

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, October 28, 2014
7:00 PM**

1. CALL TO ORDER, MAYOR SCOT SASSER

Mayor Scot Sasser called the meeting to order at 7:15 p.m. Also present were Vice Mayor Chris Vincent, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Elliot Sokolow, Town Manager Connie Hoffmann, Assistant Town Manager Bud Bentley, Assistant to the Town Manager Pat Himmelberger, Town Attorney Susan L. Trevarthen, Town Planner/Assistant Development Services Director Linda Connors, Municipal Services Director Don Prince, and Town Clerk Tedra Smith.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Sasser announced that a workshop will be held on November 6, 2014, at 7 p.m. in Jarvis Hall to discuss the El Mar Drive Greenway project. Conceptual design for the Greenway will be discussed at this meeting and residents are encouraged to provide input.

The following Items were added to the Agenda at this time: a Resolution in connection to the Florida Recreational Development Assistance Program (FRDAP) grant (Item 13b) and the establishment of a date for a Parking Strategic Plan workshop (Item 17b).

5. PRESENTATIONS

a. Selection of Architects for Architectural Design Services (RFO No. 14-07-01) (Connie Hoffmann, Town Manager)

Town Manager Connie Hoffmann recalled that an RFQ was issued in August 2014 for architectural design services for the Town for an initial term of three years, with the option for two one-year renewals. This will include the design of the public restrooms on El Mar Drive in the Midcentury Modern architectural style.

A selection committee ranked the short-listed respondents in the following order:

1. Abbate & Associates

2. CPZ Architects Inc.
3. Walters Zackria Associates

Town Manager Hoffmann noted that while all three firms have designed projects in the Midcentury Modern style, Abbate & Associates had the greatest experience in that style. All three firms were invited to present to the Commission, but both the second- and third-ranked firms declined to attend.

Tony Abbate of Abbate & Associates provided a brief presentation on the firm, including past projects that could be compared to the El Mar Drive restroom project.

Vice Mayor Vincent made a motion, seconded by Commissioner Sokolow, to rank the respondents in the order the committee recommended and to authorize Town Manager Hoffmann and other proper Town officials to execute a continuing services contract with the top-ranked firm. Motion carried 5-0.

6. PUBLIC COMMENTS

Ken Brenner, resident, provided informational photos to the Commissioners regarding parking at Sun Trust and the proposed Minto accessory building.

7. PUBLIC SAFETY DISCUSSION

a. BSO September 2014 Report (Captain Fred Wood)

Captain Fred Wood of the Broward Sheriff's Office (BSO) stated that a letter was received from the Florida Department of Transportation (FDOT), requesting that the Town's license plate reader (LPR) cameras be removed, as they were located over an FDOT right-of-way. The Florida Chiefs of Police Association, however, has been in contact with the Governor's office as other cities received similar letters. The Governor's office had promised that they and FDOT will work cities on this matter.

Town Manager Hoffmann added that Staff has prepared a letter and the Commission signed asking the Governor to intercede with FDOT to allow these cameras.

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve the report. Motion carried 5-0.

b. VFD September 2014 Report (Chief Judson Hopping)

The Commissioners accepted the report without comment.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

c. AMR September 2014 Report (Chief Brooke Liddle)

The Commissioners accepted the report without comment.

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve. Motion carried 5-0.

8. TOWN MANAGER REPORT

a. Chamber of Commerce Monthly Statistics Report for August & September 2014 (Tedra Smith, Town Clerk)

Town Manager Hoffmann noted that the Town experienced no issues with the setup or organization of the recent Arts and Crafts Fair.

b. Town Manager Report (Connie Hoffmann, Town Manager)

Town Manager Hoffmann reported that the Bel Air drainage project is essentially complete, with only punch list items remaining.

The Commercial Boulevard lane realignment project is now underway, and the second phase of the streetscape design between A1A and Seagrape Drive will be discussed in a public workshop to solicit businesses' and residents' input. The workshop is scheduled for Wednesday, November 5, 2014 in Jarvis Hall from 9 a.m. to 11 a.m.

