



# **City of Daytona Beach Shores**

*"Life is Better Here"*

*"A Premier, Friendly Place to Be"*

## **AGENDA CITY COUNCIL MEETING SEPTEMBER 20, 2019 1:00 PM, Shores Community Center, 3000 Bellemead Drive Daytona Beach Shores, FL 32118**

Upon being recognized, a member of the public shall proceed to the podium and give his or her name and address and may, thereafter, speak for a maximum of three minutes on any matter relevant to a specific agenda item. During "Audience Comments," a member of the public may speak on any matter relevant to City business which is not on the agenda, for a maximum of three minutes in accordance with Section 2-1.1(d) and 2-2 of the City Code. In accordance with Section 2-2, during periods set aside for public discussion any person desiring to speak shall secure a form located at the agenda table, complete the form and present it to the City Clerk so the speaker can be recognized by the presiding officer. The use of profanity, obscene language, threats or any violent or abusive conduct by any person shall constitute a violation of this section. It shall be the duty of the Director of Public Safety, upon the order of the presiding officer at any such meeting, to forcibly, if necessary, evict any person violating the provisions of this section from the Council Meeting Hall. Any such violation shall subject the offender, upon conviction thereof, to a fine and/or imprisonment as prescribed by Section 1-8.

### **CALL TO ORDER BY MAYOR**

### **ROLL CALL BY CITY CLERK**

### **NEW BUSINESS:**

- A. Interviews for Special Magistrate and City Board Members.

### **ADJOURNMENT:**

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED.

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN

ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF DAYTONA BEACH SHORES, 2990 S. ATLANTIC AVENUE, DAYTONA BEACH SHORES, FLORIDA 32118, TELEPHONE NUMBER 386-763-5364, CSCHWAB@CITYOFDBS.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 711 or 1 800 955 8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.



## **CITY COUNCIL AGENDA MEMORANDUM SEPTEMBER 20, 2019 AGENDA**

**TO:** Honorable Mayor and Members of the City Council

**FROM:**

**PREPARED BY:** Cheri Schwab, City Clerk

**SUBJECT:** Interviews for Special Magistrate and City Board Members.

### **SYNOPSIS:**

The City Council is scheduled to interview the 3 applicants for the special magistrate position as well as for vacancies on City boards.

### **FISCAL IMPACT STATEMENT:**

The City Attorney will no longer attend code enforcement hearings as a matter of general course. Thus, although the special magistrate will bill at an hourly rate, that expense will, to a large extent, be offset by the fact that the City Attorney will not be billing for hearings.

The City Attorney will, of course, be of assistance to City staff, as needed, in developing cases. Also, in the most unusual of cases, the City Attorney may attend a hearing and assist staff at the hearing. By way of example, in about the last 10 years or more, since he established the special magistrate process at the City of Sanford, the City Attorney has attended only about 4 hearings for specific matters.

### **BACKGROUND:**

The City Clerk has, or will, advise the City Council as to vacancies upon City boards and applications by citizens to fill such vacancies.

The City has received 3 responses to its procurement activity seeking to engage the services of an attorney to serve as the City's special magistrate.

The City Council may discuss the applications and develop consensus while making decisions, by vote, at its meeting at which these matters will be agendaized.

### **LEGAL REVIEW:**

The City Attorney recommends that the Members of the City Council review each application prior to the interviews being held. The City Attorney is available for consultation, as may be needed.

In sum, the special magistrate will be available for code enforcement hearings, vacant and dilapidated hearings,

condemnation and demolition hearings, marijuana citation hearings and such other hearings and matters as may be assigned to her/him under controlling law.

**RECOMMENDATION:**

The City Council is free to discuss the applications and develop a consensus as to each matter.

Upon a consensus being developed as to the special magistrate position, the City Attorney will seek to engage the potential selectee and the resulting contract will be presented to the City Council for approval at its meeting at which the matter will be finalized.

**SUGGESTED MOTION:**

Consensus may be developed as stated in this agenda memorandum.

- ATTACHMENT:**
1. special magistrate proposals
  2. sept board interview information
  3. board applicants sept 2019



**STEVEN DELAROCHE**  
**ATTORNEY AT LAW**

1005 South Ridgewood Avenue  
Daytona Beach, Florida 32114  
Phone 386.947.0909  
Fax 386.947.0908  
sdelaroche@delaroche-law.com

August 19, 2019

City of Daytona Beach Shores  
Attn: Cheri Schwab, City Clerk  
2990 South Atlantic Ave.  
Daytona Beach Shores, Fl. 32118

Re: Special Magistrate/Hearing Officer

Dear Sir/Madame:

Please find enclosed, the materials requested in the request for qualifications in the application for Special Magistrate/Hearing Officer.

I have practiced law for thirty (30) years, here in the State of Florida. I proudly graduated from Stetson University College of Law in 1989. My first position was with the State Attorney's office as a prosecutor here in Volusia County, Florida. When I left the state attorney's office four years later, I was the career prosecutor for the Seventh Judicial Circuit; your city councilman, Michael Politis and I, represented the State of Florida in seeking the harshest penalties for the worst offenders. I was in private practice for six (6) years, and then was elected as a county court judge. At the time of my election, I was one of the youngest elected judges in the entire state. I served as the Chief Administrative Judge for the ten county judges here in Volusia. During my time on the bench, I presided over many of the issues that are the purview of your General Magistrate position: I interpreted building codes both state and municipal, enforced the ordinances of city's that did not have their own magistrates, as well as presiding twice a month in traffic court.

I am well versed in how to conduct a hearing, and arrive at a fair and well-reasoned conclusion. My references will verify that I was known for running a well organized and citizen friendly courtroom. My demeanor is such that I am very interested in correcting and preventing problems rather than presenting a stern and unsympathetic face to the public.

My practice would allow for conducting hearings at a minimum of twice a month. My requested rate of compensation would be \$170 per hour. This is below my normal rate of billing however, the position of magistrate holds such an interest to me that I am more than willing to provide services at a reduced fee.

Page Two:  
General Magistrate

Since leaving the bench I was appointed by the Volusia County Council to the Volusia County Personnel Board. This five (5) member board is charged with sitting in judgment on all appeals made by employees of Volusia County who have a grievance against county government. We examine the reason for discipline and termination, listen to the argument of the employee and decide if under the conditions of the employment contract as well as the employee handbook the county was justified in their actions. Since being appointed to the personnel board, I am the only board member with perfect attendance.

Thank you for your consideration.

Sincerely,



Steven deLaroche

Sd/sah  
Enclosures:

**Steven N.J. deLaroche**  
**SNJD01@aol.com**  
1005 South Ridgewood Avenue  
Daytona Beach, FL 32114  
(386) 947-0909

## **EMPLOYMENT**

County Judge, Volusia County Florida      Elected by the people of Volusia for two terms- November 2000-February, 2007

Chief Administrative County Judge      Elected by the body of County Judges-  
October 2004 – October 2006

I was charged with the responsibility of managing the administration of justice in the County Court system for Volusia County, Florida. My duties included supervision of eight other County Court judges, in addition to my own docket. During my tenure, I completely revamped our case distribution system to account for shifts in population and issue complexity. .

Criminal Court -assigned 2001 - 2002 & 2004 - 2006

I presided over the largest criminal docket in Volusia County. I closed more criminal cases in each year than any other court in the four county Circuit. I was responsible for every aspect of each case from arraignment to trial and sentencing.

Civil Court -assigned 2003 -2004 & 2007

I presided over a wide array of different types of civil trial cases. Some of my expertise includes subjects such as: contracts and interpretation, land use, landlord/tenant issues, zoning, condominium associations, foreclosure, auto insurance, medical insurance, and debt collection. I was also responsible for all repeat violence injunction cases for the east side of Volusia County.

### Additional Supervisory Responsibilities:

Chairman of the Volusia County Elections Canvassing Board.

I was charged with the responsibility of supervising the Presidential primary and the main election of 2004. My job was to oversee all employees and streamline and monitor the innovative procedures and hardware used to conduct the election. Voter turnout was the largest on record and was a highly charged situation following the issues in the 2000 Presidential election. In this day of election turmoil, neither political party could find any fault or flaw in the conduct of either of the two rounds of election.

Chairman of Probation Selection Committee

I was charged with the review and selection of the vendor for probation services in Volusia County every two years. I negotiated several multimillion dollar contracts between service providers and the county government.

**Instructor- Deland Citizen's Police Academy**

I instruct members of the Citizens on Patrol program in the law, as well as in courtroom presentation and procedures.

