

C7 D APPOINTMENT OF CHIEF SPECIAL MAGISTRATE

1. A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE INTERIM CITY MANAGER, PURSUANT TO SECTION 30-36 OF THE CODE OF THE CITY OF MIAMI BEACH, CONCERNING THE APPOINTMENT OF ANNETTE EPELBAUM CANNON, ESQ., TO SERVE AS CHIEF SPECIAL MAGISTRATE, FOR A TERM COMMENCING ON AUGUST 24, 2024, AND ENDING ON FEBRUARY 23, 2025; RATIFYING MS. CANNON'S APPOINTMENT OF MARYANNE LUKACS, ESQ. AND ENRIQUE ZAMORA, ESQ. AS SPECIAL MAGISTRATES; PROVIDED FURTHER THAT CHIEF SPECIAL MAGISTRATE CANNON AND HER APPOINTED SPECIAL MAGISTRATES SHALL BE AUTHORIZED TO HOLD HEARINGS AND IMPOSE FINES, LIENS, AND OTHER NON-CRIMINAL PENALTIES AGAINST VIOLATORS OF THE CITY AND COUNTY CODES AND ORDINANCES, AND FURTHER INCORPORATING ALL OTHER MATTERS SET FORTH WITHIN CHAPTER 30 OF THE CITY CODE, INCLUDING, WITHOUT LIMITATION, SECTIONS 30-37 AND 30-38 THEREOF, CONCERNING THE COMPENSATION AND DUTIES OF THE CHIEF SPECIAL MAGISTRATE AND THE SPECIAL MAGISTRATES.

2. A RESOLUTION APPROVING AND APPOINTING, PURSUANT TO SECTION 102-356 OF THE CITY CODE, ANNETTE EPELBAUM CANNON, ESQ., MARYANNE LUKACS, ESQ., AND ENRIQUE ZAMORA, ESQ. (CHIEF SPECIAL MAGISTRATE AND SPECIAL MAGISTRATES APPOINTED AND RATIFIED PURSUANT TO RESOLUTION NO. _____), AS THE CITY MANAGER'S "DESIGNEE" UNDER SECTION 102-356 OF THE CITY CODE; SAID DESIGNATION COMMENCING WITH MS. CANNON'S TERM AS CHIEF SPECIAL MAGISTRATE ON AUGUST 24, 2024, AND ENDING ON FEBRUARY 23, 2025.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Rickelle Williams, Interim City Manager

DATE: July 24, 2024

TITLE: APPOINTMENT OF CHIEF SPECIAL MAGISTRATE

1. A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE INTERIM CITY MANAGER, PURSUANT TO SECTION 30-36 OF THE CODE OF THE CITY OF MIAMI BEACH, CONCERNING THE APPOINTMENT OF ANNETTE EPELBAUM CANNON, ESQ., TO SERVE AS CHIEF SPECIAL MAGISTRATE, FOR A TERM COMMENCING ON AUGUST 24, 2024, AND ENDING ON FEBRUARY 23, 2025; RATIFYING MS. CANNON'S APPOINTMENT OF MARYANNE LUKACS, ESQ. AND ENRIQUE ZAMORA, ESQ. AS SPECIAL MAGISTRATES; PROVIDED FURTHER THAT CHIEF SPECIAL MAGISTRATE CANNON AND HER APPOINTED SPECIAL MAGISTRATES SHALL BE AUTHORIZED TO HOLD HEARINGS AND IMPOSE FINES, LIENS, AND OTHER NON-CRIMINAL PENALTIES AGAINST VIOLATORS OF THE CITY AND COUNTY CODES AND ORDINANCES, AND FURTHER INCORPORATING ALL OTHER MATTERS SET FORTH WITHIN CHAPTER 30 OF THE CITY CODE, INCLUDING, WITHOUT LIMITATION, SECTIONS 30-37 AND 30-38 THEREOF, CONCERNING THE COMPENSATION AND DUTIES OF THE CHIEF SPECIAL MAGISTRATE AND THE SPECIAL MAGISTRATES.

2. A RESOLUTION APPROVING AND APPOINTING, PURSUANT TO SECTION 102-356 OF THE CITY CODE, ANNETTE EPELBAUM CANNON, ESQ., MARYANNE LUKACS, ESQ., AND ENRIQUE ZAMORA, ESQ. (CHIEF SPECIAL MAGISTRATE AND SPECIAL MAGISTRATES APPOINTED AND RATIFIED PURSUANT TO RESOLUTION NO. _____), AS THE CITY MANAGER'S "DESIGNEE" UNDER SECTION 102-356 OF THE CITY CODE; SAID DESIGNATION COMMENCING WITH MS. CANNON'S TERM AS CHIEF SPECIAL MAGISTRATE ON AUGUST 24, 2024, AND ENDING ON FEBRUARY 23, 2025.

RECOMMENDATION

Recommending the appointment of Annette Epelbaum Cannon as Chief Special Magistrate.

