

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

MINUTES

Jarvis Hall

4505 Ocean Drive

Tuesday, March 23, 2010

7:00 P.M.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 7:00 p.m. Also present were Commissioner Stuart Dodd, Commissioner Birute Ann Clotey, Commissioner Chris Vincent, Commissioner Scot Sasser, Town Attorney Susan L. Trevarthen, Town Manager Esther Colon, Town Clerk June White, and Deputy Clerk Nekisha Smith.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION - Reverend George Hunsaker

Reverend Hunsaker gave the Invocation.

The following changes, corrections and/or deletions were made to the agenda.

Commissioner Sasser requested New Business item 16k to set a date for Roundtable discussion.

Commissioner Dodd requested to defer item Report items 6g, 6h and 6i to Roundtable. He also requested that the Town Manager Report item 8a and Ordinance 2010-02 (item 10.a.) be deferred to the April 13, 2010 Commission meeting along with New Business item 16d. Commissioner Dodd also requested that the Future Items regarding Bus Shelter, Stormwater Report and Chapter 30 - Land Use, be scheduled for roundtable.

Mayor Minnet explained that people were in attendance to speak on the Bocce Ball and Tennis Lighting items and suggested they be allowed to speak and followed with Commission discussion and then defer it to Roundtable. Commissioner Dodd agreed.

Commissioner Dodd questioned whether the Town Attorney requested Ordinance for 1st reading to be placed on this agenda. Attorney Trevarthen explained that there were a few Ordinances that she and the Town Manager had been working on and decided to only put this one on this agenda. She added that it could wait.

Commissioner Clotey asked for clarification on items to be deferred. Commission Dodd repeated his request to defer to roundtable items 10a and 16g along with Future Items; Slogan Bus Shelter, Clean Energy, Stormwater and Land Use Chapter 30.

Mayor Minnet stated that she had requested additional information be distributed at the meeting regarding a letter of support for Aquazul Condominium Association for a grant for a development of a high rise green learning laboratory and requested it be placed as New Business item 16L. She also requested discussion and/or action regarding a Resolution for life safety be added as 16m. She also requested as New Business item 16n, to choose a Chairperson for the 4th of July Committee.

Attorney Trevarthen addressed changes regarding the seating of the Commission and the Commission's input at the Organizational meeting. She added that once everything was reduced to writing it would be presented to the Commission for approval at a future meeting, and once approved would become available as a public document and posted publicly.

4. PRESENTATIONS

a. Presentation of proclamation to the League of Women Voters (Mayor Roseann Minnet)

Mayor Minnet presented Mr. Ken Evans with the proclamation.

b. Presentation of the Broward County Metropolitan Planning Organization (MPO) 2035 Long Range Transportation Plan (LRTP) by MPO staff, Lahoma Scarlette

Greg Stuart, Executive Director for the Broward Metropolitan Organization (MPO) gave a PowerPoint presentation on the 2035 Long Range Transportation Plan. He explained the project was an \$8.5 billion financed plan; however they were looking \$14 billion to cover the needs of the project.

Mr. Stuart said over the next 25 years, Broward County would see the population increase by 29%, an employment increase of 37%, the number of vehicles on the road to increase by 22%; and the number of hours of traffic delay to increase by 64%. He reviewed the hubs of the project: Gateway Hubs, Anchor Hubs, and Community Hubs. Mr. Stuart believed the Anchor and Community Hubs would be more appropriate for Lauderdale-By-The-Sea based on their sizes. He went on to describe the three modes of transportation of the project: 200 commuter buses, Premium Transit which included buses operating in dedicated lanes and rapid buses, and Commuter Railways.

Mr. Stuart showed a map depicting what the Board has authorized and what the project would look like in 2035. He explained the Board would come back in five years to evaluate the project and see whether or not the plan was working. Mr. Stuart said the first testing corridor for the project would be the area between State Road 7 on Broward Boulevard and Downtown Ft. Lauderdale. Mr. Stuart explained the projects effect on Lauderdale-By-The-Sea. He said there would be a Community Hub on Commercial Boulevard and A1A and a continuation of bus routes and the Pelican Hopper if funding was available. Mr. Stuart pointed out the plan would create a pedestrian, bicycle, and greenway project to enhance Lauderdale-By-The-Sea. He assured the Commission the roads would not be expanded.

Mr. Stuart said the MPO was looking for additional dedicated funding sources to gather extra money; however they still needed local matches from local municipalities. He explained several avenues the MPO was looking at to fund the additional monies needed. He described the Sales Tax program that would generate \$6.6 billion, the Vehicle Miles Traveled program that would generate \$3.1 billion, and the Tax Increment financing District (TIFD) program that would

generate \$5.1 billion in additional funding. Mr. Stuart explained this was where the future of Broward County was headed.

Mayor Minnet thanked Mr. Stuart for his presentation. There were no questions from the Commission.

5. PUBLIC COMMENTS

Mayor Minnet read a statement regarding Public Comments, hereto attached as part of these minutes.

Pete Sorrentino, President of Gold Coast Parking System requested a change in the Zoning Code to allow public parking for a fee. Mr. Sorrentino submitted information to the Deputy Clerk.

John McConaha representative to Aquazul Condominium Association said they were applying for a federal grant to establish green energy technology. It would allow various speed controls for the pump and cooling tower which would reduce the consumption of water and reduce the amount of electricity consumed by approximately \$60,000. He said they would also replace lighting to LED lights. He requested a letter of support from the Town.

John Oughton was before the Commission regarding a bill from Choice that was not paid. He added that his garbage was not picked up on Thursday, but was on Friday. Mr. Oughton was disappointed with Choice and believed their contract should be looked at.

Alfred Franczak had a neon OPEN sign in his office window which was shut down a few days before the election and had lost money since then. Mr. Franczak requested that he be allowed to put his sign back.