**Law Office of Steven N.J. deLaroche      August, 1995- November, 2000**

My practice concentrated on the areas of business, criminal, and family law. I represented small businesses in the construction and personal service industries in contract and commercial actions. I also represented people accused of committing criminal offenses before the Circuit, County, Juvenile Courts of the Seventh Judicial Circuit.

**Law Office of David R. Damore      August, 1994 – August, 1995**

My practice concentrated in the area of criminal law. Offenses ranged from capital crimes to traffic infractions.

**Office of The State's Attorney, 7<sup>th</sup> Judicial Circuit      July, 1990 – August, 1994**

I prosecuted cases at all levels: misdemeanor, felony, and capital crimes. I specialized in the prosecution of child sex crimes from June, 1991 to December, 1993.

I was one of only two attorneys circuit-wide selected by the State's Attorney to run the Career Criminal Division from December, 1993 to August, 1994. We were charged with the duty to seek the toughest possible sanctions and penalties for criminals deemed to be of the greatest danger to the community in the four counties of the 7<sup>th</sup> Judicial Circuit.

I have tried over 175 jury trials, both criminal and civil, to a verdict.

**Daytona Beach Community College,      August, 1991-June, 1995**

Adjunct Professor for Introduction to Law and Probate courses.

**EDUCATION**

Stetson University College of Law, St. Petersburg, FL - Juris Doctorate      May, 1989

Honors:      International Law Moot Court Team  
                 Stetson Law Journal, Editorial Staff

Potsdam College, Potsdam, New York. B.A. Economics - I also earned a minor in Geology      May, 1986

National Judicial College, University of Nevada at Reno, Advanced Trial Evidence. November, 2006

**PUBLICATIONS**

“The Need for a Civil Penalty in Florida’s No-Fault Insurance Law”, Stetson Law Journal Spring 1989, Volume 1, Number2.

**PERSONAL**

Married to Dr. Sondra Avant, D.D.S., M.A. Endodontist

Two children, Marina age 18, Grant age 17

Avid Competitive cyclist. Current holder of two state bicycle racing records.

REFERENCES:

| <u>Name</u>        | <u>Address</u>                                            | <u>Phone</u>   |
|--------------------|-----------------------------------------------------------|----------------|
| Hon. Stasia Warren | 125 E. Orange Ave., Daytona Beach, FL 32114               | (386) 257-6099 |
| Michael Politis    | 730 Dunlawton Ave., Port Orange, FL 32127                 | (386) 333-6613 |
| Bruce Johns        | 737 S. Ridgewood Ave., Suite 120, Daytona Beach, FL 32114 | (386) 256-2586 |

**Lawsuits and Judgments:**

I have not participated in any lawsuit over the past five (5) years as either a Plaintiff or a Defendant. I have represented a couple of hundred clients in civil lawsuits mostly, the family law division. My involvement in these suits was strictly in the form of being the attorney of record on behalf of one of the parties. The list of clients that I have represented would be numerous. None of them, had any dealings with the City of Daytona Beach Shores whatsoever.

**Conflicts:**

I do not presently represent any person or business that has any dealings whatsoever with the City of Daytona Beach Shores. None of my cases would have any impact on my ability to sit as a fair and impartial magistrate.

## DRUG-FREE WORKPLACE CERTIFICATION

**IDENTICAL OR "TIE" SUBMITTALS:** Preference shall be given to businesses with drug-free workplace programs. Whenever two or more proposals which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.
- 3) Give each employee that engages in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893, *Florida Statutes*, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 calendar days after such conviction.
- 5) Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

Steven deharoche Attorney at Law LLC  
Company Name  
Steven deharoche  
Authorized Signature

Print Name

Steven deLaroche

Title owner

# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

**1** Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.  
**Steven deLaroche**

**2** Business name/disregarded entity name, if different from above  
**Steven deLaroche, LLC**

**3** Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☒ Individual/sole proprietor or single-member LLC    ☐ C Corporation    ☐ S Corporation    ☐ Partnership    ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► **S**

**Note:** Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

**4** Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

**5** Address (number, street, and apt. or suite no.) See instructions.  
**1005 S. Ridgewood Ave.**

**6** City, state, and ZIP code  
**Daytona Beach, Florida 32114**

**7** List account number(s) here (optional)

**Requester's name and address (optional)**

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

**Social security number**

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**or**

**Employer identification number**

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|---|---|---|---|---|---|---|---|---|---|

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign Here**    Signature of U.S. person ► *Steven deLaroche*    Date ► *8/19/2019*

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
  - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
  - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
  - Form 1099-S (proceeds from real estate transactions)
  - Form 1099-K (merchant card and third party network transactions)
  - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

# Statement of Qualifications

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Special Magistrate/Hearing Officer  
*for the*  
City of Daytona Beach Shores, Florida

Prepared by: Lori J. Sandman, Esq.  
Sandman Law Office, PLLC  
112 Orange Ave., Suite 202 Daytona Beach, FL 32114  
(386)206-2898 [Lori@SandmanIP.com](mailto:Lori@SandmanIP.com)

# Letter of Transmittal

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August 12, 2019

City of Daytona Beach Shores  
Cheri Schwab, City Clerk  
2990 South Atlantic Avenue  
Daytona Beach Shores, FL 32118

Daytona Beach Shores,

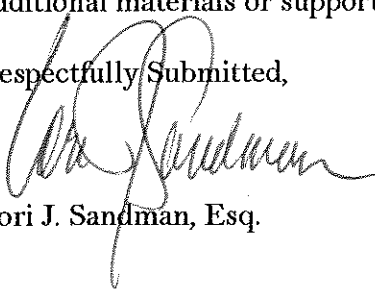
I am pleased to submit this Statement of Qualifications in response to the Request for Qualifications for the Special Magistrate/Hearing Officer position currently advertised. It has been timely filed, and your consideration of my credentials is sincerely appreciated.

I am prepared to undertake the scope of work as advertised, including the provision of special magistrate/hearing officer services under the code enforcement, land use and other governmental functions of the City. I have reviewed the provisions of the City Code relating to code enforcement and other matters and am familiar with the general provisions of the codes and ordinances of the city. I am prepared to commence services on October 1, 2019, and I possess the requisite skills and licensure to do so.

I am a local attorney licensed in Florida, Pennsylvania, and also with the United States Patent and Trademark Office (USPTO) as a patent attorney. I have been practicing for more than 10 years. Our firm presently works with a variety of individual and business clients, serving primarily small and emerging businesses in the Daytona area. Prior to moving to Florida full time in 2013, I served for many years as the first female planning commissioner for my township in its more than 200-year history. I am familiar with township planning, supervisory and management structures and would consider it a privilege to serve the City of Daytona Beach Shores. I am committed to timely performance of the work should I be selected.

Attached please find a complete Statement of Qualifications as outlined in the Request for Qualifications with a due date of August 19, 2019. I am more than happy to provide any additional materials or support documentation of my qualifications or office.

Respectfully Submitted,



Lori J. Sandman, Esq.

# Qualifications

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Attorney Lori Sandman respectfully submits the following qualifications for the position of Hearing Officer/Magistrate. Broadly, the following qualifications provide the experience and licensure that meet or exceed the City's requirements for this position. A resume is also attached.

Should it be necessary, paralegal Heather Bragg of the Sandman Law Office can assist with administrative, document preparation or filing, or other legal support tasks.

Attorney Lori Sandman is a Central Florida business lawyer, focusing on intellectual property law. Sandman is the founder of the Sandman Law Office, PLLC. She is presently the Chair of the Solo/Small Practice section of the Volusia Bar Association, and incoming member of the Board of Directors of the Volusia Bar Association. Attorney Sandman's IP practice areas include trademarks, copyright, patent and trade secret law. She also has extensive experience teaching and working in business and transactional law, as well as alternative dispute resolution.

In her private law practice, she offers focused IP and business law services to her clients, including the following:

- Trademark registration, USPTO appeals and defending trademark from cases of infringement.
- Copyright registration and defense.
- Patent drafting and prosecution, USPTO appeals and representation before the USPTO on all patent matters (special licensure required).
- Consulting with clients to ensure that proposed trademarks or inventions are sufficiently unique, protectable in an infringement case and eligible for trademarking or patenting with the USPTO.
- Assistance with alternative dispute resolution through negotiation, mediation, and arbitration.
- Drafting licensing agreements for intellectual property and written agreements granting exclusive or non-exclusive rights.
- Drafting and reviewing written agreements, contracts and transactional terms.