The first November Town Commission meeting has been scheduled for November 18 to avoid conflict with the Veterans' Day holiday. Town Manager Hoffmann requested the Commissioners' concurrence that second reading of several Ordinances be scheduled for this date so all Town business for that month may be accomplished then as it was likely the meeting scheduled for Thanksgiving week would be cancelled. The Commissioners agreed by consensus.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

- a. September 23, 2014 Town Commission Meeting Minutes (Tedra Smith, Town Clerk)**
- b. September 29, 2014 Town Commission Meeting Minutes (Tedra Smith, Town Clerk)**
- c. September 29, 2014 Special Town Commission Meeting (2nd Public Budget Hearing) Minutes (Tedra Smith, Town Clerk)**

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve. Motion carried 5-0.

11. CONSENT AGENDA

Items 11a, 11c, 11f, 11g, 11h, and 11i were pulled for further discussion.

Vice Mayor Vincent made a motion, seconded by Commissioner Sokolow, to approve [Items] b, d, and e. Motion carried 5-0.

a. Purchase of Beach Utility Vehicle (Don Prince, Municipal Services Director)

In response to a question, Municipal Services Director Don Prince advised that the all-terrain vehicle will have an aluminum frame and cargo bed to protect against salt.

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve. Motion carried 5-0.

b. Purchase of F-350 (Don Prince, Municipal Services Director)

Approved by earlier motion.

c. Request for an Accessory Building at 236 Commercial Blvd. (Linda Connors, Town Planner/Assistant Development Services Director)

Commissioner Sokolow recused himself from voting upon this Item due to a conflict.

Vice Mayor Vincent made a motion to approve.

Town Planner/Assistant Development Services Director Linda Connors explained that the building would be located behind 236 Commercial Boulevard.

The Commission expressed concern about the appearance of the proposed temporary building.

Vice Mayor Vincent added the following to his motion: that the Town require some sort of decorative wrap that is in proportion or in relation with what [exists] around Town.

Town Manager Hoffmann suggested that the Item be deferred so Town Staff could discuss the issue further with the Applicant. A representative from the Applicant indicated they needed to proceed and that the structure that was needed to provide safety and security for the electric vehicle. The Commission discussed that the Applicant could provide temporary landscaping around the structure to improve its appearance.

Town Attorney Trevarthen requested that the motion include clarification that the proposed decorative wrap not constitute signage. There was agreement by consensus on this addition.

Commissioner Dodd seconded the motion. Motion carried 4-0 (Commissioner Sokolow recused).

- d. Special Event Application for A1A Marathon proposed for Sunday, February 15, 2015 (Bud Bentley, Assistant Town Manager)**

Approved by earlier motion.

- e. New Year's Eve Celebration Special Event Application for 101 Ocean, Aruba Beach Café, Athena by the Sea, Mulligan's, and Village Grille (Bud Bentley, Assistant Town Manager)**

Approved by earlier motion.

- f. Budget Amendment – Donation for Christmas-By-The-Sea (Pat Himelberger, Assistant to the Town Manager)**

Commissioner Sokolow made a motion, seconded by Vice Mayor Vincent, to approve. Motion carried 5-0.

- g. License Agreement for 4312 Ocean Drive as a Temporary Parking Lot (Bud Bentley, Assistant Town Manager)**

Commissioner Brown commended Town Staff for their initiative on this Item.

Commissioner Brown made a motion, seconded by Vice Mayor Vincent, to approve. Motion carried 5-0.

- h. Work Authorization with SCEC for Alleyway Reconstruction (Connie Hoffmann, Town Manager)**

Assistant Town Manager Bud Bentley advised that the cause of water accumulation in the alleyway is a Code violation, and Athena by the Sea must install appropriate drainage.

Commissioner Dodd made a motion, seconded by Vice Mayor Vincent, to approve. Motion carried 5-0.

- i. Termination of Contract with Standard Parking (Connie Hoffmann, Town Manager)**

Asst. Town Manager Bentley advised that a definitive plan will be brought before the Commission before termination occurs in four months. The contractor does not have the legal option to terminate their contract in advance of 120 days.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

12. ORDINANCES

Ordinances 1st Reading

1. **Ordinance 2014-17 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 30, Unified Land Development Regulations, of the Code of Ordinances, Section 30-326, “General Regulations for Window Awnings and Entrance Canopies,” to update standards and review requirements for awnings and entrance canopies; and providing for codification, severability, conflicts, and an effective date (Linda Connors, Town Planner/Assistant Development Services Director)**

At this time Mayor Sasser opened public comment on Ordinance 2014-17.