Frank Hermann spoke on the seating of the Commission. He asked Mayor Minnet to cut loose the noose around the Town Manager's neck and asked the Commission not to judge the Town Manager's acts until they determine the validity of any charges against her. He suggested that when direction was requested, the Commission should give direction.

Rosa Michailiuk thanked the Commission as this was the day for everyone to get along. She requested permission to give the Commission her annual tomatoes.

John Marc Clark stated that vehicles were coming down Imperial Lane as an alternative route to get across the waterway at excessive speeds. He added that cars have been broken into and burglaries had occurred in their neighborhood. Mr. Clark requested consideration of a gate for safety reasons.

Alex Love referred to articles in the local papers on the decorum at the meetings. He said it started 4 years ago with Mayor Parker and not with the previous Commission. Mr. Love stated that the people formed their own opinion but the residents were split and questioned why everyone could not get along.

Ray Walowicz spoke regarding a Town named Truth or Consequences where their slogan was "We've been waiting for you". He said he wanted to see this Town just like that one.

Town Commission Regular Meeting Minutes
March 23, 2010

Diane Boutin looked forward to new beginnings. She addressed item 15b regarding the construction plans for the beautification of El Mar Drive. She asked that the Town keep the primary stakeholders of El Mar Drive updated and informed of projects. Ms. Boutin hoped there would be an increase of communication.

Cindy Geesey stated that maintenance to Chamber Building required pressure cleaning and believed sealing the walls would help. She suggested that Board appointees run concurrent with election terms and not at every election. Ms. Geesey believed that the Chair of a Committee did not have to be a Commissioner.

6. REPORTS

a. Finance and Budget Monthly Report - February 2010 (Town Manager Esther Colon)

Commissioner Dodd asked how much was transferred from the Parking Fund to the General Fund. He was surprised that the money was not used to pay off the Parking Fund loans.

Kaola King, Director of Finance explained that the transfer of the \$165,000 from the Parking Fund to the General Fund was a pay back to the loan that the General Fund gave to the Parking Fund for the purchase of the Bougainvillea Parking lot. She explained that the Parking Fund gained enough to pay back part of the loan on a quarterly basis.

Commissioner Dodd inquired of the increase for Professional Consultants from \$124,000 to \$220,000. Director King explained that the Commission approved \$97,000 for Chen and Associates to produce a Stormwater Master Plan.

Commissioner Dodd made a motion to accept the report. Commissioner Sasser seconded the motion. The motion carried 5 - 0.

b. Development Services Monthly Report - February 2010 (Assistant Town Manager John Olinzock)

Commissioner Dodd felt the ball was dropped regarding the Minto parking lights project and asked staff to review the effectiveness of the shields. He suggested a long term solution could be to put in low level walkway lights or lights that shined west during turtle season. Commissioner Dodd asked for a proper solution to solve the problem with the main parking area with cost figures attached that could be included in a future years' budget.

Don Prince, Director of Municipal Services said he was working with Fish & Wildlife. He said the bags were the best option to get the lights on in a timely manner and Fish & Wildlife would determine the one they like and bring it back to the Commission. Commissioner Dodd wanted to look at lights that were lower on the poles and shined westward. He wanted to think outside the box. Director Prince said he would continue to look at other solutions.

Commissioner Sasser inquired of number 65 on the list of a business and residential stop service report received from Choice Environmental and asked staff to investigate why Mr. Oughton was not notified and did not receive a stop service notification.

Mayor Minnet questioned whether it was normal standard operating procedure to hand deliver letters and notifications to residents. Director Bowman stated that it was.

Town Commission Regular Meeting Minutes
March 23, 2010

Commissioner Dodd made a motion to accept the report. Commissioner Vincent seconded the motion. The motion carried 5 - 0.

c. Municipal Services Monthly Report - February 2010 (Assistant Town Manager John Olinzock)

Commissioner Vincent thanked Director Prince for repairing the handicap railing at the pavilion.

Commissioner Dodd asked if the Town was monitoring rust in pavilion and thanked them for putting up the proper netting in the pavilion to resolve the bird issue. Director Prince said they were monitoring the pavilion for rust.

Commissioner Dodd made a motion to approve the report. Commissioner Sasser seconded the motion. The motion carried 5 - 0.

d. BSO Police Monthly Report - February 2010 (Chief Oscar Llerena)

Commissioner Sasser inquired of the -40.7% figure in the report and asked if the figure was the same year after year. Chief Llerena stated it was month to month reflecting February 2009 compared to February 2009. Commissioner Sasser asked if BSO was addressing complaints about traffic violations and people driving in the middle lanes on A1A. Chief Llerena explained that they enforced STEP (Selective Traffic Enforcement Program), where enforcement was rotated based on complaints received.

Commission Vincent welcomed Deputy Dott Klier to the Town and congratulated Deputy Kimberly Pullease for her outstanding service and Employee of the Month award.

Mayor Minnet asked if the robbery incidents on Imperial Lane were being addressed. Chief Llerena explained that arrests were made and one was still an open investigation.

Chief Llerena reminded everyone that BSO was having a Shred-A-Thon on Saturday, April 10th. He said residents could bring their sensitive material including old checks and financial documents to be shredded at the Public Safety Building.

Commissioner Clotey was concerned that the street light on 19th street had gone from light on demand to a regular traffic light backing up traffic. She asked if there was reason for it. Chief Llerena said he would work with Broward County Traffic and give a follow up report to the Commission.

Commissioner Sasser made a motion to approve the report. Commissioner Dodd seconded the motion. The motion carried 5 - 0.

e. VFD Fire Monthly Report - February 2010 (Chief Robert Perkins)

Commissioner Dodd said he had not yet seen a substantial reduction in the amount of medical calls the VFD attended. Chief Perkins said they were implementing a card swipe system that should reduce the numbers. Commissioner Dodd asked that they look at it seriously.