In addition to being a local attorney, Ms. Sandman is also licensed to practice in the United States District Court for the Middle District of Florida, the Commonwealth of Pennsylvania, the United States District Court for the Eastern District of Pennsylvania, and the United States Court of Appeals for the Federal Circuit. Lori is also a licensed patent attorney through the United States Patent and Trademark Office (USPTO).

Ms. Sandman holds a Bachelor of Science degree from the University of Vermont, where she studied Biochemistry and Molecular Biology. She went on to attend the University of Montana School of Law in Missoula, where she earned her Doctor of Jurisprudence (J.D.) degree. She is certified in Alternative Dispute Resolution (ADR) and Collaborative Law Practice (PACP). She spent a number of years working in Berks County, Pennsylvania, in private law practice and

serving as court-approved mediator and arbitrator. Lori also holds a certification in civil/circuit mediation from the Florida Supreme Court.

Outside of law practice, Ms. Sandman teaches business law, transactions, and patent law from time to time at Embry-Riddle Aeronautical University and Florida Coastal School of Law as Adjunct Professor. She proudly serves as Attorney and Executive in Residence for ERAU's prestigious Center for Entrepreneurship.

Ms. Sandman was recently recognized as one of Volusia County's Influential Women by the Daytona News-Journal. In addition to her work with the Volusia Bar, serves on several local boards of directors, in both for-profit and non-profit business concerns. She is a proud recipient of the American Bar Association Award for Excellence in the study of Intellectual Property Law. In addition to having knowledge in the area of law, she also has extensive training, practical and academic experience in the areas of environmental and natural resources management, molecular biology and biochemistry. She is also a member of the National Association of Professional Women (NAPW), the Berks County Bar Association, the American Intellectual Property Lawyer's Association (AIPLA), the Florida Bar, the Pennsylvania Bar Association, the International Academy of Collaborative Practice (IACP) and the Pennsylvania Collaborative Practice (PACP).

This year, Attorney Sandman has been named as a Rising Star in Super Lawyers Florida 2019. She is one of only 22 Intellectual Property Attorneys in the state recognized for this award.

Learn more at [www.SandmanIP.com](http://www.SandmanIP.com)

## **Lori J. Sandman, Attorney at Law**

2580 Spruce Creek Blvd., Port Orange, FL 32128  
406.396.5804 Lori@sandmanIP.com www.sandmanIP.com

### **EDUCATION**

University of Montana School of Law, Doctor of Jurisprudence Degree (2008)

★ American Bar Assoc. Award for Excellence in the study of Intellectual Property Law

★ Outstanding Student in International Law Award, University of MT

University of Vermont, Bachelor of Science Degree in Biochemistry (1986)

### **SUMMARY OF QUALIFICATIONS**

- Owner and manager, Sandman Law Office, PLLC
- Adjunct Professor, Florida Coastal School of Law and Embry-Riddle Aeronautical University
- Admitted to practice before the Supreme Courts of Florida, Pennsylvania, the US Court of Appeals for the Federal Circuit and the United States Federal Court for the Eastern District of Pennsylvania
- Patent Attorney, United States Patent and Trademark Office (USPTO)
- Certified in Alternative Dispute Resolution (ADR); Florida Supreme Court Approved Civil/Circuit Court Mediator, Pennsylvania Court Approved Mediator and Arbitrator
- Biochemistry degree with graduate coursework, research, and publications in molecular biology
- Proficiency and demonstrated ability with
- Experience in preparation and design of news releases, press correspondence and information dissemination; competency in grant writing, proposal development, review and grant management.

### **RELEVANT EXPERIENCE**

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Attorney, Sandman Law Office, PC Reading, PA and Daytona Beach, FL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 2010-Present |
| Practice focuses on intellectual property, alternative dispute resolution and general law matters. Experienced with diverse clients and inventions, drafting and prosecuting patent, trademark and copyright applications, and defending intellectual property rights. Broad experience with entertainment and sports law. Demonstrated ability to develop and negotiate IP related agreements, including collaboration, joint development, and license contracts; also proficient with client counseling including IP strategy formulation and preparing legal opinions. Certified in Alternative Dispute Resolution (ADR) and extensive experience as a mediator and arbitrator applied to corporate matters. |              |
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- |                                                                                                                                                                                                                                                                                                                                                                                                                           |              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Arbitrator and Mediator, Berks County Court of Common Pleas, Reading, PA                                                                                                                                                                                                                                                                                                                                                  | 2009-Present |
| Florida Supreme Court Civil/Circuit Certified mediator. Pennsylvania court-approved arbitrator and mediator for county's custody and mandatory arbitration programs. Provide mediation services in matters including intellectual property, custody dispute and settlements, and arbitration on a range of civil matters. Also currently providing private mediation and negotiation services and collaborative practice. |              |
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- |                                                                                                                                                                                              |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Intellectual Property Counsel, Cobb Cole Law Office, Daytona Beach FL                                                                                                                        | 2013-2014 |
| Practice involved intellectual property law, including patents, trademarks, trade secrets and copyright law. Other areas of practice include contracts, licensing and transactional matters. |           |
- 
- |                                                                                                                                                                                                       |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Legal Intern, Datsopoulos, McDonald and Lind, P.C., Missoula, MT                                                                                                                                      | 2006-2008 |
| Demonstrated proficiency in a broad spectrum of legal services including complex contract development and analysis, commercial transactions, document drafting and filing, and regulatory compliance. |           |

## **ADDITIONAL PROFESSIONAL EXPERIENCE**

**Adjunct Professor of Patents, Business Law and Transactional Drafting** 2014-Present  
Professorship at Florida Coastal School of Law and Embry-Riddle Aeronautical University.

**Owner, Sandman Builders, Inc., Strausstown, PA** 1991-Present  
Family owned and operated construction company specializing in timber frame and post & beam designs.

**Natural Resources Consultant, Stroud Water Research Center, Stroud, PA** 8/04-12/05  
Partnered with landowners to fund and establish water quality projects individually designed for reduction of impacts on streams. Negotiated, developed, and implemented contracts with landowners to build and maintain forested buffers along streams for property and environmental enhancement.

**Executive Director, The Environmental Quality Initiative, Inc., Bethel, PA** 6/99-7/04  
Developed business concept and procured subsequent funding through grant research and writing. Directed business development and incorporated non-profit business. Established trademark and brand recognition for a new fluid milk product (Chesapeake Milk™), created to encourage consumer participation in environmental protection. Designed and implemented federally-funded consumer marketing research. EQI Research and test market experience was featured in several books including The Ecological Agrarian (Grewell and Landry, Purdue University Press, 2003), and Saving the Bay (Dorbin and Dorbin, John Hopkins 2001).

**Project Manager, Rodale Institute, Kutztown, PA** 4/96-6/99  
Program director for multi-agency project involved with compliance, environmental management and profitability. Coordinated team, managed agency budget and resources, advised partner organizations and delivered comprehensive plans and reports on grant funding, goal achievement and progress.

**Biochemistry/Molecular Biology Researcher:** 5/87-5/92  
♦Penn State/Milton Hershey Medical Center. Research Associate, Pathology Department. Position related to the study of intracellular communications. Utilized state of the art clinical methodology for advanced research and development. March 1991-June 1992.

♦Dartmouth Medical School. Research Associate, Molecular biology and genetics studies involving leukemia retrovirus and its transcriptional regulation. November 1989 - Dec. 1990.

♦Harvard Medical School. Research Associate, Department of Physiology and Biophysics. Studies and publications related to nuclear lamin genes and cell cycle regulation. May 1987 - May 1988.

## **PROFESSIONAL & COMMUNITY LEADERSHIP/AFFILIATIONS**

- Executive and Attorney in Residence, the Center for Entrepreneurship
- Co-Chair, Solo and Small Practice Section of the Volusia Bar Association
- Leadership Daytona BCE XXXIV
- Past Director, Riverfront Federal Credit Union Board of Directors
- Associate Director, Berks County Conservation District
- Member, American Intellectual Property Law Association
- Member, International Academy of Collaborative Professionals (IACP) and PACP
- American and Berks County Inns of Court
- Berks County and Pennsylvania Bar Associations, IP and Family Law Practice Groups
- Upper Tulpehocken Township Planning Commission—Past Chairman and 10 year member
- International Law Student Assoc.—Past President (2006-2007), Treasurer (2007-2008)
- Past president and founding member of the Hamburg Area Education Foundation
- Past member of the USDA's Sustainable Agriculture Research and Education Administrative Council (SARE)

2019/2020

## Volusia County Business Tax Receipt

Issued pursuant to F.S. 205 and Volusia County Code of Ordinances Chapter 114-1 by:  
Volusia County Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 - (386) 736-5938



Account # 201411100001 Expires: September 30, 2020  
Business Location: 110 ORANGE AVE

Business Name: SANDMAN LAW OFFICE PLLC  
Owner Name: LORI SANDMAN  
Mailing Address: 112 ORANGE AVE STE 202  
DAYTONA BEACH, FL 32114

| BUSINESS TYPE                  | REQ DOC # | CODE | COUNT | TAX     |
|--------------------------------|-----------|------|-------|---------|
| Business Service State Lic Req | 112160    | 472  | 2     | \$22.00 |

- This receipt indicates payment of a tax, which is levied for the privilege of doing the type(s) of business listed above within Volusia County. This receipt is non-regulatory in nature and is not meant to be a certification of the holder's ability to perform the service for which he is registered. This receipt also does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.
- The business must meet all County and/or Municipality planning and zoning requirements or this Business Tax Receipt may be revoked and all taxes paid would be forfeited.
- The information contained on this Business Tax Receipt must be kept up to date. Contact the Volusia County Revenue Division for instructions on making changes to your account.