Bill Ciani, property owner, requested clarification of whether or not awnings may extend beyond 4 ft. to protect new businesses from the sun. Asst. Development Services Director Connors clarified that the measurement is from the building face rather than the property line: in the B-1 zoning district, an awning may extend no more than 9 ft. from the supporting building wall. She concluded that a survey would be necessary to accurately measure Mr. Ciani's property. The Town Manager mentioned that trees in the Town's right of way could alter the nine feet allowed.

Asst. Development Services Director Connors continued that the Code currently requires a single awning color on a building. Staff recommends allowing multiple awning colors, subject to the architectural review process. The architectural review process will consider aesthetics, adjacent buildings and/or businesses, and the style of the awning. Approval for national brands with logos would not be automatic, but dependent upon aesthetic considerations.

Commissioner Sokolow made a motion, seconded by Vice Mayor Vincent, to approve this Ordinance on first reading. Motion carried 5-0.

2. **Ordinance 2014-18 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 17, “Streets, Sidewalks, and other Public Places,” Article VI, “Sidewalk Cafés,” of the Code of Ordinances, to update**

**requirements for Sidewalk Cafés; and providing for
codification, severability, conflicts, and an effective date
(Linda Connors, Town Planner/Assistant Development
Services Director)**

At this time Mayor Sasser opened public comment.

David Olmo, representing Sloan's, explained that the business would like to place tables outside with 2 inch lettered logos. There would be no logos on chairs. Umbrellas would be 6 ft. in size.

As there were no other members of the public wishing to speak on this Item, Mayor Sasser closed public comment.

Asst. Development Services Director Connors reviewed the Ordinance, which stems from discussion at a Town Commission meeting when requirements for sidewalk cafés were reviewed. At that meeting, the Commission requested that Staff amend definitions to allow food establishments that do not provide table service to have these cafés. The Commission also agreed to allow tables and chairs closer to the street in low-speed areas, and to amend the Ordinance to create a more equitable fee structure.

Since that discussion, Staff has received applications from Sloan's requesting that their logo be allowed on their sidewalk cafe furniture. Asst. Development Services Director Connors pointed out that the Code is very specific in only allowing only the name of the business on sidewalk café furniture. Sidewalk cafés with advertising on their umbrellas have been asked to remove them and have complied with those requests.

Commissioner Brown voiced his opinion that the table Sloan's was proposing was not to his liking and wondered if a proliferation of such furniture by different businesses could lead to a honky tonk look on the Town's sidewalks which were beautiful.

Commissioner Sokolow and Vice Mayor Vincent both expressed their opinions that the Town should not be interfering with a business' ability to display their brand and that the Town was overstepping by objecting to this proposal.

Town Manager Hoffmann noted that the property on which the sidewalk cafes are located is Town property and the Town has every right to set aesthetic standards for the use of its property. She indicated that the Town had already modified its ordinances to allow nationally-branded logos and signage on the property owner's building. She pointed out that cities throughout the country require national brands to comply with their aesthetic requirements and such requirements can actually add value. Town Manager Hoffmann cautioned that a change to the Ordinance to allow advertising and logos on tables within the Town's rights-of-way would not be limited to the proposal by Sloan's, but would apply to logos from other companies that the Commission may find

objectionable. She felt that a lot of different logos on the sidewalk furniture could be garish.

Commissioner Sokolow stated he did not think that many businesses would be proposing this.

Commissioner Sokolow made a motion that the Commission change this Ordinance to permit business logos for the business that is operating [in a location], and their name to be on tables outside; and that they approve the Ordinance with that change.

Town Attorney Trevarthen clarified that this motion addresses line 269 of the proposed Ordinance, which prohibits signs on awnings, umbrellas, and other furniture, with the exception of the establishment's name. She advised that the motion would amend this language in order to permit both the establishment's name and its logo. Commissioner Sokolow confirmed that this was his motion, clarifying that he did not recommend a height limitation on lettering.

Vice Mayor Vincent seconded the motion. Motion carried 3-2 (Commissioners Brown and Dodd dissenting).

Commissioner Sokolow made a motion, seconded by Vice Mayor Vincent, to approve the Ordinance. Motion carried 5-0.