BACKGROUND/HISTORY

On April 1, 2024, Chief Special Magistrate Enrique Zamora notified the Office of the City Clerk that he does not intend to seek reappointment as Chief Special Magistrate when his current term expires on August 23, 2024. Pursuant to Section 30-36 of the City Code, upon prior recommendation of the City Manager, the City Commission, by a majority vote, may appoint a Chief Special Magistrate, who shall be authorized to hold hearings and impose fines, liens, and other noncriminal penalties against violators of City or County codes and ordinances. The Code stipulates that the Chief Special Magistrate shall be an individual who shall have been determined by the City Manager and City Attorney to have the knowledge, skills, and abilities to perform as Chief Special Magistrate.

ANALYSIS

At the June 26, 2024 City Commission meeting, the Mayor and City Commission discussed candidates interested in the Chief Special Magistrate position.

Following both initial and follow-up discussions with those candidates having expressed an interest in the role, I am recommending appointing Annette Epelbaum Cannon as Chief Special Magistrate. I am of the opinion, and City Attorney Ricardo J. Dopico has concurred, that Ms. Cannon possesses the knowledge, skills, and attributes to undertake this important role. Attached are two (2) Resolutions providing for the appointment by the City Commission of Ms. Cannon. The first Resolution appoints Ms. Cannon as Chief Special Magistrate for Code Enforcement violations under Chapter 30 of the City Code; the second Resolution appoints Ms. Cannon to hear appeals from citations and violations or denials, suspensions, and revocations of certificates of use pursuant to Chapter 102 of the Miami Beach City Code. Language has been added to the Resolutions prohibiting the Chief Special Magistrate and each Special Magistrate that they appoint from participating in a practice that represents clients in matters adverse to the City of Miami Beach, and from lobbying the City during their service with the City.

Ms. Cannon is a highly accomplished legal professional deeply rooted in Miami Beach, Florida. After obtaining her Juris Doctor from the University of Florida College of Law in 1990, she embarked on a career marked by a dedication to public service and legal excellence. Ms. Cannon's academic achievements include graduating magna cum laude from Florida State University with a B.A. in Political Science and a minor in Communications, earning Phi Beta Kappa honors in 1986.

Ms. Cannon is certified as a Circuit Court and Family Court Mediator, specializing in foreclosure mediation and civil litigation. Her mediation expertise spans over two decades, during which she has mediated over 5,000 cases across various legal domains, including workers' compensation, employment discrimination, and bankruptcy mortgage foreclosures.

Since April 2014, Ms. Cannon has served as a Special Magistrate for the City of Miami Beach, where she presides over cases involving building, zoning, and planning violations. Her role requires a thorough understanding of the Miami Beach Code and a commitment to maintaining the City's standards. Additionally, she has served as a Special Magistrate for the City of Fort Lauderdale since January 2024, handling similar cases in building, zoning, and planning.

In addition to her Special Magistrate and mediation responsibilities, Ms. Cannon operates her own successful practice, Annette Cannon PA. Her firm focuses on circuit civil mediations and includes appointments as Guardian Ad Litem in mortgage foreclosure actions.

Ms. Cannon's professional affiliations are extensive and include memberships in the Florida Bar, the Florida Academy of Professional Mediators, and the Miami Beach Bar Association, where she serves as a Board Member. She is admitted to practice in the United States District Court Southern District and the United States Court of Appeals for the Eleventh Circuit.

Beyond her legal career, Ms. Cannon is actively involved in her community. She serves as a certified substitute teacher for Dade County Public Schools and holds a position on the board of Temple Beth Shalom's Sisterhood in Miami Beach. Fluent in Spanish, she is able to serve a diverse clientele and engage effectively with Miami Beach's multicultural population.

Annette Epelbaum Cannon's career achievements and community contributions underscore her deep commitment to Miami Beach. Her legal acumen, coupled with a passion for mediation and public service, position her as a respected figure in both the legal profession and the Miami Beach community she proudly calls home. A copy of Ms. Cannon's resume is attached.

Pursuant to Section 30-36 of the City Code, if appointed, Ms. Cannon seeks the ratification by a majority vote of the City Commission of her appointment of MaryAnne Lukacs, Esq. and Enrique Zamora, Esq. as Special Magistrates.

MaryAnne Lukacs, Esq.

MaryAnne Lukacs, Esq., is a distinguished legal professional with a deep-rooted connection to Miami Beach, Florida. She earned her Juris Doctor from St. Thomas University School of Law in Miami and has been a member of The Florida Bar since 1988. Her educational background also includes a Bachelor of Science in Education from Florida International University and an Associate of Science from Miami Dade Community College.

Ms. Lukacs' career spans over three decades, marked by her expertise as a Special Magistrate for the City of Miami Beach since 2014. In this role, she presides over hearings concerning violations of Miami Beach Codes and Ordinances, providing fair adjudication through testimony and written findings. Before this, she served as a General Magistrate and Child Support Hearing Officer for the Eleventh Judicial Circuit, handling paternity issues and child support enforcement from 2005 to 2012.