**THIS PORTION OF THE BUSINESS TAX RECEIPT MUST BE  
POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS**

## Volusia County Business Tax Receipt

Revenue Division - 123 W Indiana Ave, Room 103, DeLand, FL 32720 - (386) 736-5938

DATE PAID: 07/23/2019  
RECEIPT #: WWW-18-0034317  
TOTAL TAX: 22.00  
PENALTY: 0.00  
TOTAL PAID: 22.00



Business Name: SANDMAN LAW OFFICE PLLC  
Owner Name: LORI SANDMAN  
Mailing Address: 112 ORANGE AVE STE 202  
DAYTONA BEACH, FL 32114



Account # 201411100001 Expires: September 30, 2020  
Business Location: 110 ORANGE AVE

PLEASE DETACH THIS PORTION OF THE BUSINESS TAX RECEIPT FOR YOUR RECORDS

## DRUG-FREE WORKPLACE CERTIFICATION

**IDENTICAL OR "TIE" SUBMITTALS:** Preference shall be given to businesses with drug-free workplace programs. Whenever two or more proposals which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.
- 3) Give each employee that engages in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893, *Florida Statutes*, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 calendar days after such conviction.
- 5) Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

SANDMAN LAW OFFICE, PLLC  
Company Name  
Chris J. Sandman, Esq.  
Authorized Signature

### **PUBLIC ENTITY CRIME AFFIDAVIT**

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid/quote/proposal on a contract to provide goods or services to a public entity, may not submit a bid/quote/proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids/quotes/proposals on leases of rental property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, *Florida Statutes*, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

Neither myself nor any affiliate that I am aware of has ever been placed on the convicted vendor list.

W. J. Sandman, Esq.

## Fee Proposal

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The proposed compensation rate for the services provided herein is **\$170.00/hour**. It is understood that minimum hearing time is two (2) hours, and that there shall be no reimbursable and/or out of pocket expenses billed, including but not limited to word processing, photocopying, faxing, etc.

Local travel costs associated with the work shall be charged at the prevailing and acceptable cents-per-mile rate. Presently, the federal standard mileage rates for cars are at fifty-eight cents per mile (USD \$0.58); this or reasonably comparable local travel reimbursement is acceptable.

## Other Information Required

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List of judgments or lawsuits in which involved in the last 5 years:

| Case                                                                                                                 | Nature of Lawsuit                                                                                                                                                      | Resolution                                                                        |
|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Lewis Machine & Tool Co. v. AR MR2, Inc.                                                                             | Administrative - TTAB - Trademark Opposition No. 91216578                                                                                                              | Settled                                                                           |
| Panther Rock Wine Company & Bronco Wine Company v. 6 Degree Tequila, LLC                                             | Administrative -TTAB - Trademark Cancellation No. 92067752                                                                                                             | Pending Settlement                                                                |
| Oogaa Home, LLC v. Oogababy AS                                                                                       | Administrative - TTAB - Trademark Opposition No. 91216520                                                                                                              | Settled (amendment to trademark application resulted in withdrawal of opposition) |
| Paladar Mfg Inc. v. Big Papa's, LLC                                                                                  | Administrative - TTAB - Trademark Cancellation No. 92058724                                                                                                            | Settled                                                                           |
| Paladar Mfg Inc. v. Big Papa's, LLC                                                                                  | Administrative - TTAB - Trademark Cancellation No. 92058736                                                                                                            | Settled                                                                           |
| The City of Chicago v. Eliquid Depot, et al. Case No. 2018 CH 14183 - Chancery Division in Cook County Circuit Court | Injunction (in part) matter based on Chicago Bureau of Consumer Protection and Business Affairs sting operation into online sales of e-cigarettes and related products | Dismissed as to represented defendant                                             |
| JUUL Labs., Inc. v. Noah Dovberg, No. 6:18-cv-02018 (M.D. Fl.)                                                       | Patent Infringement matter                                                                                                                                             | Settled                                                                           |
| Broadcast Music, Inc., et al v. McKenna's Place Port Orange, Inc., Case No. 6:19-cv-971-ORL-40GJK, (M.D. Fl.)        | Copyright Infringement                                                                                                                                                 | Settled                                                                           |

I have no clients currently represented that could cause a conflict of interest with responsibilities to the City. I can resolve any future conflicts by declining representation with a future matter, or by immediately identifying the conflict and advising the City or magistrate court of the conflict.

A copy of my business license, Pennsylvania and Florida Bar licenses are attached.

**References:** The following references are provided, and are aware that they may be called to provide information concerning qualifications and fitness for the proposed work:

1. Attorney Lonnie Groot  
**STENSTROM, MCINTOSH, COLBERT & WHIGHAM, P.A.**  
300 International Parkway, Suite 100  
Lake Mary, Florida 32746  
Phone: (386)748-3685  
Website: [www.stenstrom.com](http://www.stenstrom.com)
2. Attorney Scott Seagrave  
100 Cessna Blvd. Suite 1A  
Port Orange, FL 32128  
Phone: (386) 478-7202  
Email: [info@seagravelawoffice.com](mailto:info@seagravelawoffice.com)
3. Attorney Sarah Caldwell  
210 South Beach Street  
P.O. Box 2023  
Daytona Beach, FL 32115  
Phone: (386) 258-1950

**Statement of Assurance:** Applicant Lori Sandman hereby states and assures that neither the attorney nor the firm are presently (nor have ever been) in violation of any statutes or regulatory requirements that might have an impact on the firm's operations, including those of The Florida Bar Association. Furthermore, no litigation has been filed against the firm or key personnel in the past 3 years related to similar type of services requested.

**Affirmative Statement:** If awarded the contract, Applicant is prepared to confirm no conflicts of interest either directly or indirectly with any party exist. Because of the nature of the practice, Applicant does not presently make local court appearances, and it is therefore unlikely that conflicts will arise. The majority of client representation is before the United States Patent and Trademark Office (USPTO), a federal administrative forum, and many of them are from other counties or states. Should any potential conflict arise, Applicant shall identify the party, the nature of the conflict, and a direct and immediate proposed means of resolution.

**Liability Insurance:** Applicant is prepared to meet any insurance requirements necessary.

**Forms:** The forms are attached and include the Statement on Public Entity Crimes and Drug-Free Work Place form.

This proposal is firm and valid for 60 calendar days from the date of submission.

**SHEPARD, SMITH,  
KOHLMYER &  
HAND, P.A.**

2300 Maitland Center Pky.  
Suite 100  
Maitland, FL 32751  
PH: (407) 622-1772  
FAX: (407) 622-1884  
[www.shepardfirm.com](http://www.shepardfirm.com)  
Contact: Jacob Schumer

Statement of Qualifications  
for:  
Special Magistrate/Hearing  
Officer Services

August 14, 2019



SHEPARD, SMITH, KOHLMYER & HAND, P.A.  
ATTORNEYS & COUNSELORS AT LAW

SHEPARDFIRM.COM

August 14, 2019

**VIA FEDERAL EXPRESS**

City of Daytona Beach Shores  
Cheri Schwab, City Clerk  
2990 S. Atlantic Avenue  
Daytona Beach Shores, Florida 32118

**RE: SPECIAL MAGISTRATE/HEARING OFFICER**

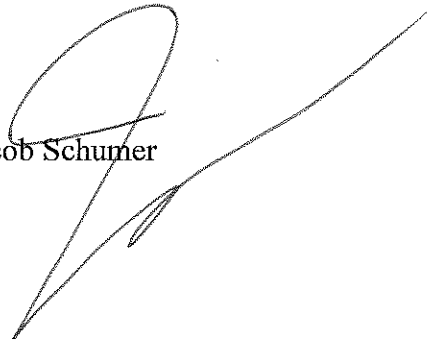
To Whom It May Concern:

I am pleased to submit this response to the City's RFQ for Special Magistrate Services on behalf of myself and my firm. Having reviewed the scope of services described by the RFQ, we can confidently commit to providing all the requested services in a timely manner.

