar, Tampa, FL (April 16, 2010).
- "Planning, Transit and Voting: Comprehensive Plans, Transit Oriented Development and Amendment 4," Pinellas County Economic Development Council Quarterly Meeting (January 21, 2010).
- "Making Brownfields Work on RCRA Permitted Sites," 12th Annual Florida Brownfields Conference and Exhibition, Tampa, FL (November 1-4, 2009).
- "Land Use Planning for Renewable Energy Generation: Integration into Development Projects," The Florida Bar's Environment and Land Use Law Section Annual Update, Amelia Island, FL (August 20-22, 2009).
- "Green Buildings, Not-So-Green Buildings, and Chinese Drywall," as part of the "Hot Topics in Environmental Law" panel presentation, ABA Annual Meeting, Chicago (August 1, 2009).
- "LULUs (Locally Unwanted Land Uses) - A Panel Discussion," ABA Annual Meeting, Chicago (July 31, 2009).

Pro Bono

Friends of Carrollwood Cultural Center Inc. – Legal counsel for issues related to the nonprofit's public/private partnership, Florida Sunshine Law, and public records obligations tied to its operation of the Carrollwood Cultural Center.

Hillsborough County Charter Review Board – Served as conflict counsel for the 2015-16 Charter Review Board. The Charter Review Board consists of 14 citizens, appointed every five years per a mandate in the Hillsborough County Charter, to conduct a comprehensive study of any or all phases of county government. The board holds two public hearings for any proposed amendments to the charter. Proposed amendments to the charter must be approved by two-thirds of the Charter Review Board members, and then voted on in a public referendum.

Girl Scouts of West Central Florida – Assisted with land use and government

regulatory questions related to the organization's operations.

Credentials

EDUCATION

- University of Florida College of Law (J.D., 1997)
- Boston University (B.A., *cum laude*, 1994)

BAR ADMISSIONS

- Florida

BOARD CERTIFICATIONS

- City, County, and Local Government Law

COURT ADMISSIONS

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida
- Florida State Courts

Background

- Senior Assistant County Attorney, Office of the Hillsborough County Attorney (1997-2006)

Areas of Focus

PRACTICES

- Development
- Eminent Domain
- Energy and Utilities
- Environmental, Land Use and Development Approvals and Litigation
- Environmental Regulation & Litigation
- Government Affairs and Lobbying
- Government Law & Consulting
- Hospitality
- Telecommunications

INDUSTRIES

- Real Estate
- Technology & Telecommunications