Commissioner Dodd inquired of the capacity the Town Manager served in the VFD. Chief Perkins said she was his go to person for the VFD. Commissioner Dodd asked whether the Town Manager had the right to sit on the Fire Board meetings and whether she could vote.

Town Commission Regular Meeting Minutes
March 23, 2010

Chief Perkins said yes. Commissioner Dodd asked how many meetings the Town Manager has attended. Chief Perkins said she had attended one meeting for about 30 minutes.

Commissioner Dodd asked if the Town Manger was the liaison for the VFD. Chief Perkins believed the Fire Administrator was the liaison to the Town. Commissioner Dodd believed it would be easier for someone to communicate to the Commission important issues like medical calls, if they attended the meetings. Chief Perkins stated that anyone can come to their meetings and listen; not just the Town Manager.

Mayor Minnet inquired of training on jet skis and beach patrol. Chief Perkins said the weather had been too cold and the training for the Safe Place program would be completed by April 1st.

Commissioner Dodd made a motion to approve the report. Commissioner Vincent seconded the motion. The motion carried 5 - 0.

f. AMR EMS Monthly Report - February 2010 (Operations Manager Brooke Liddle)

Commissioner Dodd inquired as to whether a resident had the option to go to another facility if they requested it. Brooke Liddle stated that AMR's policy was to transfer the patient to the closest appropriate medical facility which was decided by protocol and the paramedics' judgment. He explained that as long as the patient was stable, AMR would take them wherever they wanted to go.

Commissioner Sasser made a motion to accept the report. Commissioner Vincent seconded the motion. The motion carried 5 - 0.

g. Bocce Ball Court Expansion (Town Engineer James Barton)

Buster Celestino, Ocean Colony requested an additional Bocce Court with minimum maintenance and low cost. He stated that he spoke with someone at Floors To Go who gave him a cost of \$699 including installation and a 3 year warranty and that Home Depot would provide the treated wood at a cost of \$328.00. Mr. Celestino, added that the total would be approximately \$2,000. He stated that the cost of installing a frame around the Bocce Court had not yet been obtained. Mr. Celestino, also requested a bench.

This item was deferred for Roundtable discussion.

h. Chamber of Commerce Roof Repair (Town Engineer James Barton)

Paul Novak said an appraisal was done but he was not aware of what it was. Mr. Novak stated that he was told the cupola was leaking and that it would be cheaper if the cupola was removed. He believed that the cupola should not be removed even though it may be cheaper to remove it.

This item was deferred for Roundtable discussion.

i. Tennis Court Lighting (Town Engineer James Barton)

This item was deferred for Roundtable discussion.

7. PUBLIC SAFETY DISCUSSION

8. TOWN MANAGER REPORT

a. Schedule Capital Improvement Project Workshop

This item was deferred for Roundtable discussion.

b. Schedule Commission and Board Members Seminar in Conjunction with the Town Attorney

Manager Colon explained that the Commission needed to schedule an orientation with Town Attorney and Board and Committee meeting after the appointment of the members. Attorney Trevarthen explained further that per Town Code the members of the Board of Adjustment and the Planning and Zoning Board had to be selected on May 11, 2010 a time following that would have to be set for orientation. The Commission agreed to schedule the Seminar for May 12, 2010 at 7:00 p.m.

c. Second ILA Public School Facility Planning of Broward County

Manager Colon stated that the Board is requesting to meet with the Commission again on April 13, 2010.

Mayor Minnet stated the Board they requested that it be placed on the April 13th meeting to be voted on giving the Commission enough time to come to a decision.

Commissioner Dodd felt the residents were not receiving a fair deal regarding the boundary changes. He believed the surrounding schools were not meeting the needs of the Town.

Manager Colon said the superintendent could be available for questions at the meeting and added that there was a phone number available for any questions anyone had.

Attorney Trevarthen said she was also available for questions from the Commission.

Commissioner Dodd requested the phone numbers be placed on the web site so that residents could call with their concerns as well.

9. APPROVAL OF MINUTES

a. February 23, 2010 Regular Meeting Minutes

b. March 4, 2010 Regular Meeting Minutes

Commissioner Clotey made a motion to approve the minutes. The motion failed for lack of a second.

Commissioner Dodd suggested the minutes be discussed at Roundtable. Mayor Minnet questioned whether they could generally discuss minutes at the Roundtable as to how the Commission would like to have them presented. Attorney Trevarthen stated that the minutes were an item of action and would need to be adopted. She added that the style of the minutes could be discussed at the meeting.

This item was deferred to the April 13, 2010 Regular Commission meeting and to Roundtable to discuss the preparation of minutes.

10. ORDINANCES - PUBLIC COMMENTS

1. Ordinances 1st Reading

- a. Ordinance 2010-02: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE SEA, FLORIDA AMENDING CHAPTER 2, ADMINISTRATION, SECTION 2-18, SPECIAL MEETINGS, TO REVISE THE NOTICE PERIOD FOR A SPECIAL MEETING OF THE TOWN COMMISSION; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

This item was deferred to the April 13, 2010 under New Business as discussion and/or action by Commissioner Dodd. Attorney Trevarthen advised that after discussion the Ordinance would have to go back for first reading.

2. Ordinances 2nd Reading

11. COMMISSION COMMENTS

Commissioner Sasser stated that he did not accept Town insurance or mobile phone allowance. He was disappointed that he was unable to add items to the current agenda. He did assure the next agenda would include items from him including an item regarding a Code of Ethics. Commissioner Sasser hoped the organizational rules would be followed.

Commissioner Vincent gave a brief Easter by the Sea update. He assured that he and his wife would get it done without a hitch. He explained that he had submitted his resignation as a member to the Chamber of Commerce but assured that he was still a supporter of the Chamber of Commerce. Commissioner Vincent said he did not accept the Town insurance benefits or Cell Phone allowance from the Town. He felt that the Commission and staff should assist with resident concerns in a timely manner and was disappointed that it did not happen regarding Board and Committee applications. Commissioner Vincent was not pleased that he and his wife were denied access to Jarvis Hall to hold a private Easter Committee meeting; only to later contact the Town Attorney and find out he could. He felt it could have been resolved by Town staff first. He hoped that everyone could work together to better the service provided to the residents of the Town.