With three attorneys Board Certified in City, County and Local Government Law, our firm employs attorneys with the knowledge, skills, and intellectual curiosity demanded by a practice deeply rooted in local government law. We currently serve as counsel to the following central Florida municipalities: Maitland, Dunnellon, Davenport, Edgewood, Flagler Beach, Mascotte, and the Town of Ponce Inlet. We also represent numerous other governmental bodies, such as CRAs and special districts. Two of our attorneys currently serve as special magistrates for other municipalities: Drew Smith (St. Cloud) and Andrew J. Hand (Ocoee). Their experience evidences our firms' qualifications and commitment to the field of local government law and specific expertise in code enforcement duties.

If we are fortunate enough to be selected to provide special magistrate services to the City and its citizens, we will perform those services competently and with the highest standard of professionalism.

Very truly yours,

  
Jacob Schumer

JJS/ljs  
Enclosures

## C. QUALIFICATIONS AND EXPERIENCE

Jacob Schumer would serve as the Firm's primary attorney providing special magistrate services to the City. After graduating from Vanderbilt Law School, Mr. Schumer began his legal practice as an Assistant Public Defender for the Ninth Judicial Circuit. In that capacity, Mr. Schumer litigated hundreds of cases in open court, including violations of city and county ordinances, gaining extensive experience with courtroom procedure and the law of evidence. Since joining Shepard, Smith, Kohlmyer & Hand in 2017, Mr. Schumer has served the firm's local government clients by consulting on issues of code enforcement, land use, and administrative law, including drafting numerous ordinances and resolutions.

Clifford B. Shepard would serve as the alternate special magistrate in the event Mr. Schumer is unavailable due to illness or other professional scheduling conflict. Mr. Shepard is a member in good standing of the Florida (1985), Tennessee (2006) and District of Columbia (1988) Bar Associations. Mr. Shepard is Board Certified by the Florida Bar in City, County and Local Government Law, and he attained an AV rating from Martindale-Hubbell in 1995. Currently, he serves a City Attorney for the Cities of Apopka and Maitland, as well as the Town Attorney for the Town of Ponce Inlet. In addition, Mr. Shepard practices extensively in the areas of local government law, employment, defense, real estate, construction law, complex commercial litigation and community association law.

Please find attached resumes for Mr. Schumer and Mr. Shepard, as well as a bio for the Firm as a whole. For ease of reference, specific pertinent information on Mr. Schumer is set forth below:

***Jacob J. Schumer*** – **Education:** University of California, Santa Cruz, B.A. (2010); Vanderbilt University Law School, J.D. (2014). **Bar Membership:** Florida (2014). **Practice concentrations:** local government law, commercial litigation, land use litigation, constitutional law. **Experience:** Assistant Public Defender, Public Defender for the Ninth Judicial Circuit (2014-2017); Associate Attorney, Shepard, Smith, Kohlmyer & Hand, P.A. (2017-present). **Memberships:** Orange County Bar Association; Florida Bar Governmental and Public Policy Advocacy Committee.

**SHEPARD, SMITH, KOHLMYER & HAND, P.A.**, is a full-service commercial law firm with a specialty in local government law. In its local government practice, it represents the Cities of Maitland, Davenport, Dunnellon, Edgewood, Flagler Beach, Mascotte and the Town of Ponce Inlet as general counsel. In that capacity, the Firm represents these municipalities in all matters in which legal services are needed. Services provided by the Firm include, but are not limited to, litigation, community redevelopment (CRA), public finance, police legal advising, code and charter revision, code enforcement, land use and zoning disputes and negotiations, personal injury defense, worker's compensation and Sunshine Law/Public Records compliance. The Firm also serves as counsel to the CRAs of Jacksonville Beach, Bunnell, Lakeland and Panama City.

While all of the Firm's attorneys practice local government law, the Firm's shareholders are all Board Certified as experts in City, County and Local Government Law by The Florida Bar.

As a full-service commercial law firm, **SHEPARD, SMITH, KOHLMYER & HAND** has deep experience in many other areas that complement our local government practice, including employment law, construction, real estate law, alternative dispute resolution and mediation, and appellate law. We believe our versatility in many fields of law is a substantial advantage to our governmental clients in that it limits the need to seek multiple special counsels in these areas.

## **FIRM'S EXPERIENCE & REPRESENTATIVE RESULTS**

### ***Ordinances and Resolutions:***

As the City Attorney for various municipalities, firm has prepared the following ordinances and regulations, among others, in the past six years:

*Pain Management Clinic ordinance* – regulating and controlling the proliferation and operation of pain management clinics and pharmacies;

*Internet café ordinance* - regulating and controlling the proliferation and operation of internet cafes utilized for internet gambling;

*Noise regulation* – regulating noise disturbances;

*Sign regulation* – reviewing and amending sign code to comply with constitutional standards;

*Early voting ordinance* - opting out;

*Alcohol sales ordinance* - permitting Sunday sales;

*Sexual predator regulation* - restricting residency to more than 2500' from certain areas;

*Local traffic only ordinance* - restricting certain roads to local traffic at certain hours;

*Electric franchise renewal* - new 30-year agreement with Progress Energy;

*Bond referendum* - putting \$18.5 million in general obligation bonds to voters;

*Nuisance* - establishing what constitutes nuisance and penalties;

*Annexation ordinances* - multiple voluntary additions to City;

*Height ordinance* - regulating building heights in downtown district

*Planned development ordinance* - creating planned development zoning;

*Nitrogen fertilizer ordinance* - prohibiting nitrogen fertilizers;

*Boat dock ordinance* - addressing code and permitting issues for boat docks, boat houses, etcetera.

***Bond Issues (Issuer's Counsel):***

*City of Maitland Florida* - \$15,775,000 Limited Tax General Obligation Bonds, Series 2005;

*City of Mount Dora* - \$3,635,400 Capital Improvement Refunding Revenue Bond Series 2011;

*City of Mount Dora* - \$2,500,000 Capital Improvement Refunding Note, Series 2009.

***Litigation involving city, county and local government law:***

***Olssen v. Garfinkel and Maitland*** – Citizen initiated lawsuit against another citizen over the construction of a dock and challenging the City's issuance of the permit as violative of due process. Settled.

***Fairbrother, et al. v. Windermere*** – Citizen initiated lawsuit seeking declaration of ownership as to lakefront right-of-way. Settled.

***Deane, et al. v. Windermere*** - Citizen initiated lawsuit seeking declaration of ownership as to lakefront right-of-way. Settled.

***Winter Park Construction v. Maitland*** – Construction company suit for breach of contract and inverse condemnation against City. City won on summary judgment.

***Hough, Book and Ax the Tax v. Maitland*** – Challenge to G.O. bond referendum based on language and construction of ballot. City won at trial.

***Maitland v. Hough, Book and Ax the Tax*** – Bond validation action. City won at trial and upheld 7-0 on appeal to Fl. Supreme Court.

***Matthews v. Maitland*** – Cert. petition amended to become declaratory and injunctive action challenging City's approval of a development agreement. City won on

summary judgment.

***Lee & Root v. FDEP*** – Administrative challenge to Windermere Lake Down Park grant. Dismissed by administrative law judge.

***Windermere v. Ford Ranger Truck*** – Forfeiture of truck used in commission of a felony. Town obtained truck.

***Ocean Palm Golf Course, et. al. v. City of Flagler Beach*** – Declaratory action challenging City's denial of a comprehensive plan amendment. City won at trial.

***Firm's Representative Results:***

***Winter Park Construction v. City of Maitland -***

Winter Park Construction ("WPC") came to the City for permitting and approval of its site plan and for the issuance of building permits for its new headquarters. During the process, it was determined by the City that new fire and building codes required a larger water line be brought through the property at significant additional expense to the applicant. The City agreed to waive certain fees in a good faith effort to mitigate some of the additional costs. More than a year after the project was completed, WPC filed suit against the City alleging the City had breached its contract with WPC by not giving it the promised fee credits during construction. Upon review of City records and depositions of several City staff members it was determined that the appropriate fee credits/waivers had been given.