Ordinances 2nd Reading

- i. **Ordinance 2014-10 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 30, Unified Land Development Regulations, Article VIII, Sign Regulations, to revise and clarify Exempt Signs, Sign Requirements and Standards, Sign Regulations by Zoning District, and Definitions; providing for codification, severability, conflicts, and an effective date (Linda Connors, Town Planner/Assistant Development Services Director)**

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

Commissioner Dodd made a motion, seconded by Vice Mayor Vincent, to approve. Motion carried 5-0.

- ii. **Ordinance 2014-13 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 30, Unified Land Development Regulations, of the Code of Ordinances, to provide definitions, correct cross references,**

and eliminate duplication; to provide and update requirements for view corridors East of El Mar Drive, loitering and queueing associated with businesses, single family and duplex driveways, the status of parking exemptions granted under the restaurant exemption program, tandem parking, and bicycle and neighborhood low-speed vehicle parking; to require amortization and upgrading of nonconforming parking area surfaces in the business districts; to clarify when back-out parking must be altered; to provide uniform appeal procedures; to regulate drive through service in the B1-A Zoning District; to add parking requirements for outdoor restaurant seating on private property; to add alternative standards for the El Mar Streetscape Plan if approved by the Town Commission; to provide for amendment to the Seagrape Drive Sidewalk Plan set by Resolution; and providing for codification, severability, conflicts, and an effective date (Linda Connors, Town Planner/Assistant Development Services Director)

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

Commissioner Dodd pointed out that there was no mention in the Ordinance that preferred building materials should be pervious. Asst. Development Services Director Connors noted that drainage is addressed in another Agenda Item, and that Staff is reviewing the Town's overall drainage regulations.

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve. Motion carried 5-0.

- iii. Ordinance 2014-14 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 30, Unified Land Development Regulations, of the Code of Ordinances, by amending Section 30-11, "Definitions," to provide a definition of Medical Marijuana Retail Center, by amending Section 30-261, "B1-A District – Business," to provide for conditional use review and development requirements for Medical Marijuana Retail Centers; by modifying Section 30-318, "Minimum Parking Requirements," to provide Parking Standards for Medical Marijuana Retail Centers; providing for codification, severability, conflicts, and an effective date (Susan Trevarthen, Town Attorney, and Kathryn Mehaffey, Assistant Town Attorney)

Lauderdale-By-The-Sea
Town Commission Regular Meeting
October 28, 2014

Commissioner Brown asserted his opposition to the Ordinance, as well as Ordinance 2014-15, as he felt it was premature for the Town to address this issue in advance of a State referendum on medical marijuana.

Town Attorney Trevarthen clarified that Ordinance 2014-14 addresses land use and creates the opportunity for this land use within the community's B-1A zoning district, with zoning and separation requirements. Ordinance 2014-15 addresses business regulations.

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

Motion made by Commissioner Dodd, seconded by Vice Mayor Vincent, to approve. Motion carried 4-1 (Commissioner Brown dissenting).

- iv. **Ordinance 2014-15 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 12, “Licenses,” of the Code of Ordinances, by amending Section 12-24, “Home Occupations,” to prohibit marijuana-related home occupations; and by creating Section 12-25, “Marijuana Businesses,” to provide regulations, restrictions, and procedures for the operation of Medical Marijuana Retail Centers (Susan Trevarthen, Town Attorney, and Kathryn Mehaffey, Assistant Town Attorney)**

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 4-1 (Commissioner Brown dissenting).

13. RESOLUTIONS – PUBLIC COMMENTS

- a. **Resolution 2014-42 – A Resolution of the Town Commission of Lauderdale-By-The-Sea, Florida, revising the Commission Meeting and Agenda Procedures; providing for conflicts, severability, and providing for an effective date (Susan Trevarthen, Town Attorney)**

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

It was clarified that the Resolution would move Old Business and New Business to an earlier point in the Agenda so they would follow the Consent Agenda and precede Ordinances. Town Attorney Trevarthen added that if the Commissioners agreed by consensus to move other Items as well, they would have the flexibility to do so.

Commissioner Sokolow made a motion, seconded by Vice Mayor Vincent, to approve. Motion carried 5-0.