Commissioner Clotey welcomed the new Commissioners and looked forward to working with them. She reminded everyone to use her Town of Lauderdale-By-The-Sea email address and not her private email. Commissioner Clotey hoped for a short meeting and looked forward to creating a good working relationship with everyone.

Commissioner Dodd assured residents that the Commission would work hard to get through the back logged agenda items as quickly as possible. He looked forward to roundtable meetings to reach agreements with mutual respect and constructive discussion. He looked forward to correcting previous mistakes with the occasional guidance; not opinions from Town staff. Commissioner Dodd hoped to move the Town forward in a positive direction and looked forward to working with a team of newly elected officials.

Mayor Minnet thanked everyone for attending and said she would appreciate it if everyone respected the new procedures. She encouraged everyone to stay involved and to make Lauderdale-By-The-Sea a great place. She encouraged everyone to turn off their lights on March 11th for "Lights Out". Mayor Minnet thanked the General Manager of Aquazul for pursuing the environmental grant and hoped the Town would be able to write a letter of support for Aquazul. She reminded everyone to fill out the Census forms and be counted. Mayor Minnet clarified that two meetings ago the Town Manager requested to switch seats on the dais with the Town. She stated that she also resigned from the Chamber of Commerce to make sure there were no conflicts of interest. She assured the residents that she was still a supporter of the Chamber of Commerce.

Mayor Minnet recessed the meeting at 8:55 p.m. and reconvened at 9:05 p.m.

Mayor Minnet addressed the issue of speaking into the microphone so everyone could hear what they had to say.

12. CONSENT AGENDA

Mayor Minnet pulled all consent items for discussion.

- a. Town Commission approval of Issuance of Refund to the Community Church of Lauderdale-By-The-Sea for Temporary Sign Permit Fee in the amount of \$30.00 (Assistant Town Manager John Olinzock)

Mayor Minnet questioned whether it could be worked into the ordinance so that the non-for profit and community churches did not have to come before the Commission every time. Assistant Town Manager Olinzock said he would look into what could be modified or changed in the Town Code for temporary signs.

Commissioner Dodd requested the change be made by Resolution as often as necessary to avoid advertising Ordinance costs.

Commissioner Dodd made a motion to approve. Commissioner Sasser seconded the motion. The motion carried 5 - 0.

- b. Commission approval of Special Event Application for Aruba Beach Café Memorial Day Beach Bash 2010, Monday May 31, 2010, 8:00 AM till 8:30 PM (Assistant Town Manager John Olinzock)

Mayor Minnet asked whether Aruba Cafe was made aware of the conditions that the Town recommended.

Mr. Contrada stated he was aware of the conditions and was in agreement.

Commissioner Sasser inquired as to why the Town requested 3 detail deputies and Chief Llerena recommended 2. Assistant Town Manager Olinzock stated only that the previous year had 3. Chief Llerena said his recommendation was based on the number of persons attending the event and the deputies projected schedules. Commissioner Sasser suggested reducing the number of deputies to 2 with staff approval.

Town Commission Regular Meeting Minutes
March 23, 2010

Commission Dodd asked whether the conditions were the same as last year. Mr. Contrada said they were the same.

Commissioner Dodd made a motion to approve with change from 3 detailed officers to 2. Commissioner Sasser seconded the motion. The motion carried 5 - 0.

- c. Commission approval of issuance of eighty (80) parking permits to Bonnie Horowitz for use in El Prado Parking Lot, on Sunday May 23, 2010, from 1:00 PM till 6:00 PM, during her use of Jarvis Hall for Baby Shower (Assistant Town Manager John Olinzock)

Commissioner Dodd questioned the estimated revenue on the parking meters. Assistant Town Manager Olinzock stated it was 5 hours at \$1 an hour for 80 parking meters. Commissioner Dodd made a motion to grant the use of Jarvis Hall but not for free parking. Assistant Town Manager stated that the use of Jarvis Hall had already been approved. Commissioner Dodd retracted his motion.

No action was taken on the item and therefore the approval for 80 parking permits was not granted.

- d. Jarvis Hall Interior Lighting Replacement (Assistant Town Manager John Olinzock)

Mayor Minnet stated that there was additional backup information to this item and recommended it be deferred to the April 13, 2010 Commission agenda.

13. RESOLUTION - "Public Comments"

- a. Resolution 2010-04: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR THE APPOINTMENT OF A VICE-MAYOR; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Trevarthen read Resolution 2010-04 by title.

Mayor Minnet opened the meeting for public comments. With no one wishing to speak, Mayor Minnet closed the public comment portion of the meeting.

Commissioner Sasser made a motion to approve Stuart Dodd. Commissioner Vincent seconded the motion. The motion carried 4 - 0. Commissioner Dodd abstained.

- b. Resolution 2010-06: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH POST, BUCKLEY, SHUH & JERNIGAN, INC. FOR DESIGN SERVICES IN THE AMOUNT OF \$58,300.00 FOR LANDSCAPING AND RELATED IMPROVEMENTS ON STATE ROAD A1A; DIRECTING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE AGREEMENT; PROVIDING FOR REPEAL OF ANY CONFLICTING RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Attorney Trevarthen read Resolution 2010-06 by title.

Mayor Minnet opened the meeting for public comments.

Town Commission Regular Meeting Minutes
March 23, 2010

Vito Chiarello wanted to know if the people knew exactly what would be going on and at what locations.

With no one else wishing to speak, Mayor Minnet closed the public comment portion of the meeting.