Thereafter, Plaintiffs moved to amend their complaint to abandon the breach of contract claim and assert a claim for inverse condemnation based on the uncompensated use of WPC's property to provide a water line to adjacent property. Because the amendment was offered after the limitations period had expired, the City filed a Motion for Summary Judgment asserting statute of limitations. WPC argued that its amended claims arose from the same set of operative facts as had its original claims and that the 'relation back' doctrine preserved its cause of action. The City argued that the claim did not relate back because it dealt with an entirely different body of law (constitutional law vs. contract law and federal law vs. state law), had entirely different remedies (just compensation vs. benefit of the bargain), and its core issues were different (whether there was a taking vs. whether there was a contract). The court agreed with the City and granted its Motion for Summary Judgment. There was no appeal.

*Matthews, et. al. v. City of Maitland, City et. al. -*

Petitioners filed a Petition for Writ of Certiorari and Complaint for Declaratory Relief in the Circuit Court challenging a Developer's Agreement entered between the City of Maitland and BSP/Florida, LLC. The Developer's Agreement provided for the construction of a mixed-use development within the City's Community Redevelopment Area. In their Petition for Writ of Certiorari, the Petitioners argued that they were denied due process as a result of the City proceeding with a regularly scheduled and properly noticed hearing which was held three days after Hurricane Charley had passed through Central Florida. In the declaratory action, Petitioners argued the approval of the Developer's Agreement was unconstitutional because the standards contained in the City's Downtown Maitland Master Plan and Downtown Maitland Revitalization Plan failed to contain sufficient criteria upon which the City Council and Planning and Zoning Board could exercise its discretionary powers. Because the Petition for Writ of Certiorari called for findings of fact regarding the circumstances surrounding Hurricane Charley, the case was transferred from the Appellate Division to the Civil Division and the parties conducted substantial discovery. During the depositions of the Petitioners the City discovered that none of the Petitioners had been physically unable to attend the Council meeting conducted on August 16, 2004, a fact which directly contradicted sworn affidavits attached to the Petition for Writ of Certiorari and Complaint as well as verified responses to the City's interrogatories. Accordingly, the City prevailed on a motion for sanctions based on the false affidavits pursuant to Section 57.105, Florida Statutes.

After pursuing their action as a Petition for Writ of Certiorari for a year, the Petitioners moved for and were granted relief to amend their claim. The amended claim abandoned the Petition for Writ of Certiorari and was stated solely as an original action for declaratory relief. Subsequently, the City filed a motion seeking summary judgment on all eleven counts of the Amended Complaint. The City argued that the Petitioners could not, as a matter of law, prevail on the claims brought in the Amended Complaint. Specifically, the City argued: 1) the agency action sought to be reviewed was quasi-judicial and therefore, the Petitioners had abandoned the only properly filed action; 2) the Petitioners were not entitled to any relief pursuant to Part II of Section 163, Florida Statutes, because the Developer's Agreement challenged was not a Section 163, Part II agreement; 3) the Petitioners were not "adversely affected parties" and were therefore not entitled to relief under Section 163.3215; and 4) the Petitioners' original action, even if properly brought pursuant to Section 163.3215 was time barred. After hearing on the Motion for Summary Judgment, the court granted the Motion as to all eleven counts.

*Ocean Palm Golf Course, et. al. v. City of Flagler Beach –*

The Plaintiffs sought a comprehensive plan amendment to change to single family residential the future of land use designation of a golf course that, since the adoption of the City's comprehensive plan, had been designated for recreation use. After multiple public hearings, the City Commission denied the request to change the future land use designation of the property. The Plaintiffs subsequently sought a declaratory judgment asking the Court to require the City to approve the requested Comprehensive Plan Amendment.

After approximately two years of litigation involving various pretrial motions and discovery, the case went to trial. After a two day trial during which both sides called multiple fact and expert witnesses, the Court ruled in favor of the City.

*Pacetta, LLC, et al. v. Town of Ponce Inlet*

The Plaintiffs sought a comprehensive plan amendment to allow a large-scale boat storage facility in a historic river district. After multiple public hearings, the Town denied the request. The Plaintiffs subsequently brought a multitude of actions alleging that the Town's actions constituted a regulatory taking, unconstitutional retaliation, and more.

After over a decade of litigation and two successful appeals, the Court ruled in favor of the Town and dismissed the state action. After Plaintiffs filed an appeal of that ruling, the parties reached a settlement releasing the Town of all claims with no money changing hands.

***Preparation of legal instruments:***

The firm has prepared or been involved in the preparation of many development agreements involving both commercial and mixed-use developments.

Additionally, the firm has prepared or reviewed numerous contracts including: Contracts for Continuing Engineering Services, Underground Utilities Conversion, Voluntary Annexation, Electric Utilities Franchise, Right-of-Way Use, Releases, Settlement Agreements, Bid packages, Real Estate Sales contracts, CSX/FDOT Railroad Reimbursement Agreements, Easements, Maintenance Agreements, Independent Contractor Agreements, Interlocal Agreements (fire and police coverage, CRA delegation from County and radio dispatch services), and Public Records Request Policy.

## **JACOB J. SCHUMER**

352 Coble Drive, Longwood, FL 32779

(407) 494-1747; jacobschumer@gmail.com; Fla. Bar#111756

Member: OCBA; Florida Bar Governmental and Public Policy Advocacy Committee

### **EXPERIENCE**

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#### **Shepard, Smith, Kohlmyer & Hand, P.A.**

*Associate Attorney*

**Maitland, FL**

Fall 2017 - Present

Counsels and represents public and private clients in all aspects of local government law, litigation, real property interests and general legal strategy. Drafts and edits motions, contracts, ordinances, resolutions and other legal documents.

#### **Public Defender for the 9th Judicial Circuit of Florida**

*Assistant Public Defender*

**Orlando, FL**

Fall 2014 - Fall 2017

Served hundreds of clients in multiple capacities in misdemeanor and felony cases. Wrote, filed and argued motions to dismiss, suppress and others, along with appeals and extraordinary writs, regarding Federal, State, and local law issues. Represented clients in multiple trials.

#### **Vanderbilt Appellate Litigation and Criminal Practice Clinics**

*Summer Clerk*

**Nashville, TN**

Summer 2013

Wrote appellate briefs and research memoranda on numerous issues, such as habeas corpus petitions, state criminal laws and the Family and Medical Leave Act. Represented clients in sentencing hearings and plea discussions, and participated in other facets of legal practice.

#### **Honorable Joe B. Brown, Magistrate Judge, U.S. District Court for the Middle District of Tennessee**

*Legal Intern*

**Nashville, TN**

Summer 2012

Drafted proposed Orders and Report-and-Recommendations for the Magistrate Judge on civil procedure questions, motions to dismiss, and Social Security appeals, among other issues. Observed hearings, arraignments, settlement conferences and trial procedures.

### **EDUCATION**

---

#### **Vanderbilt University Law School**

**Nashville, TN**

Doctor of Jurisprudence, May 2014

GPA: 3.443

Honors and Activities: VANDERBILT JOURNAL OF ENTERTAINMENT AND TECHNOLOGY LAW, Articles Editor; Dean's List; Moot Court, Fall 2012; Legal Aid Society, Auction Committee; Jewish Law Student Association, Vice President; VITA Tax Volunteer.

#### **University of California at Santa Cruz**

**Santa Cruz, CA**

Bachelor of Arts, History, European Concentration, June 2010

Honors: Dean's List.

### **PERSONAL**

---

OCBA YLS Committee Chair. Amateur Coder. Boy Scout. Former Unicyclist.