Her extensive legal career includes positions such as Special Master for the City of Miami, Hollywood, and West Miami, where she similarly oversaw hearings on municipal code violations. Ms. Lukacs has also practiced law at Lukacs & Lukacs, P.A., specializing in eminent domain, general civil law, and family mediation. Her earlier roles include serving as Police Legal Advisor and Assistant City Attorney II for the City of Miami Beach, where she advised on legal matters and municipal law issues.

MaryAnne Lukacs has made significant contributions beyond her legal practice, including volunteer work with organizations like Foster Care Review, Inc. and Lawyers for Children America, advocating for children's rights within the dependency system. She has also been involved in education, teaching at Miami Dade Community College and the University of Miami Paralegal Programs.

Ms. Lukacs' dedication to her community extends to her roles on various boards, such as Casa Valentina, Inc. and her past involvement with Foster Care Review, Inc. Her commitment to legal excellence and community service has been recognized through awards like The Douglas M. Halsey Award for Volunteer Service in 2005.

Throughout her career, MaryAnne Lukacs has exemplified leadership and expertise in Miami Beach's legal landscape, making enduring contributions to both the legal profession and the community she serves. A copy of Ms. Lukacs' resume is attached.

Enrique Zamora, Esq.

Enrique Zamora, Esq., is a distinguished attorney renowned for his expertise in Elder Law, Probate & Guardianship administration, and Estate Planning. With a career spanning over three decades, he has significantly impacted the legal profession through his practice, teaching, and leadership roles. Beginning as a founding partner at Perez-Abreu, Zamora, Hillman & Martin-Lavielle, PA in 1987, Mr. Zamora specialized in Probate & Guardianship litigation, Elder Law, and Estate Planning. His career continued to evolve with the establishment of the Law Offices of Enrique Zamora in Coral Gables, Florida, where he focused on similar areas until 2000. Currently, as a partner at Zamora, Hillman & Villavicencio in Coconut Grove, Florida, Mr. Zamora continues to excel in Elder Law, Probate & Guardianship administration, Trust Administration & Litigation, and Estate Planning.

Appointed as the Chief Special Magistrate for the City of Miami Beach on April 23, 2014, Enrique Zamora played a pivotal role in overseeing the Special Magistrate system. He supervised two Special Magistrates and presided over hearings involving building, zoning, planning, and code,

violations under the City of Miami Beach Codes and Ordinances. His responsibilities included administering oaths, taking testimony, making written findings of facts, and entering orders, ensuring fair adjudication and enforcement of the City's regulations.

In addition to his legal practice, Enrique Zamora is deeply committed to legal education. He serves as an Adjunct Professor of Law at St. Thomas University School of Law and the University of Florida Levin College of Law, where he imparts knowledge in Elder Law and Guardianship. His dedication to education also extends to chairing the Professional Guardianship Program at Miami-Dade Community College from 1998 to 2004, where he contributed significantly to the development of future guardianship professionals.

Enrique Zamora's expertise is further underscored by his representation of Cuban National heirs in U.S. probate proceedings, a role for which he has been licensed by the Office of Foreign Assets Control (OFAC) since 1995. He holds certifications as a Florida Bar Board Certified Elder Law Attorney and Florida Supreme Court Certified Civil Mediator, highlighting his proficiency in Elder Law and alternative dispute resolution.

Throughout his illustrious career, Enrique Zamora has received numerous accolades, including multiple listings in the Super Lawyers by Florida Super Lawyers Magazine and the Pro Bono Award from the Dade County Bar Association and the 11th Judicial Circuit for his dedicated Guardianship services.

Enrique Zamora earned his Juris Doctor degree from the University of Miami School of Law, graduating Cum Laude in 1985. He also holds a Master of Business Administration from Florida International University and a Bachelor of Science in Electrical Engineering from the University of Florida. Enrique Zamora is an active member of The Florida Bar, the National Academy of Elder Law Attorneys (NAELA), and the Dade County Bar Association, among others. His career is marked by a profound dedication to Elder Law, Probate & Guardianship administration, and education, continuing to shape the legal profession and benefit the community he serves. A copy of Mr. Zamora's resume is attached.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on N/A.

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

\$26,000.00 – Account number: 011-0210-000312-03-400-579-00-00-00

Note: Expenditures on or after October 1, 2024, are subject to approval of the FY 2025 Budget.

CONCLUSION

Ms. Cannon, Ms. Lukacs, and Mr. Zamora have the knowledge, demeanor, skills, and abilities, to perform in their Special Magistrates roles. Upon approval by the City Commission, they will serve this City with honor and distinction, and their appointments will best serve the interests of the City.