Assistant Town Manager Olinzock explained this project was part of the Florida Department of Transportation Local Agency Program. He clarified the project would take place on A1A from Pine Avenue to Terra Mar Drive and featured landscaping enhancements. Assistant Town Manager Olinzock assured there would be one workshop with the community to be able to review with the consultants and State officials. He said this was the design component of the project.

Commissioner Sasser inquired if there was a process going to be used on how suggestion would be received. He felt it would be appropriate for the MPSC to sit in on the meeting. Assistant Town Manager Olinzock explained within the contract it stated there would be one workshop with the community to get input from the residents.

Commissioner Sasser asked whether the Town was limited to only one workshop or would the Town need to pay an additional cost to hold more. Assistant Town Manager Olinzock confirmed it would cost the Town more money to hold additional workshops. Commissioner Sasser suggested the MPSC hold a workshop with the consultants first before the residents. Assistant Town Manager Olinzock stated he hoped to have everyone together at the same meeting; however it was the Commissions choice.

Commissioner Vincent asked what exactly needed to be submitted by the deadline in June. Assistant Town Manager Olinzock explained that a certain level of design needed to be completed and submitted by the consultant by the deadline date. He pointed out the consultant was concerned with having too many public meetings which would push back the design schedule. Commissioner Vincent asked if the Resolution was not approved tonight, would the Town be in jeopardy of losing funds. Assistant Town Manager said the Town risked losing the construction funds.

Commissioner Dodd wanted reassurance that draft plans would be completed first before the workshop for the public. Assistant Town Manager said the consultant was aware that the plans needed to be available for the workshop.

Mayor Minnet said she was disappointed that there was only one public meeting and believed it was imperative to get the information out to the public to allow as much input as possible. Assistant Town Manager Olinzock pointed out that it was not a requirement by DOT to hold a workshop; however staff pushed to have the one. Mayor Minnet was also disappointed that if a new aerial survey was required for the project, the Town may have to pay for one.

Commissioner Clotley said it was very important for the residents of that part of Town to have public input. She encouraged everyone to attend the workshop to get as much input as possible.

Commissioner Sasser asked that once the MPSC was assigned the Assistant Town Manager should inform them that two items required their immediate attention; El Mar Drive Beautification Project and this project and whether they could schedule public meetings in advance of the meeting with PBS&J to prepare for that workshop.

Vice Mayor Dodd made a motion to approve Resolution 2010-06. Commissioner Clottey seconded the motion. The motion carried 4 - 1. Mayor Minnet voted no.

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

- a. Discussion and/or action to have the Town Engineer research the traffic flow on Imperial Lane to see if signage or a barrier is needed to prevent through traffic from A1A from entering this street (Commissioner Birute Clottey) Direction given at the January 26, 2010 meeting for additional information (Town Engineer James Barton)

This item was deferred for Roundtable discussion.

- b. Discussion and/or action for the Commission to give its final approval to the final construction drawings for the El Mar Drive beautification before construction begins (Commissioner Stuart Dodd) Direction given at the January 26, 2010 meeting to go before the Master Plan Steering Committee

Vice Mayor Dodd deferred this item for Roundtable discussion.

16. NEW BUSINESS

- a. Discussion and/or action regarding applications for Board Members (Town Clerk June White)

1. Board of Adjustments

Mayor Minnet asked how the Commission would go about appointing the new members.

Vice Mayor Dodd requested that the Town Attorney draft a Code change so that the appointment date of Board members would be tied to one month following Municipal Election so as not to tie the appointments to a specific date, in case the Election date was changed some time in the future. He also suggested that all board appointments terminate as of the date of the election.

Commissioner Sasser believed the Commission could disband the boards at any time. Attorney Trevarthen agreed that and advised that it required a vote from the entire Commission as per current Code.

Commissioner Vincent requested that when a Commissioner appointed someone to one of the Boards, and that person stepped down, that that Commissioner would be allowed to make another appointment for that seat. Attorney Trevarthen said it was not currently addressed for any of the Boards and the filling of vacancies could be written into the Code if the Commission chose to make that change.

Mayor Minnet believed that at this time, the Commission should discuss how they were going to make selections for the Boards and Committees.

Town Commission Regular Meeting Minutes
March 23, 2010

Attorney Trevarthen stated that the only appointments the Commission could make at this meeting were the MPSC and Walk Around as the BOA & P&Z had to be done May 11, 2010 as per code.

Commissioner Clotey pointed out there were three applicants that were inter-related with local businesses in town. She felt that type of information should be disclosed prior to the selection of members and questioned whether the Commission wanted three voices from one business on the same board. Vice Mayor Dodd believed that each member of the dais was aware of each applicant's business relationship.

Vice Mayor Dodd made a motion to allow each Commissioner to nominate one person without the requirement of a second.

Attorney Trevarthen requested the motion be modified to read that each Commissioner would recommend an individual without the requirement of a second, and at the conclusion there would be a vote to appoint all of the members selected.

Commissioner Sasser asked whether the procedures he passed out at the Organizational meeting could be used in regards to the selection of members would start at one end of the dais and continue down the row. Town Clerk White requested if it could be added to Commissioner Sasser's procedures that the Boards and Committees submit their minutes to the Clerk's Office in a timely manner.

Mayor Minnet clarified the selection process would begin at the left of the dais with Vice Mayor Dodd, work its way across the dais and continue until all seats were filled.

Attorney Trevarthen explained the entire list of procedures passed out by Commission Sasser could not be used at this time hence they covered all Boards and Committees. However; procedures for just the MPSC could be set at this time including the order of selection.

Commissioner Dodd accepted the selection procedures to his motion. Commissioner Sasser seconded the motion.

Attorney Trevarthen clarified the motion was that on May 11th when the Commission selected members for the P&Z and BOA they would begin at the left of the dais with each Commissioner selecting one person. The selection would not require a second and the direction would continue from left to right until each seat on the Board/Committee was filled. At the conclusion of all recommendation a motion, second, and vote of the majority would appoint the members to that Board/Committee.

