

RFP 06-015 CITY OF KEY WEST

NAME: J. JEFFERSON OVERBY

ADDRESS: P.O. BOX 429, KEY WEST, FL 33041-0429

TEL NUMBER: 305-304-5900

EMAIL: EYWLAWYER@AOL.COM

May 6, 2015

## ***PROFILE and STATEMENT- J. JEFFERSON OVERBY***

Dear Mayor Cates, and Commissioners,

Please accept my grateful thanks for *your* past support.

Each of you has honored me by allowing me to have served as the Special Magistrate for the City of Key West, since the creation of the position in 1998. The videos of the hearings show that I have served you and our residents Fairly, Honestly and Honorably for over 16 consecutive years. I am the **only** candidate that possesses Circuit and County Court Judicial experience, over 35 years of litigation experience, and more than 16 years of quasi-judicial officer experience. My experience as the Special Magistrate, in City and County Code Compliance, as well for the Circuit and County Courts here in Monroe County, makes me uniquely qualified to continue to serve in this capacity.

I have litigated cases since 1979 (35+ years) including more than 6 years as a Circuit Court Judge (including two years two years as Chief Judge here in Monroe County). I have literally presided over more than 1,000 cases as **YOUR** Special Magistrate, in addition to serving as the Special Magistrate for Monroe County with Code Compliance. The facts demonstrate that I am the most qualified and most experienced candidate for the position.

By virtue of serving in this position thru many Mayors, City Managers, and City Attorneys, I have first hand experience in addressing local government issues. For the majority of my terms, I was the sole hearing officer dealing with the sewer lateral issues and the past T- Shirt problems. As far as specialized training, I have met with Appellate Judges and reviewed the changes or the law, as it occurs, and have discussed those changes with the Code Compliance officers to help them present their cases better, in the future.

I have provided numerous pro bono hearings to the City, for which I never sought compensation. I take the responsibilities of being the Special Magistrate very seriously and do not represent any local clients, nor serve as the Registered agent for any local businesses that could create a conflict of interest. It is important that you and members of the public can count on my fairness and impartiality, and I submit that the record indicates I have done nothing that would cause the public to question my impartiality. I have not had any disbarment or any disciplinary actions.

I have been active in the community here since 1982 and have owned and operated two small businesses here. (Video to Go and Regency Travel) Additionally, I have served our residents and visitors as Chief Assistant Public Defender, Circuit Judge, Chief Assistant States Attorney, and Special Magistrate for the Circuit Court, the County Court, and County Code Compliance. I have served on the boards of many local not-for-profits including serving as Chair of the Community Foundation of the Florida Keys; and as a Board member or Director on the boards of: Hospice/VNA of the Florida Keys, Friends of the Library, Tennessee Williams Fine Arts Center, Wesley House, Key West Art and

Marketing  
Ding most likely

Historical Society, Aids Help, and Friends of the Memorial. I own the Conch Duplicate Bridge Club and **donate 100%** of the proceeds back to the community. I am a long time supporter of Equality Florida and support Literacy Volunteers here. Art that I own is on display in public offices here, as loan from me to the city, and numerous art works that I have donated are on display at the Customs House, Key West. I suggest this meets the requirement for demonstrated positive community relations in the RFP.

This position has allowed me to give something back to this great city. While not every citizen can leave having won his or her case, I suggest that most of you know the quality of work that I provide the City and its residents. I hope you will see fit to continue me in this position. I am always available to answer questions. I truly love the work and enjoy the intellectual challenge it provides, monthly.

Please vote to authorize the City Manager to offer me a contract, with permission for extensions.

RFP 06-015 CITY OF KEY WEST

✓ PROPOSED FEE ARRANGEMENT:

I propose a flat monthly fee for attending one- half day of hearings totaling up to 6 hours, including preparation of orders, executing subpoena requests, reviewing Motions/Requests of Continuance, other pleadings filed by the City or the Respondents (in order to prepare for hearings or in order to issue rulings), and research in the amount of \$1530.00 per month\* and an annual City of Key West official parking pass. This is the same amount I have been paid for the last few years, after agreeing to a 25% pay cut a few years ago. I would ask that hearings not be cancelled without payment, as I am committing to giving up the allotted time.

Should a party/respondent wish to schedule a special hearing date, I would propose that they pay \$400.00 per hour with a two and one half hour min. If the City requests an extra hearing, that hearing would be provided at any mutually convenient time, at the same rate. This is the same rate that I have charged for mediations since I left the bench in 1995.

\*For the past 17 years, the city has not requested or required malpractice insurance of its special magistrates, nor does anyone else require malpractice insurance for its special magistrate, as a special magistrate is not representing anyone. Per the new requirement in the RFP, I obtained coverage that started February 19, 2015, in order to meet the City requirements of the RFP. If the City wished to avoid this expense and determined that such coverage was not necessary, the monthly fee would be reduced to the current charge of \$1530.00 per month. The malpractice coverage is being billed at cost of \$71.75 additional per month. This cost would be added, otherwise to the bid of \$1530.00 per month.