As such, the subject Resolutions should be adopted.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Clerk

Sponsor(s)

Co-sponsor(s)

Condensed Title

Appoint Chief Special Magistrate, Annette Epelbaum Cannon, 8/24/24 - 2/23/25. CM/CA/CC

ANNETTE EPELBAUM CANNON
103-7TH TERRACE
MIAMI BEACH, FLORIDA, 33139
305-613-2244
annette@annettecannonpa.com

EDUCATION

UNIVERSITY OF FLORIDA COLLEGE OF LAW, Gainesville, Florida. J.D.
May 1990.

FLORIDA STATE UNIVERSITY, Tallahassee, Florida.
B.A. in Political Science, minor in Communications, G.P.A. 3.8. Graduated
Magna Cum Laude and Phi Beta Kappa in December 1986.

CERTIFIED CIRCUIT COURT MEDIATOR, Tallahassee, Florida. 1998 to
date; CERTIFIED IN FORECLOSURE MEDIATIONS.

CERTIFIED FAMILY COURT MEDIATOR, Tallahassee, Florida. 2010 to
date.

LEGAL EXPERIENCE

SPECIAL MAGISTRATE FOR CITY OF FT. LAUDERDALE, Ft. Lauderdale,
Florida. From January 2024 to date. Areas of cases heard include building,
zoning and planning.

SPECIAL MAGISTRATE FOR CITY OF MIAMI BEACH, Miami Beach,
Florida. From April 2014 to date. Areas of cases heard include building, zoning
and planning.

THE MEDIATION GROUP, North Miami Beach, Florida.
Private Mediator from February 2017 to date. Areas of mediation include
Workers compensation, Employment Discrimination, Mortgage Foreclosures,
Bankruptcy Mortgage Foreclosures and general civil litigation.
For scheduling please call (954) 474-8700.

RESOLUTION SOLUTION, North Miami Beach, Florida.
Private Mediator from February 2016 to February 2017. Areas of mediation
include Workers compensation, Employment Discrimination, Mortgage
Foreclosures, Bankruptcy Mortgage Foreclosures and general civil litigation.

CENTER FOR CONFLICT RESOLUTION, North Miami, Florida.
Private Mediator from February 1998 until February 2016. Areas of mediation
include Workers compensation, Employment Discrimination, Mortgage
Foreclosures, Bankruptcy Mortgage Foreclosures and general civil litigation.
Mediated over 5000 cases.

ANNETTE CANNON PA, Miami, Florida. Sole practitioner from February 1998 until present. Areas of practice include circuit civil mediations, Bankruptcy Foreclosure mediations, **Guardian Ad Litem appointments in Mortgage Foreclosure Actions.**

ARRICK & PEACOCK, PA., Miami, Florida.
Associate from September 1997 until February 1998. Areas of practice include workers compensation and labor.

ARRICK, LEVINE & PEACOCK, PA, Miami, Florida.
Associate from September 1994 until September 1997. Areas of practice include workers compensation and labor.

MARLOW, CONNELL, VALERIUS, ABRAMS, ADLER, PA. Miami, Florida.
Associate from March 1993 until September 1994. Areas of practice include workers compensation and labor.

WAMPLER, BUCHANAN & BREEN, P.A., Miami, Florida.
Associate from September 1990 until March 1993. Area of practice includes labor, health care, family and general civil litigation.

LEGAL ACTIVITIES AND MEMBERSHIPS

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT,
admitted 1992.

FLORIDA BAR MEMBER, admitted 1990.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT, admitted 1990.

WORKERS COMPENSATION SECTION OF FLORIDA BAR, presently.

FLORIDA ACADEMY OF PROFESSIONAL MEDIATORS, presently.

MIAMI BEACH BAR ASSOCIATION, Board Member.

NON-LEGAL ACTIVITIES AND MEMBERSHIPS

CERTIFIED SUBSTITUTE TEACHER FOR DADE COUNTY PUBLIC
SCHOOLS, Miami, Florida, approved 2007.

TEMPLE BETH SHOLOM, Miami Beach, Florida, Sisterhood Board member.

FOREIGN LANGUAGES

FLUENT in Spanish

MARYANNE LUKACS, ESQUIRE

malukacs@bellsouth.net; 305-790-3782

EDUCATION and CERTIFICATIONS

St. Thomas University School of Law, Miami, Florida
Juris Doctor, 1988

Florida International University, Miami, Florida
Bachelor of Science in Education, 1977

Miami Dade Community College, Miami, Florida
Associate of Science, 1975

The Florida Bar, 1988
Certified Family Law Mediator, 1994 - 2023
Certified County Court Mediator, 1994 - 2023
Florida Supreme Court Certified Circuit Civil Mediator, 2010 - 2023
Real Estate Broker, 2002

LEGAL EXPERIENCE

Special Magistrate, City of Miami Beach, Florida 2014 - present

- Preside over hearings for violations of City of Miami Beach Codes and Ordinances, administer oaths, take testimony, make written findings of fact, and enter Orders.

General Magistrate and Child Support Hearing Officer, Eleventh Judicial Circuit, October 2005 – October 2012

- Preside over hearings referred by the Court on issues of paternity, establishment, modifications and enforcement of child support, prepare Reports and Recommended Orders.