Deputy Clerk Smith questioned whether that included the Town Clerk's request regarding minutes. Attorney Trevarthen explained that was something that could be instructed to the Board/Committee directly.

The motion carried 5 – 0.

2. Planning & Zoning Board

b. Discussion and/or action regarding applications for Committee Members (Town Clerk June White)

Town Commission Regular Meeting Minutes
March 23, 2010

1. Master Plan Steering Committee

Mayor Minnet questioned whether the Commission could initiate the selection process they previously decided on. Attorney Trevarthen stated they could.

Vice Mayor Dodd appointed Commissioner David Wessels.

Commissioner Sasser appointed John Panitsas.

Mayor Minnet appointed Paul Novak.

Commissioner Vincent appointed Ken Kugler.

Commissioner Clotey appointed Marjorie Evans.

Vice Mayor Dodd appointed Robert Eckblad.

Commissioner Sasser appointed Edmund Malkoon.

Mayor Minnet appointed Sandra Booth.

Commissioner Vincent appointed James Rogers.

Commissioner Clotey appointed Marilyn Carr as an alternate.

Vice Mayor Dodd appointed Charles T. Clark as an alternate.

Mayor Minnet reminded the Commission they agreed to change the number of members from 10 to 9.

Commissioner Dodd stated that the MPSC did not have alternates. Mayor Minnet asked whether the MPSC wanted to have alternates. Mr. Novak stated it was not necessary. The selected alternates were not recognized.

Vice Mayor Dodd made a motion to accept the members of the MPSC. Commissioner Sasser seconded the motion. The motion carried 5 - 0.

Commissioner Sasser suggested that the choosing of the Chair be up to the Committee Members. Mayor Minnet stated that was addressed in the Town Code and would be discussed at the May 11, 2010 Commission meeting.

2. Walk Around Committee

Commissioner Sasser made a motion to disband the Walk Around Committee. Vice Mayor Dodd seconded the motion. The motion carried 5 - 0.

c. Discussion and/or action regarding drafting a resolution opposing the Local Bill proposing to create the Broward Independent Fire District (Town Manager Esther Colon)

Manager Colon explained that the first resolution opposing this draft Local Bill was approved on April 8, 2008 and a second Local Bill was currently being drafted. She pointed both the Broward

Town Commission Regular Meeting Minutes
March 23, 2010

League of Cities and Florida League of Cities opposed this Bill as it would add another tax district to the current tax bill.

Commissioner Clotey made a motion to draft a resolution opposing the Local Bill proposing the creation of the Broward Independent Fire District. Vice Mayor Dodd seconded the motion. The motion carried 5 - 0.

- d. Discussion and/or action by Town Commission regarding Enforcement of Parking Spaces surrounding Town Municipal Park (Assistant Town Manager John Olinzock)

This item was deferred to Roundtable.

- e. Ratification of the appointment of Commissioner Chris Vincent as the Chairperson for Easter-By-The-Sea with a budget of \$1,500.00 (Mayor Roseann Minnet)

Mayor Minnet thanked Commissioner Vincent for taking on the responsibility. She inquired for clarification on the \$1,500 budget compared to the \$3,000 budgeted for the amount.

Commissioner Sasser did not believe they had to nominate a Commissioner and asked whether they had to ratify appointment. Attorney Trevarthen stated that the action was brought up at special meeting where the item was not on that agenda. She explained the Commission could appoint whoever they wanted to be the chairperson; however it was previously custom have a Commissioner as the chairperson.

Commissioner Sasser made a motion to approve Christine Vincent as the Chair Person for the Easter-by-the-Sea event with a budget of \$3,000. Vice Mayor Dodd seconded the motion. The motion carried 5 - 0.

Vice Mayor Dodd made a motion that all Town sponsored events use the Town's financial staff and reimbursements be made by a production of invoices to avoid another situation such as Greenfest. Commissioner Clotey seconded the motion.

Mayor Minnet asked whether Vice Mayor Dodd would want to address this under item 16g. Vice Mayor Dodd believed it would be favorable to vote on the motion and move on. The motion carried 5 - 0.

- f. Discussion and/or action regarding selection of Town Photographer (Mayor Roseann Minnet)

Mayor Minnet explained the resignation of the Town Photographer, Commissioner Marc Furth was received by Town staff. Mayor Minnet requested Commission direction as to whether they should continue with a Town Photographer.

Commissioner Vincent did not believe an official Town Photographer was necessary and suggested that one be appointed as a standby photographer in the event one may be needed for special events.

Vice Mayor Dodd requested that Town staff send a letter of thanks to Marc Furth He also requested that the Chamber of Commerce maintain a list of Town photographers and when the Town needed a photographer they could ask the Chamber for the next person on the list and to

allow them to put their logo on their photograph.

Commissioner Clotley asked whether Public Information Officer, Steve d'Oliviera took the photographs for Town events. Manager Colon explained that he took pictures of ceremonies when he was available.

Mayor Minnet agreed with sending a letter of appreciation to Commissioner Furth and believed the Town could move forward with working with residents and staff to obtain photographs without having an official Town photographer.

Commissioner Clotley suggested the letter acknowledge that Commissioner Furth donated his time and financed the production of the photographs he produced.

g. Discussion and/or action on Greenfest (Commissioner Stuart Dodd)

Vice Mayor Dodd thanked the Mayor for putting in her own money to make the event successful and hoped the previous situation did not deter her from holding the event again this year. Vice Mayor Dodd made a motion to stop any further action by the Town or the Magistrate regarding Greenfest. Commissioner Vincent seconded the motion.

Mayor Minnet inquired whether or not that action could be taken. Attorney Trevarthen deferred to Town staff; however the violation had already been entered. Assistant Town Manager stated it was not yet on a calendar so direction was needed by the Commission before anything could go forward.

Commissioner Clotley concurred with Vice Mayor Dodd, but reminded the Commission it was about the procedure and not the money.