**CLIFFORD B. SHEPARD**  
Shepard, Smith, Kohlmyer & Hand P.A.  
2300 Maitland Center Parkway  
Suite 100  
Maitland, Florida 32751  
(407) 622-1772  
fax (407) 622-1884  
[cshepard@shepardfirm.com](mailto:cshepard@shepardfirm.com)

**EDUCATION:**

**LAW:** UNIVERSITY OF FLORIDA COLLEGE OF LAW  
Gainesville, Florida  
J.D., July 1985

**PRE-LAW:** UNIVERSITY OF FLORIDA COLLEGE OF JOURNALISM &  
COMMUNICATIONS  
Gainesville, Florida  
B.S. in Journalism (Newsriting & Editing), December 1981

**LEGAL EMPLOYMENT:**

Shareholder, Shepard, Smith, Kohlmyer & Hand, P.A. - Current  
2300 Maitland Center Parkway  
Suite 100  
Maitland, Florida 32751

City Attorney, City of Maitland - Current

Town Attorney, Town of Ponce Inlet - Current

Land Use Counsel, City of Satellite Beach

General Counsel, Orange County Charter Review Commission

General Counsel, Florida Redevelopment Association - Current

General Counsel, Community Redevelopment Agencies for:  
Bunnell, Jacksonville Beach, Lakeland, Maitland, Panama City, Satellite Beach, Ft.  
Myers

**BAR MEMBERSHIPS:**

Florida  
Tennessee  
District of Columbia Court of Appeals  
United States Supreme Court  
United States Court of Appeals - Eleventh Circuit  
United States District Court – Southern, Middle and Northern Districts of Florida  
United States Tax Court

## **PUBLICATIONS:**

*"Lost" Medical Records - Redefining the Scope of the Spoilation Doctrine*, 23 Trial, No. 8 at p. 51 (August 1987)

## **ACTIVITIES AND HONORS:**

Executive of the Year (2019) – Volusia League of Cities  
Florida Bar Board Certified in City County & Local Government Law  
Best Lawyers in America© – (2018, 2019)  
Florida Super Lawyer – *Law & Politics Magazine*, 2005 - 2019  
Florida Legal Elite – *Florida Trend Magazine*, 2005 – 2009; 2011 – 2013; 2016; 2019  
Martindale-Hubbell *Bar Register of Preeminent Lawyers*®  
Certified Circuit Court and Appellate Mediator  
AV Rated – Martindale-Hubbell Legal Directory  
*Florida Bar Journal/News* Editorial Board - Chairman (1993-1994)  
Member - Orange County Bar Association, Association of Trial Lawyers of America,  
Florida Academy of Professional Mediators  
Chairman – *Kids Beating Cancer*, (1998 – 2005)  
Member - Land Planning Agency, City of Oviedo (1988-1990)  
Member - Community Associations Institute  
University of Florida Trial Competition Team  
Teaching Fellow - University of Florida Appellate Advocacy Program  
Coordinator - National Institute for Trial Advocacy: Advanced Trials Seminar,  
December 1983, March 1985  
Managing Editor & Staff Writer, *The Verdict*  
Phi Alpha Delta  
Omicron Delta Kappa  
Phi Mu Alpha

## **SEMINARS GIVEN:**

"Florida Sunshine Law: The Law in Plain English" – Available on DVD  
"Sunshine and Social Media: Pitfalls for the Unwary" – Sponsored by The Florida Bar  
"It's a Mad, Mad, Ad World: Advertising Challenges for City Clerks" – Sponsored by the  
Florida Association for City Clerks  
"Ethics for Municipal Officials" – Sponsored by Florida League of Cities  
"CRA Basics" - Sponsored by Florida Municipal Attorneys' Association  
"Charter Amendment Processes" – Sponsored by Florida Municipal Attorneys' Association  
"*Strand v. Escambia County*: What now?" – Sponsored by the Florida Redevelopment  
Association  
"Special Districts in Florida" – Sponsored by Lorman  
"Spoliation of Evidence: An Ounce of Prevention" - Sponsored by LHBZH  
"Enforcing Deed Restrictions" - Sponsored by CAI  
"Dealing with Renters" - Sponsored by CAI  
"The New Mechanics Lien Law" - Sponsored by CFRA  
"The Condominium Act - The 92 Amendments" - Sponsored by Sentry  
Management  
"Writing that Makes a Difference" - Sponsored by the Florida Bar  
"Assessment Collection" - Sponsored by CAI

**D. FEE PROPOSAL**

The firm proposes an hourly rate of \$165.00 per hour.

**E. OTHER INFORMATION*****List of Judgments/Cases from Last Five Years***

The firm, as an entity that sometimes defends and brings foreclosure actions, has been involved in a voluminous number of cases in the last five years and is unable to disclose our involvement in many such cases. Instead, please refer to the firm biographical information provided in Section C for relevant lawsuits.

***List of Potential Conflicts of Interest***

We are unaware of any clients which could cause a conflict of interest with the potential responsibilities to the City.

***Shepard, Smith, Kohlmyer & Hand's Governmental References******City of Maitland – 1998 to Present***

Dale McDonald, Mayor  
(407) 647-6250  
Sharon Anselmo, City Manager  
(407) 539-6221  
1776 Independence Lane  
Maitland, FL 32751

***Town of Ponce Inlet – 2008 to Present***

Gary Smith, Mayor  
(386) 233-9376  
Jeaneen Witt, Town Manager  
(386) 236-2155  
4300 S. Atlantic Avenue  
Ponce Inlet, FL 32127

***City of Satellite Beach CRA – 2013 to Present***

Courtney Barker, City Manager  
(321) 626-9028  
565 Cassia Boulevard  
Satellite Beach FL 32937

***Statements of Assurance re: Violations of Rules and Litigation***

To the best of our knowledge, the Firm is not presently in violation of any statutes or rules which might have an impact on the Firm's operations.

No litigation has been filed against the firm in the last three years.

***Liability Insurance***

See the attached for the liability insurance carried. To preserve its judicial immunity, the Firm would not indemnify and or defend the City.

## Declarations

### Primary Lawyers Professional Liability Insurance Policy

NOTICE: THIS IS A CLAIMS-MADE POLICY. EXCEPT AS OTHERWISE PROVIDED HEREIN, COVERAGE IS LIMITED TO LIABILITY FOR ONLY THOSE CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED DURING THE POLICY PERIOD OR EXTENDED REPORTING PERIOD AND REPORTED TO THE COMPANY PURSUANT TO THE TERMS HEREIN.

Insured by the Stock Company below and hereinafter called the company.

New York Marine and General Insurance Company  
59 Maiden Lane, 27th Floor  
New York, NY 10038-4647

POLICY NUMBER: PL201900002747

RENEWAL OF POLICY NUMBER: PL201800002747

Item 1. Named Insured and Address  
(Number, Street, Town or City, County, State, Zip Code)

Shepard, Smith, Kohlmyer & Hand, P.A.  
2300 Maitland Center Pkwy Ste 100  
Maitland, FL 32751-7410

Producer Name

ProQuest, a division of Alliant Insurance Services, Inc.

Item 2. Policy Period

Inception Date (MM/YY):

05/09/2019

Expiration Date (MM/YY):

05/09/2020

12:01 A.M. Standard Time  
at the address of the  
Named Insured as stated  
herein.

Item 3. Form of Named Insured's Business

Insured Is

☐ Individual

☐ Partnership

☐ Corporation

☒ Other

Item 4. Limit of Liability

\$5,000,000 Each Claim

\$5,000,000 Aggregate

☒ a. Claim expenses are included within the limits of liability.

☐ b. Claim expenses are payable in addition to the limits of liability.

Item 5. Deductible

\$ \$5,000 Per Claim

NA Aggregate

☒ a. The deductible amount specified above applies only to damages.

☐ b. The deductible amount specified above applies to both damages and claim expenses.

Item 6. Annual Premium

\$38,203.00

Item 7. Forms and Endorsements attached at Issue

#### Schedule of Forms and Endorsements PL 1000 0910

By acceptance of this policy the Insured agrees that the statements in the Declarations and the Application and any attachments hereto are the Insured's agreements and representations and that this policy embodies all agreements existing between the Insured and the Company or any of its representatives relating to this insurance.

|                                                          |                             |                          |
|----------------------------------------------------------|-----------------------------|--------------------------|
| Policy Holder Questions or Complaints-<br>1-800-774-2755 | Countersigned (as required) | Countersign Date         |
|                                                          | Authorized Representative   | Issue Date<br>04/23/2019 |

## **F. FORMS**

## **DRUG-FREE WORKPLACE CERTIFICATION**

**IDENTICAL OR "TIE" SUBMITTALS:** Preference shall be given to businesses with drug-free workplace programs. Whenever two or more proposals which are equal in respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violation.
- 3) Give each employee that engages in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893, *Florida Statutes*, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 calendar days after such conviction.
- 5) Impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

**Shepard, Smith, Kohlmyer & Hand, P.A.**

Company Name

Authorized Signature

**Clifford B. Shepard**

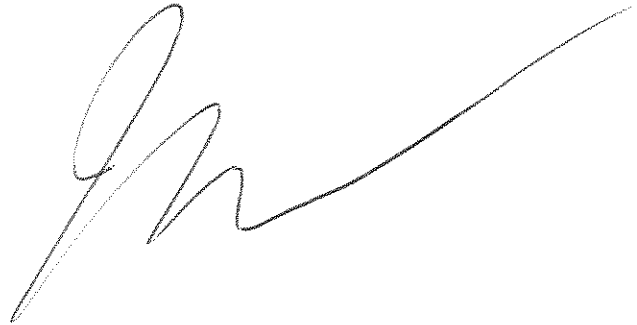
Print Name  
**President**

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Title

## **PUBLIC ENTITY CRIME AFFIDAVIT**

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid/quote/proposal on a contract to provide goods or services to a public entity, may not submit a bid/quote/proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids/quotes/proposals on leases of rental property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, *Florida Statutes*, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

A handwritten signature in black ink, consisting of a stylized 'J' followed by a series of loops and a long horizontal stroke extending to the right.