Special Master, City of Miami, Florida 1999 – 2005

- Preside over hearings for violations of City of Miami Codes and Ordinances, administer oaths, take testimony, make written findings of fact, and enter Orders.

Special Master, City of Hollywood, Florida January 2000 – July 2003

- Preside over hearings for violations of City of Hollywood Codes and Ordinances, administer oaths, take testimony, make written findings of fact, and enter Orders.

Special Master, City of West Miami, Florida 2000 – 2003

- Preside over hearings for violations of City of West Miami Codes and Ordinances, administer oaths, take testimony, make written findings of fact, and enter Orders.

Attorney, Lukacs & Lukacs, P.A., Miami, Florida November 1994 - 2007

- Eminent Domain, General Civil Law, Family Mediation

Attorney, Marcus and Associates, P.A., Miami, Florida February 1994 - November 1994

- Family Law, General Civil Law

City of Miami Beach, Miami Beach, Florida

Police Legal Advisor, October 1991- February 1994

- Handled employee related issues such as hiring, discipline and terminations
- Advised all police officers and staff on current trends in the law

City of Miami Beach, Miami Beach, Florida

Assistant City Attorney II, April 1990 - October 1991

- Represented the City in Nuisance Abatement Board and Code Enforcement Board Hearings
- Handled employee related issues including unemployment compensation appeals, personnel board appeals and disciplinary actions for all City of Miami Beach employees

- Handled municipal law issues including bonds, transactions and contracts
- Served as counsel for the Marine Board, Convention Center Advisory Board and Art In Public Places Committee

Law Clerk, The Honorable George E. Orr, Eleventh Judicial Circuit, May 1985 - August 1985

- Performed all duties of a law clerk as well as assisted in the streamlining of the procedures for filing and review of pleadings and motions

PROFESSIONAL EXPERIENCE

Diversity in the Legal Profession Symposium sponsored by The Florida Bar, April 16, 2004 – April 17, 2004

Chair

- Designed program, organized and assisted in panel selections, planning and research
- Compiled and presented report to The Florida Bar Board of Governors

Foster Care Review, Inc., 1996 – 2005

Volunteer Panel Chair

- Review cases of children who have been removed from their homes to determine if reasonable efforts are being made to secure a safe, permanent placement for those children
- Make findings as to compliance of all interested parties
- File recommended orders with the Court

Lawyers for Children America, -

Volunteer Attorney

- Provide representation to children in the dependency system

St. Thomas University School of Law, Miami, Florida

Director of Admissions/Assistant Director of Admissions May 1987 - April 1990

St. Thomas University School of Law, Miami, Florida

Assistant Director of Student Affairs, July 1987 - July 1988

Miami Beach Recreation Department, Miami Beach, Florida

Recreation Leader, Recreation Director and Supervisor, February 1980 - August 1984

INSTRUCTION AND TEACHING

Miami Dade Community College Paralegal Program, Miami, Florida

Assistant Professor, Fall 2000 – Summer 2001

- Business Law, Torts, Real Estate

University of Miami Paralegal Program, Miami, Florida

Instructor, January– December 1989

- Legal Interviewing and Investigation and Legal Writing

Florida International College Paralegal Program, Miami, Florida

Instructor, Summer 1988

- Wills and Trusts

Notre Dame Academy, Miami, Florida

Teacher, August 1979 - May 1981

- English and Physical Education

Dade County Public Schools, Miami, Florida

Teacher, August 1978 – June 1979

- Special Education and Physical Education

PROFESSIONAL MEMBERSHIPS AND POSITIONS HELD

Recipient of The Douglas M. Halsey Award for Volunteer Service, 2005

Committee Member, Chief Justice's Advisory Committee for the 2005 Tobias Simon Pro Bono Awards

Committee Member, Chief Justice's Distinguished Judicial Service Award 2005

Board Member, Casa Valentina, Inc., 2006 to present

Board Member, Foster Care Review, Inc., 2005 to 2010, 2012-2022

ENRIQUE ZAMORA, ESQ.

LEGAL EXPERIENCE

ZAMORA, HILLMAN & VILLAVICENCIO

3006 Aviation Avenue, Penthouse 4C, Coconut Grove, Florida 33133 - 2000 - *present*

Areas of Concentration: Elder Law, Probate & Guardianship administration, litigation and mediation, Trust Administration & Litigation, Estate Planning.

LAW OFFICES OF ENRIQUE ZAMORA

1102 Ponce de Leon Blvd., Coral Gables, Florida 33134 - 1997 - 2000

Areas of Concentration: Elder Law and Probate & Guardianship litigation, Trust Administration, Estate Planning, Real Estate.

PEREZ-ABREU, ZAMORA, HILLMAN & MARTIN-LAVIELLE, PA

901 Ponce de Leon Blvd., #502, Coral Gables, FL 33134 - *Founding Partner, 1987 - 1997*

Areas of Concentration: Probate & Guardianship litigation, Elder Law, Trust Administration, Estate Planning, Corporate, Contract and Business Law and related litigation; Real Estate.