OFFICE OF THE COUNTY CLERK  
BUREAU OF RECORDS

This Document is a business tax receipt  
Holder must meet all City zoning and use provisions,  
P.O. Box 1409, Key West, Florida 33040 (305) 809-3955

Business Name OVERBY, J. JEFFERSON, LAW OFFI CtlNbr:0003742  
Location Addr 1500 ATLANTIC BLVD 402  
Lic NBR/Class 15-00022236 SERVICE - PROFESSIONAL  
Issue Date: February 06, 2015 Expiration Date:September 30, 2015  
License Fee \$309.75  
Add. Charges \$0.00  
Penalty \$0.00  
Total \$0.00  
Comments: ATTORNEY

HOME OCCUPATION LICENSE

This document must be prominently displayed.

OVERBY, J. JEFFERSON, LAW OFFI  
POB 429  
OVERBY J. JEFFERSON

KEY WEST FL 33041

6

**2014 / 2015  
MONROE COUNTY BUSINESS TAX RECEIPT  
EXPIRES SEPTEMBER 30, 2015**

Business Name: OVERBY J JEFFERSON PA  
LAW OFFICE OF  
  
Owner Name: JON JEFFERSON OVERBY  
Mailing Address:  
PO BOX 429  
KEY WEST, FL 33041

RECEIPT# 46112-98623

Business Location: 1500 ATLANTIC BLVD 402  
KEY WEST, FL 33040  
Business Phone: 305-304-5900  
Business Type: ATTORNEY (ATTORNEY)

0

Tax Amount	Transfer Fee	Sub-Total	Penalty	Prior Years	Collection Cost	Total Paid
30.00	0.00	30.00	0.00	0.00	0.00	30.00

Paid 114-13-00002947 09/17/2014 30.00

THIS BECOMES A TAX RECEIPT  
WHEN VALIDATED

**Danise D. Henriquez, CFC, Tax Collector**  
PO Box 1129, Key West, FL 33041

THIS IS ONLY A TAX.  
YOU MUST MEET ALL  
COUNTY AND/OR  
MUNICIPALITY PLANNING  
AND ZONING REQUIREMENTS.

**MONROE COUNTY BUSINESS TAX RECEIPT**  
P.O. Box 1129, Key West, FL 33041-1129  
EXPIRES SEPTEMBER 30, 2015

Business Name: OVERBY J JEFFERSON PA  
LAW OFFICE OF  
  
Owner Name: JON JEFFERSON OVERBY  
Mailing Address:  
PO BOX 429  
KEY WEST, FL 33041

RECEIPT# 46112-98623

Business Location: 1500 ATLANTIC BLVD 402  
KEY WEST, FL 33040  
Business Phone: 305-304-5900  
Business Type: ATTORNEY (ATTORNEY)

0

Tax Amount	Transfer Fee	Sub-Total	Penalty	Prior Years	Collection Cost	Total Paid
30.00	0.00	30.00	0.00	0.00	0.00	30.00

Paid 114-13-00002947 09/17/2014 30.00

⑦

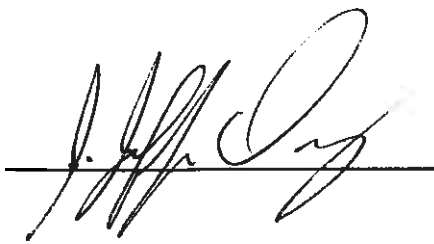
✓ **Anti-Kickback Affidavit**

STATE OF FLORIDA

SS

COUNTY OF MONROE

I, the undersigned, hereby duly sworn, depose and say that no portion of the sum herein bid will be paid to any employee of the City of Key West as a commission, kickback, reward or gift, directly or indirectly by me or any member of my family or by an officer of the business or corporation.

BY: 

sworn and prescribed before me this 1st day of MAY, 2015

  
Notary Public, State of Florida

My commission expires \_\_\_\_\_



✓ LOCAL VENDOR CERTIFICATION PURSUANT TO CKW ORDINANCE 09-22 SECTION 2-798

The undersigned, as a duly authorized representative of the vendor listed herein, certifies to the best of his/her knowledge and belief, that the vendor meets the definition of a "Local Business." For purposes of this section, "local business" shall mean a business which:

a. Principle address as registered with the FL Department of State located within 30 miles of the boundaries of the city, listed with the chief licensing official as having a business tax receipt with its principle address within 30 miles of the boundaries of the city for at least one year immediately prior to the issuance of the solicitation.

b. Maintains a workforce of at least 50 percent of its employees from the city or within 30 miles of its boundaries.

c. Having paid all current license taxes and any other fees due the city at least 24 hours prior to the publication of the call for bids or request for proposals.