## H. AVAILABILITY

Mr. Schumer has a workload which could easily take on Daytona Beach Shores' special magistrate needs. The Firm does not anticipate a meaningful change in Mr. Schumer's workload.

Mr. Schumer would receive assistance from the Firm's administrative staff, but does not anticipate any other outside assistance.



**CC 2019-09-01**

TO: City Council

FROM: Cheri Schwab, City Clerk

SUBJECT: Board Interviews

DATE: September 20, 2019

You will be conducting interviews for both the Planning & Zoning Board and the new Public Art Beautification Committee.

There are currently 5 regular members on the P & Z Board. You recently voted to increase that to 7 regular members. You also currently have two alternates, Rick Delange and Harold Needham. There are three applicants who wish to be considered for this board. You may also consider moving an alternate to regular member status.

The Public Art Beautification Committee consists of 5 members. At this time, there are only 4 regular members. You have one application to consider.



CITY OF DAYTONA BEACH SHORES  
APPOINTMENT INFORMATION FORM

Please type, if possible. (Or print clearly)

RECEIVED  
APR 18 2019  
DAYTONA BEACH SHORES  
CITY CLERK

DATE: 4-12-19

BOARD(S) DESIRED: Zoning; code enforcement; civil service

POSITION DESIRED: Regular or Alternate

NAME: Lewis H BREWER

ADDRESS(ES): H: 29675 ATLANTIC Ave <sup>Unit 604</sup> ZIP: 32118

EMAIL ADDRESS: Junebug9242@gmail.com

PHONE: H: 770-235-8335 W: N/A

EMPLOYER: Retired

POSITION: \_\_\_\_\_ HOW LONG \_\_\_\_\_

EDUCATION: SCHOOL NO. YEARS DEGREES

HIGH SCHOOL Willsboro, NC 12 years

COLLEGE Some College Thru US Army

- .....
1. Are you a resident of City of Daytona Beach Shores? Y ☒ N ☐
  2. Are you a registered voter? Y ☒ N ☐
  3. Do you own property in Daytona Beach Shores? Y ☒ N ☐
  4. Are you currently serving on a City board? Y ☐ N ☒
  5. Have you ever served on a City board? Y ☐ N ☒  
If yes, when, where and which board? \_\_\_\_\_
  6. How long have you lived in Daytona Beach Shores? 6 years

**REFERENCES: (Please do not use current council members)**

**NAME**

**ADDRESS**

**PHONE**

Marilyn Wheeler 29675 ATLANTIC AVE UNIT 1705 386-322-9145

Lynda Kroeger 29675 ATLANTIC AVE UNIT 603 386-846-5697

**WORK EXPERIENCE:**

Montgane Lender, ATLANTA, GA Retired

US Army, 56M Retired

**WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARD(S)?**

To Serve The Community in any way I  
can.



**(Signature)**

**Please Note: If you have any questions, please call the Office of the City Clerk, 763-5364.  
Return this form to the City Clerk, City Hall, 2990 S. Atlantic Avenue, Daytona Beach  
Shores, FL 32118 or [cschwab@cityofdb.org](mailto:cschwab@cityofdb.org)**



**CITY OF DAYTONA BEACH SHORES  
APPOINTMENT INFORMATION FORM**

Please type, if possible. (Or print clearly)

DATE: 8/20

BOARD(S) DESIRED: Zoning

POSITION DESIRED: Regular or Alternate

NAME: Van Alder

ADDRESS(ES): H: 2 Oceans West Blvd. #1502 ZIP: 32118

EMAIL ADDRESS: van.alder1@gmail.com

PHONE: H: \_\_\_\_\_ W: 305-710-7170

EMPLOYER: Retired.

POSITION: Systems Engineer. HOW LONG 12 yrs.

EDUCATION: SCHOOL NO. YEARS DEGREES

HIGH SCHOOL Chamberlain 4

COLLEGE University of South Florida 4 BA-Decision Sciences

.....  
1. Are you a resident of City of Daytona Beach Shores? Y X N \_\_\_\_\_

2. Are you a registered voter? Y X N \_\_\_\_\_

3. Do you own property in Daytona Beach Shores? Y \_\_\_\_\_ N X

4. Are you currently serving on a City board? Y X N \_\_\_\_\_

5. Have you ever served on a City board? Y X N \_\_\_\_\_  
If yes, when, where and which board? Code Enforcement

6. How long have you lived in Daytona Beach Shores? 3 yrs.

**REFERENCES: (Please do not use current council members)**

| NAME            | ADDRESS | PHONE          |
|-----------------|---------|----------------|
| Bob Scher       |         | 1-813-260-3740 |
| Jeff Fitterman. |         | 1-813-244-7999 |

**WORK EXPERIENCE:**

Qognify Inc. - Systems Engineer/Business Manager - 12 yrs  
Self Employed - Create Ability Enterprises - Owner - 15 yrs

**WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARD(S)?**

I have enjoyed greatly my time on Code Enforcement  
and want to continue to volunteer my time for my city.

  
(Signature)

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Return this form to the City Clerk, City Hall, 2990 S. Atlantic Avenue, Daytona Beach  
Shores, FL 32118 or [cschwab@cityofdbi.org](mailto:cschwab@cityofdbi.org)



**REFERENCES: (Please do not use current council members)**

**NAME**

**ADDRESS**

**PHONE**

Pat Suterland 40 Ocean West 386-767-7463

Tom Donghue 192 Orchard St Port Orange 732-443-7348

**WORK EXPERIENCE:**

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**WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARD(S)?**

I was Chairman of Board of Adjustment in Wall N.J for 10 years  
I was on Board of Adjustment Daytona Beach Shores for 5 years

Anthony Peralta  
(Signature)

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Return this form to the City Clerk, City Hall, 2990 S. Atlantic Avenue, Daytona Beach  
Shores, FL 32118 or [cschwab@cityofdbbs.org](mailto:cschwab@cityofdbbs.org)**



RECEIVED  
APR 18 2019  
DAYTONA BEACH SHORES  
CITY CLERK

CITY OF DAYTONA BEACH SHORES  
APPOINTMENT INFORMATION FORM

Please type, if possible. (Or print clearly)

DATE: 4/14/19  
BOARD(S) DESIRED: Beautification Advisory Board  
POSITION DESIRED: Regular or Alternate  
NAME: Karen Bullard  
ADDRESS(ES): H: 3425 S. Atlantic #503 ZIP: 32118  
EMAIL ADDRESS: Karen.Bullard@gmail.com  
PHONE: H: 407-221-4402 W: X  
EMPLOYER: X

POSITION: \_\_\_\_\_ HOW LONG \_\_\_\_\_

EDUCATION: SCHOOL NO. YEARS DEGREES

HIGH SCHOOL Dunmore HS (Pa.) in 4

COLLEGE Bloomsburg Univ. (Pa.) 4

1. Are you a resident of City of Daytona Beach Shores? Y ☒ N ☐

2. Are you a registered voter? Y ☒ N ☐

3. Do you own property in Daytona Beach Shores? Y ☒ N ☐

4. Are you currently serving on a City board? Y ☐ N ☒

5. Have you ever served on a City board? Y ☐ N ☒  
If yes, when, where and which board? \_\_\_\_\_

6. How long have you lived in Daytona Beach Shores? 6 yrs.

REFERENCES: (Please do not use current council members)

NAME

ADDRESS

PHONE

- Michelle Smith 75 Brookwood Dr (386) 275-0048
- Beth Swaine 3425 S Atlantic #7401 (386) 214-3735

WORK EXPERIENCE:

Special Ed teacher 5 yrs  
+ Bloomberg News Sales Rep 25 yrs

WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARD(S)?

Currently on Decorating Committee at Towers Ten  
Condo & enjoy helping others remodel & decorate  
their units.

Karen Bullard  
(Signature)

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Shores, FL 32118 or [cschwab@cityofdbs.org](mailto:cschwab@cityofdbs.org)