LEGAL ACTIVITIES

- ' Member of the Executive Council of the Elder Law Section
- ' Law School Liaison for the Elder Law Section '
- ' Guardianship Task Force - Elder Law Section Representative
- ' Chief Special Master for the City of Miami Beach
- ' Special Magistrate over Baker Act proceedings & Marchman Act proceedings
- ' Court Appointed Attorney-Ad-Litem for Cuban National Heirs, 11th Judicial Circuit of the State of Florida, Miami-Dade County - Probate Division
- ' Past Chair of the Elder Law Section of the Florida Bar
- ' Past director of the Florida State Guardianship Association
- ' Past director of the Foundation for Indigent Guardianship
- ' Member and former chair of the Probate & Guardianship Committee of the Dade County Bar
- ' Former Chair of the Grievance Committee 11th D of the Florida Bar
- ' Past Chair of Elder Law Section of the Florida Bar

TEACHING ACTIVITIES

St. Thomas University School of Law - 2004 - present.

Adjunct Professor of Law - Elder Law and Guardianship

University of Florida Levin College of Law - 2015 -- present.

Adjunct Professor of Law - Elder Law

Miami-Dade Comm. College-Professional Guardianship Program- 1998 - 2004.

Lead Instructor & Planning Committee Chair of the course for Professional Guardians

University of Miami - Koubek Center - September 1989 - 1998

SCHOOL OF CONTINUING STUDIES

Adjunct Professor of Business Law

SPECIALTY PRACTICE

Represent Cuban Nationals heirs in U.S.A. probate proceedings. Licensed by the Office of Foreign Assets Control (OFAC) since 1995 to represent Cuban Nationals and approved by the Cuban Ministry of Justice to represent Cuban citizens in conjunction with Bufete Internacional of Havana, Cuba.

CERTIFICATION

Florida Bar Board Certified in Elder Law
Florida Supreme Court Certified Civil Mediator

HONORS AND AWARDS

Super Lawyers list, by Florida Super Lawyers Magazine as a top attorney in Florida for 2012, 2013, 2014, 2015 & 2016

Top Lawyers of South Florida 2013, 2014 & 2015

St. Thomas University School of Law – Outstanding Teaching Award - 2013.

St. Thomas University School of Law – SBA - adjunct professor award 2014

Pro Bono Award from the Dade County Bar Association and the 11th Judicial Circuit 2008 For Guardianship services rendered.

Put Something Back - Richard C. Milstein Excellence Award - 2007

SEMINARS/PRESENTATIONS

Florida State Guardianship Association- 28th Annual Conference:

Speaker

Offered by the Florida State Guardianship Association

Interested Person: A Legal Chameleon and Pitfalls to Avoid in Guardianship Practice
July 2015

Essentials of Elder Law

Speaker

Offered by the Elder Law Section of the Florida Bar - *January 15, 2015*

Dade County Put Something Back – Fees, Fees and More Fees

Speaker

Offered by the Dade County Bar Association - *January 15, 2014*

Elder Law Section – Annual Review – Guardianship

Speaker

January 18, 2014

Elder Law Section – Essentials of Elder Law

Speaker

January 17, 2014

16TH ANNUAL UNPROGRAM – “MEET THE EXPERTS”

Speaker

Offered by the Academy of Florida Elder Law Attorneys

October 11, 2013

The Probate Team 2013 – Closing Guardianships into Estates

Speaker

Offered by the Florida Legal Education Association - *October 4, 2013*

15TH ANNUAL UNPROGRAM – “MEET THE EXPERTS”

Speaker

Offered by the Academy of Florida Elder Law Attorneys
December 15, 2012

Florida State Guardianship Association- 25th Annual Conference:

Speaker

Offered by the Florida State Guardianship Association
4-hour Initial Examining Committee training
March 2012

Florida State Guardianship Association- 24th Annual Conference: Solving the Mysteries of Guardianship- *Speaker*

Offered by the Florida State Guardianship Association- July 2011

Personal Trust Fiduciary Training

Offered by Morgan Keegan University - *Speaker*
April 5, 2011

Probate & Guardianship: A View from the Bench and Bar

Offered by the Dade County Bar Association Probate & Guardianship Committee and Legal Aid/Put Something Back - *Speaker*
March 11, 2011