There was no further discussion. The motion carried 4 - 0. Mayor Minnet recused.

h. Discussion and/or action on the Senior Center contract and agreement (Commissioner Stuart Dodd)

Vice Mayor Dodd believed the Town should pay for the advertisements in the Town Topics promoting the Senior Center rather than the contractor since it was a Town activity.

Vice Mayor Dodd made a motion to approve that the cost of the advertisements in the Town Topics which promoted Senior Center activities be paid by the Town. Commissioner Sasser seconded the motion.

Mayor Minnet asked whether the Commission could vote to eliminate and change the clause in the contract. Attorney Trevarthen said since it would benefit the other party she believed they could.

The motion carried 5 - 0.

Vice Mayor Dodd requested a progress update on the Town Manager's Report on the attendance figures and whether in 3 months the low income grant eligible participant would be enough to satisfy the grant application criteria. He believed staff should consider it a directive from the Commission to do everything to help the Senior Center with their activities.

Commissioner Sasser believed one of the points was the low income portion of the contract. He questioned Article 2, Section 221, Sub Section 221b, as to whether the provision to be met was to meet low and moderate income or could the Commission just go by limited clientele which would be Senior Citizens and not necessarily senior citizens with low or moderate income. Attorney Trevarthen referred to staff as she had not been asked to review the issue.

Manager Colon stated that she submitted a memo explaining that the County had been contacted and an audit would take place. She added that if Broward County believed that the clientele did not meet the required criteria the funds would be lost.

Commissioner Sasser asked the Town Attorney to research as to whether the Town had to go by both; low income and elderly or elderly only. Attorney Trevarthen stated she would research and get back to the Commission at a later time.

Commissioner Sasser referred to Section 2.4 which stated the County would fund only those that created steps to support fair housing. He believed that those steps were taken and asked for clarification. Manager Colon stated that was correct.

Commissioner Sasser referred to Article 8, Section 8.6 that stated that any income generated by the program must get prior written approval from County and that the funds were added and used properly. He stated that the Town had begun charging for non-resident attendance and asked whether Town had followed that requirement. Manager Colon said they were.

i. Discussion and/or action to request an opinion from the Attorney General on the use of the LETF funds (Commissioner Stuart Dodd)

Vice Mayor Dodd requested permission from the dais to modify his letter (attached as part of the backup and hereto attached as part of these minutes) to reflect the Commission's wishes rather than his own. He believed that the Town Attorney and the Town Manager were incorrect in the way the funds were allocated and that within the Statute they were technically not allowed to use the trust funds for a holding cell or sally port. Vice Mayor Dodd requested a letter be sent to obtain the Attorney General's opinion as to whether the funds were used correctly.

Commissioner Clotey was concerned as 2 Police Chiefs and the Town Attorney stated that the Town could use the funds as they did. She believed the Commission needed to be careful before they send an official letter from the Commission. She preferred that Vice Mayor Dodd send it himself.

Vice Mayor Dodd did not believe he could. Attorney Trevarthen suggested, that in the alternative, the Commission could direct that the letter be from Vice Mayor Dodd and if not allowed then from the Commission.

Vice Mayor Dodd made a motion to direct the Town Attorney request an opinion from the Attorney General on use of the LETF funds on behalf of the Commission.

Commissioner Clotey believed that if an Attorney General's opinion is to be requested, the letter should be written correctly. She remembered that Chief Gooding was transferred and not fired.

Commissioner Vincent seconded the motion. The motion carried 3-2. Commissioner Sasser and Commissioner Clotey voted no.

j. Discussion and/or action for Minor Site Plan Approval for Ocean Terrace Beachside Condominium (Assistant Town Manager John Olinzock)

Assistant Town Manager Olinzock explained that the Town Code gave authority to approve minor site plan changes to the Development Services Department. He added that he was looking for direction as to whether the Commission wanted to continue on a quarterly report basis. Vice Mayor Dodd was concerned with the definition of the word "minor" and wanted to be sure a professional reviewed the changes to determine whether they were "minor". Assistant Town Manager stated that it was considered as a minor change and the Development Services Department would be able to provide that information. He added that at this time he was looking for direction as to whether the Commission wanted to continue with the quarterly report basis or revise the Code as to who made the decisions for "minor" site development changes.

Mayor Minnet asked to take a vote as to whether to approve the minor site plan approval. .

Attorney Trevarthen advised that this particular project had already been approved and the Commission could not take it back and referred to Development Review Official under Section 30-54 of Town Code. She concurred that as Assistant Town Manager Olinzock stated, it was brought before the Commission as a policy to make them aware that it was reported on quarterly, and inquired as to whether the Commission wanted to continue with quarterly or change the procedure. Attorney Trevarthen repeated that it was not appropriate to take a vote on this particular matter. Mayor Minnet confirmed it was just brought up for policy.

Mayor Minnet inquired as to whether the Commission wanted every minor site plan approval to come before them or come before them on a quarterly basis as done previously. The Commission agreed to leave it at quarterly.

Vice Mayor Dodd advised that Assistant Town Manager should become aware of the word "minor" modifications as there had been problems in the past with Oriana. Assistant Town Manager Olinzock stated that occurred before him time.

k. Discussion to set a date and time for Roundtable.

Attorney Trevarthen reminded the Commission that even though a procedure resolution had not yet been prepared, a lot was discussed last week. She added that one of the items of discussion was that a Roundtable meeting should have an agenda and the backup was to be included. Commissioner Sasser stated that if the items were on the current agenda with the backup, and hopefully the Commission was prepared to vote on them, then they should be prepared for Roundtable next week.

Manager Colon concurred as long as it was only those items that were deferred to the Roundtable. Vice Mayor Dodd stated he would be unavailable from April 5th thru April 8th. Commissioner Clotey did not believe the Roundtable should be held during High Holy days. Mayor Minnet stated that although the meeting would be in Sunshine it would not be open for public comment and would be video taped. Vice Mayor Dodd agreed.