- Not a local vendor pursuant to Ordinance 09-22 Section 2-798
- Qualifies as a local vendor pursuant to Ordinance 09-22 Section 2-798

If you qualify, please complete the following in support of the self certification & submit copies of your County and City business licenses. Failure to provide the information requested will result in denial of certification as a local business.

Business Name  
LAW OFFICE OF J. JEFFERSON OVERBY

Phone: 305-296-7000

Current Local Address:

Fax: 305-296-0207

(P.O. Box numbers may not be used to establish status)

1500 ATLANTIC BLVD, #402  
KEY WEST, FL 33040

Length of time at this address

5 plus years



Signature of Authorized Representative

*[Handwritten Signature]*

Date MAY 1 - 2015

STATE OF Florida

COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of MAY, 2015.

By JON JEFFERSON OUBRY, of Law office of J. Jefferson Oubry

(Name of officer or agent, title of officer or agent) Name of corporation acknowledging)

or has produced personally known to me as identification

(type of identification)

*[Handwritten Signature: S. Reams]*

Signature of Notary



Print, Type or Stamp Name of Notary

Return Completed form with

Supporting documents to:

City of Key West Purchasing

\_\_\_\_\_

Title or Rank

✓ SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(A)  
FLORIDA STATUTES ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY  
PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS

1. This sworn statement is submitted to City of KEY WEST  
by JON JEFFERSON OVERBY  
(Print individual's name and title)  
For LAW OFFICE OF J. JEFFERSON OVERBY  
(Print name of entity submitting sworn statement)  
Whose business address is 1500 ATLANTIC BLVD, #402, KEY WEST, FL 33040  
and (if applicable) its Federal Employer Identification Number (FEIN) is \_\_\_\_\_  
If entity has no FEIN, include Social Security number of individual signing.

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services provided to any public entity or an agency or political subdivision of any other state or the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "conviction" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes means:

1. A predecessor or successor of a person convicted of a public entity crime; or
2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not

for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or any entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
6. Based on the information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement (indicate which statement applies).

Neither the entity submitting this sworn statement, or any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach copy of final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH ONE ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO

UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR THE CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

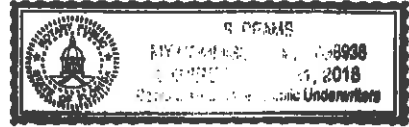
J. Jeffery Overby  
Signature

MAY 1, 2015  
Date

STATE OF FLORIDA  
COUNTY OF MONROE

PERSONALLY APPEARED BEFORE ME, J. Jefferson Overby  
Who after first being sworn by me, affixed his/her signature in the space  
Above this 15<sup>th</sup> day of MAY, 2015

S. Reams



✓ **Conflict of Interest Affidavit**

By the signature below, the firm (employees, officers and/or agents) certifies, and hereby discloses, that, to the best of their knowledge and belief, all relevant facts concerning past, present, or currently planned interest or activity (financial, contractual, organizational, or otherwise) which relates to the proposed work; and bear on whether the firm (employees, officers and/or agents) has a possible conflict have been fully disclosed.

Additionally, the firm (employees, officers and/or agents) agrees to immediately notify in writing the Finance Director, or designee, if any actual or potential conflict of interest arises during the contract and/or project duration.

Law Office of J. Jefferson Overby  
Firm

J. Jeff Overby  
Signature

MAY-1-2015  
Date

JOHN JEFFERSON OVERBY  
Name Printed

(self employed)  
Title of Person Signing Affidavit

State of FLORIDA  
City of MONROE

SUBSCRIBED AND SWORN to before me this 1st day of MAY,

20 15, by J. Jefferson Overby, who is personally known to me to be the \_\_\_\_\_ for the Firm, OR who produced the following

identification: personally known to me  
S. Reams

Notary Public

My Commission Expires: \_



✓ CONE OF SILENCE

STATE OF FLORIDA

SS:

COUNTY OF MONROE

I the undersigned hereby duly sworn, depose and say that all owner(s), partners, officers, directors, employees and agents representing the firm of Law Office of J. Jefferson O'Leary have read and understand the limitations and procedures regarding communications concerning City of Key West issued competitive solicitations pursuant to City of Key West Ordinance Section 2-773 Cone of Silence (attached).

BY: J. Jefferson O'Leary

sworn and prescribed before me this 15<sup>th</sup> day of May, 2015

S. Reams

NOTARY PUBLIC, State of Florida

My commission expires:



**EQUAL BENEFITS FOR DOMESTIC PARTNERS AFFIDAVIT**

STATE OF FLORIDA )

: SS

COUNTY OF MONROE )

I, the undersigned hereby duly sworn, depose and say that the firm of Law Office of J. Jefferson Overby provides benefits to domestic partners of its employees on the same basis as it provides benefits to employees' spouses per City of Key West Ordinance Sec. 2-799.

By: J. Jefferson Overby

Sworn and subscribed before me this

1st day of May, 2015.

S. Reams

NOTARY PUBLIC, State of Florida at Large

My Commission Expires: \_\_\_\_\_