Elder Law Certification Exam Review Course B *Event Chair*

Offered by the Florida Bar January 2011

Elder Law Section Annual Retreat- *Program Co-Chair*

Offered by the Florida Bar- October 2010

2010 Florida State Guardianship Annual Conference

Elder Law Certification Exam Review Course

Offered by the Florida Bar - *Speaker*
January, 2010

EDUCATION

UNIVERSITY OF MIAMI - SCHOOL OF LAW

CORAL GABLES, FLORIDA

JURIS DOCTOR DEGREE 1985, CUM LAUDE - May 1985

FLORIDA INTERNATIONAL UNIVERSITY

MIAMI, FLORIDA

MASTER OF BUSINESS ADMINISTRATION, 1975

MASTER OF SCIENCE IN MANAGEMENT, (Accounting & Taxation) 1981

UNIVERSITY OF FLORIDA

GAINESVILLE, FLORIDA

BACHELOR OF SCIENCE IN ELECTRICAL ENGINEERING, 1971

PROFESSIONAL MEMBERSHIPS

The Florida Bar

Executive Committee of the Elder Law Section - Florida Bar (past chair)

The Real Property, Probate and Trust Law Section - Florida Bar

NAELA (National Academy of Elder Law Attorneys)
AFELA (Academy of Florida Elder Law Attorneys)
Dade County Bar Association
Cuban American Bar Association
Florida State Guardianship Association - former board member
South Florida Guardianship Association - past President

PUBLISHED WORKS

St. Thomas Law Review

Long Term Care Insurance: A Life Raft for Baby Boomers
Volume 26, Fall 2013 – Issue 1

St. Thomas Law Review

Examining Committee Reports as a Basis to Dismiss Petitions to Determine Incapacity: A
Question of Admissibility and Evidentiary Relevancy
Volume 25, Summer 2013 – Issue 3

St. Thomas Law Review

Impact of the Cuban Embargo on Inheritances by Cuban Nationals
Volume 24, Summer 2012 – Issue 3

Elder Law Advocate-

Two out of three reports and you're out - But should you be?
Volume XX, No. 3 - Fall 2012

Elder Law Advocate-

The right to bear arms as a removable right in incapacity proceedings
Volume XIX B No. 1 B Spring 2011

Elder Law Advocate-

The issue of standing in guardianship litigation
Volume XVIII B No. 3 B Fall 2010

Elder Law Advocate-

The use of the Baker Act and its alternatives
Volume XVII B No. 3 B Fall 2009

Elder Law Advocate -

Dealing with foreign wards and their investments
Volume XVI - Volume Two - Winter 2008

Florida Journal of International Law, University of Florida Levin College of Law-
"Obstacles Encountered Representing the Interests of Cuban Nationals in the American
Courts" - Spring 2003 Volume XV Number 3.

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE INTERIM CITY MANAGER, PURSUANT TO SECTION 30-36 OF THE CODE OF THE CITY OF MIAMI BEACH, CONCERNING THE APPOINTMENT OF ANNETTE EPELBAUM CANNON, ESQ., TO SERVE AS CHIEF SPECIAL MAGISTRATE, FOR A TERM COMMENCING ON AUGUST 24, 2024 AND ENDING ON FEBRUARY 23, 2025; RATIFYING MS. CANNON'S APPOINTMENT OF ENRIQUE ZAMORA, ESQ. AND MARYANNE LUKACS, ESQ. AS SPECIAL MAGISTRATES; PROVIDED FURTHER THAT CHIEF SPECIAL MAGISTRATE CANNON AND HER APPOINTED SPECIAL MAGISTRATES SHALL BE AUTHORIZED TO HOLD HEARINGS AND IMPOSE FINES, LIENS, AND OTHER NON-CRIMINAL PENALTIES AGAINST VIOLATORS OF THE CITY AND COUNTY CODES AND ORDINANCES, AND FURTHER INCORPORATING ALL OTHER MATTERS SET FORTH WITHIN CHAPTER 30 OF THE CITY CODE, INCLUDING, WITHOUT LIMITATION, SECTIONS 30-37 AND 30-38 THEREOF, CONCERNING THE COMPENSATION AND DUTIES OF THE CHIEF SPECIAL MAGISTRATE AND THE SPECIAL MAGISTRATES.

WHEREAS, Section 30-2 of the Code of the City of Miami Beach provides for an alternative Code enforcement system wherein Special Magistrates are authorized to hold hearings and impose fines, liens, and other non-criminal penalties against violators of City and County Codes and Ordinances; and

WHEREAS, Section 30-36 of the City Code, entitled "Appointment of Special Magistrates," provides for the appointment of a Chief Special Magistrate to fulfill the above-referenced duties; and

WHEREAS, pursuant to Section 30-36 of the City Code, the appointment of the Chief Special Magistrate is established upon the City Commission's acceptance, by a majority vote, of the recommendation for appointment by the City Manager; and

WHEREAS, the Interim City Manager hereby recommends appointing Annette Epelbaum Cannon, Esq., as Chief Special Magistrate for the City of Miami Beach, for a term commencing on August 24, 2024, and ending on February 23, 2025; and

WHEREAS, pursuant to Section 30-36, the Chief Special Magistrate is authorized to appoint, upon ratification of a majority vote of the City Commission such other Special Magistrates as may reasonably be required to conduct the necessary hearings;