The Commission agreed to hold the Roundtable discussion on Monday, March 29, 2010 at 6:00 p.m.

Town Commission Regular Meeting Minutes
March 23, 2010

Attorney Trevarthen repeated the list of items scheduled for Roundtable discussion; Bocce Ball Court Item, Chamber Roof, Tennis Court Lighting, Capital Improvement Program Workshop, General Approach to the Minutes, El Mar Drive, Imperial Lane, and Municipal Park Parking. Mayor Minnet agreed.

Commissioner Clotney asked when the cut off date would be to send items for the agenda. Mayor Minnet stated that at this time the Commission was setting the agenda with just these items so that Town Staff would have enough time as they were already prepared with the backup information. Commissioner Clotney suggested setting a deadline to be discussed at the Roundtable. Mayor Minnet agreed that the Commission could set the time for the next Roundtable at the March 29, 2010 Roundtable and discuss when the cut off date would be.

Clerk White requested clarification as Passover began March 29, 2010 at sundown, 7:00 p.m. She added that the list showed Passover on March 30, 2010. Mayor Minnet also believed it began at March 30, 2010. Clerk White asked whether the Commission wanted to change the date. Commissioner Clotney suggested Thursday, March 25, 2010. Mayor Minnet suggested the time be changed to 5:00 p.m. on March 29, 2010. The Commission agreed.

I: Discussion regarding a letter of support for Aquazul Condominium Association for a grant for a development of a high rise green learning laboratory.

This item was added earlier in the evening by Mayor Minnet.

Mayor Minnet stated that she placed this item on the agenda in support of the Aquazul Condominium Association. She requested that the Town Attorney move forward with the letter. Manager Colon wanted to know what the grant document indicated to make sure the Town had no liability. Mayor Minnet asked whether the applicant supplied the grant with documentation. Manager Colon said it was not and that she would call the applicant. Attorney Trevarthen concurred with Manager Colon.

m: Discussion regarding House Bill 561 and Senate Bill 1222.

This item was added earlier in the evening by Mayor Minnet.

Mayor Minnet stated that currently there are condominiums that do not have sprinkler systems and there was legislation on the State level for sprinklers to be extended from 2012 to 2019. She believed it was important to review the proposed Bill. Mayor Minnet explained that the proposed Resolution would request additional time.

Manager Colon stated that some condominiums opposed the Bill as there were restrictions. She added that she requested the Fire Chief review the House Bill and she had contacted the State Condominium Association to learn how many condominiums supported and opposed the Bill for financial means.

Mayor Minnet explained that the resolutions were to extend the life safety / the sprinkler requirements to 2019.

Manager Colon asked for additional research as they were large Bills that have not yet been read.

Town Commission Regular Meeting Minutes
March 23, 2010

Mayor Minnet agreed to extend it to the next agenda. She said she would get representatives for Condominiums to forward to advise the necessity of the Bill.

Commissioner Sasser suggested the item go to Roundtable for discussion due to the sensitivity of time. The Commission agreed.

n: Discussion regarding the selection of a Chairperson to the 4th of July Committee.

This item was added earlier in the evening.

Mayor Minnet stated that the Commission agreed that the Chairperson did not need to be a Commissioner.

This item was deferred to Roundtable by Vice Mayor Dodd.

17. TOWN ATTORNEY REPORT

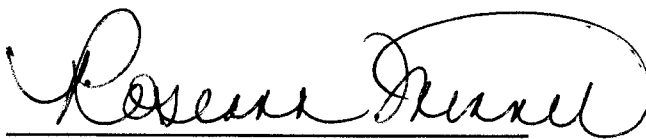
Attorney Trevarthen announced a Shade Session in the litigation matter of Palm Yacht and Beach Club vs. Town of Lauderdale By The Sea, Case No. 09-0285483. She stated that the time for that Shade Session would be coordinated with the Clerk and with staff for a convenient time for all.

Assistant Town Manager Olinzock requested clarification on the Easter by the Sea event, item 16d. He advised that staff did not receive application and wanted to clarify that the same hours and same facilities were going to be used and that parking enforcement would be waived during the event. Commissioner Vincent stated that he would get that information to Assistant Town Manager Olinzock after the meeting.

18. ADJOURNMENT

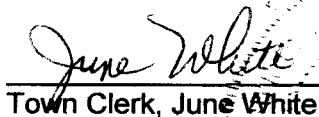
Commissioner Vincent made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 10:44 p.m.

19. FUTURE AGENDA ITEMS



Mayor Roseann Minnet

ATTEST:


Town Clerk, June White

4-29-10

Date

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Minnet Roseann A</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>LAUDERDALE BY THE SEA</i>	
MAILING ADDRESS <i>2000 Ocean Blvd #11E</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>LAUD-BY-TH-SEA</i>	COUNTY <i>Broward</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY <i>Town</i>	
DATE ON WHICH VOTE OCCURRED <i>March 23, 2010</i>		NAME OF POLITICAL SUBDIVISION: <i>MAYOR</i>	
		MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE	

WHO MUST FILE FORM 8B

03-24-10P02:09 0022

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Roseann Minnet, hereby disclose that on March 23, 2010:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

AS chairperson OF A SPECIAL EVENT
where a CONFLICT WAS DROPPED

03-24-10P02:09 0023

March 24, 2010
Date Filed

Roseann Minnet
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME DODD ALEXANDER STUART		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE COMMISSION MEETING
MAILING ADDRESS 232 IMPERIAL LAWE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY LAUDERDALE BY THE SEA	COUNTY BROWARD	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED 23RD MARCH		NAME OF POLITICAL SUBDIVISION:
		MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, ALEXANDER STUART DODD, hereby disclose that on 23rd MARCH, 20 10:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

VOTING FOR SELF FOR APPOINTMENT TO VICE MAYOR

24th March. 2010
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.