WHEREAS, if appointed, Annette Epelbaum Cannon, Esq. seeks the ratification by a majority vote of the City Commission of her appointment of Enrique Zamora, Esq. and MaryAnne Lukacs, Esq. as Special Magistrates based on their knowledge, skills, and abilities to perform as Special Magistrates; and

WHEREAS, all other matters set forth within Chapter 30 of the City Code, including, without limitation, Sections 30-37 and 30-38 regarding compensation and

duties of the Special Magistrates, shall continue to apply and remain in full force and effect; and

WHEREAS, the Chief Special Magistrate and each Special Magistrate shall be prohibited from engaging in practice where they represent a client in a manner adverse to the interests of the City of Miami Beach, and shall further be prohibited from lobbying the City during their service with the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Interim City Manager, pursuant to Section 30-36 of the Code of the City of Miami Beach, concerning the appointment of Annette Epelbaum Cannon, Esq. to serve as Chief Special Magistrate, for a term commencing on August 24, 2024, and ending on February 23, 2025; that the Mayor and City Commission hereby ratify the Chief Special Magistrate's appointment of Enrique Zamora, Esq. and MaryAnne Lukacs, Esq. to serve as Special Magistrates; provided further that the Chief Special Magistrate and Special Magistrates shall be authorized to hold hearings and impose fines, liens, and other non-criminal penalties against violators of City and County Codes and Ordinances; and further incorporating all other matters set forth within Chapter 30 of the City Code including, without limitation, Sections 30-37 and 30-38 thereof, concerning the compensation of the Special Magistrates.

PASSED and ADOPTED this ____ day of _____ 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

7/16/2024

Date

RESOLUTION NO. _____

A RESOLUTION APPROVING AND APPOINTING, PURSUANT TO SECTION 102-356 OF THE CITY CODE, ANNETTE EPELBAUM CANNON, ESQ., ENRIQUE ZAMORA, ESQ., AND MARYANNE LUKACS, ESQ. (CHIEF SPECIAL MAGISTRATE AND SPECIAL MAGISTRATES APPOINTED AND RATIFIED PURSUANT TO RESOLUTION NO. _____), AS THE CITY MANAGER'S "DESIGNEE" UNDER SECTION 102-356 OF THE CITY CODE; SAID DESIGNATION COMMENCES WITH MS. CANNON'S TERM AS CHIEF SPECIAL MAGISTRATE ON AUGUST 24, 2025 AND ENDS ON FEBRUARY 23, 2025.

WHEREAS, pursuant to Section 30-36 of the Code of the City of Miami Beach, upon prior recommendation of the Interim City Manager, the City Commission, by a majority vote, may appoint a Chief Special Magistrate, who shall be authorized to hold hearings and impose fines, liens, and other non-criminal penalties against violations of City Ordinances; and

WHEREAS, pursuant to Section 30-36 of the Code of the City of Miami Beach, the Chief Special Magistrate shall also be authorized to appoint, upon ratification by a majority vote of the City Commission, such other Special Magistrates as may be reasonably be required to conduct the necessary hearings; and

WHEREAS, at its meeting on July 24, 2024, the Mayor and City Commission adopted Resolution No. _____, appointing Annette Epelbaum Cannon, Esq., as Chief Special Magistrate, and ratifying the appointment of Enrique Zamora, Esq. and MaryAnne Lukacs, Esq. to serve as Special Magistrates for a term commencing on August 24, 2024, and ending on February 23, 2025; and

WHEREAS, pursuant to Section 102-356, the Interim City Manager may also approve a "designee," who shall be authorized to hear appeals from citations for violations of City and County Codes and Ordinances and to conduct hearings regarding denials, suspensions, and revocations of occupational licenses, certificates of use and permits, as provided by the City Code, and who shall also be authorized to appoint such other Special Magistrate as may reasonably be required to conduct such hearings pursuant to City Ordinances; and

WHEREAS, accordingly, the Interim City Manager hereby recommends, Ms. Cannon, Mr. Zamora, and Ms. Lukacs to serve as the City Manager's "designee," for a six (6) month term commencing on August 24, 2024 and ending on February 23, 2025; and

WHEREAS, the Chief Special Magistrate and the Special Magistrates (including, as in the instant Resolution, where they are acting in their capacity as the City Manager's "designee" under Section 102-356 of the City Code), shall be prohibited from engaging in practice where they represent a client in a manner adverse to the interests of the City of Miami Beach, and shall further be prohibited from lobbying the City during their service with the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and appoint, pursuant to Section 102-356 of the City Code, Annette Epelbaum Cannon, Esq., Enrique Zamora, Esq., and MaryAnne Lukacs, Esq. (Chief Special Magistrate appointed and Special Magistrates ratified pursuant to Resolution No. _____), as the City Manager's "designee" under Section 102-356 of the City Code; said designation commencing with Ms. Cannon's term as Chief Special Magistrate on August 24, 2024 and ending on February 23, 2025.

PASSED and ADOPTED this ____ day of _____ 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

7/16/2024

Date