- b. Resolution 2014-43 – A Resolution of the Town Commission of Lauderdale-By-The-Sea, Florida, ratifying the Budget Commitment in the amount of \$352,000 for the completion of Beach Area Restrooms during FY 2015; approving the future adoption of the FY 2015 – FY 2019 Capital Improvement Plan Schedule; providing for conflicts, providing for severability, providing for an effective date**

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

It was clarified that this Item referred to the Florida Recreation Development Assistance Program (FRDAP) grant application.

Commissioner Brown made a motion, seconded by Commissioner Sokolow, to approve. Motion carried 5-0.

14. QUASI JUDICIAL PUBLIC HEARINGS

- a. Amendment to SunTrust Property Paid Private Parking Development Order (Linda Connors, Town Planner/Assistant Development Services Director)**

Town Attorney Trevarthen reviewed the requirements for quasi-judicial Items, and any individuals wishing to speak on this Item were sworn in.

Commissioner Sokolow recused himself from voting upon this Item.

Asst. Development Services Director Connors recalled that the Commission approved a conditional use for paid private parking at SunTrust Bank on July 26, 2011, which allowed parking within parking spaces, and allocated the spaces in excess of required parking to be used from close of business until 2 a.m. On May 8, 2014, the property owner was cited for using additional areas that were not parking spaces. Since that time, no violations of the conditional use order have been observed.

The Applicant has submitted an application to amend the conditional use and add 23 parking spaces in the aisles and drive-through areas of the bank. This issue was brought before the Planning and Zoning Board at their most recent meeting, and approval was recommended for 21 of the 23 designated areas. The Planning and Zoning Board also asked that they be allowed to review the conditional use approval of these 21 spaces after the Town's parking study has been implemented, or by December 2016, whichever is sooner.

Since the Planning and Zoning Board meeting, Staff has also recommended adding one more condition: that the Applicant maintain and operate the 221 Commercial Boulevard parking lot property to Code and be responsible to Code for the paid private parking use. Staff recommends approval of the Application.

With regard to pictures provided earlier by a resident of cars parked in the handicapped parking spaces exit areas Town Manager Hoffmann noted that the automatic teller machine (ATM) on the bank's property operates 24 hours per day. Town Attorney Trevarthen stated that she did not know if Americans with Disabilities Act (ADA) regulations will continue to apply to the ATM on a 24-hour basis. It was suggested that additional language could be added to the conditional use application, stating that the lot will be maintained and operated according to Code and other applicable laws.

It was proposed that the conditional use permit be approved for a six- or twelve-month period, while the results of the Town's parking study are reviewed. Asst. Director Connors proposed that Staff could provide a status report on the Item in six months. Commissioner Sokolow pointed out that the permit is set to expire when the parking study is complete or in 2016. Asst. Development Services Director Connors confirmed that one condition is review of the approval once either of these requirements is met.

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve with new condition #8: the Applicant will maintain and operate the 221 Commercial parking lot property to Code, and to other applicable laws, and be responsible for the paid private parking use; also condition #9, line 2, replace the words "has implemented" with the word "evaluates."

Town Attorney Trevarthen added that if the Commission wishes to discontinue the conditional use, the final condition could also refer to potentially removing the additional spaces. Commissioner Dodd agreed to this amendment.

Motion carried 4-0 (Commissioner Sokolow recused).

15. COMMISSIONER COMMENTS

Commissioner Brown reiterated that on November 6, at 7 p.m. in Jarvis Hall, FDOT will present their conceptual drawings for El Mar Drive for public comment.

Commissioner Sokolow observed that he had recently received a call from a resident asking the Town to address parking on the grassy area of the Community Church. He asked that the Planning and Zoning Board review this regulation.

Vice Mayor Vincent advised that Halloween decorations will go up on Wednesday evening, October 29, after 6 p.m. Times are yet to be determined for Thursday and Friday.

Commissioner Dodd advocated for a marine preserve for the Town, and encouraged the public to visit the website www.ourfloridareefs.org/mapping and respond to the questionnaire.

16. OLD BUSINESS

a. Friedt Park Improvement Plan Recommendations by Ad Hoc Committee (Pat Himmelberger, Assistant to the Town Manager, and Don Prince, Municipal Services Director)

Assistant to the Town Manager Pat Himmelberger recalled that, on June 10, 2014, an Ad Hoc Committee was appointed to study Friedt Park and make recommendations to the Commission. These recommendations and estimated costs to implement them are reflected in the backup materials.

The Commissioners discussed the recommendations, noting that substantive repairs would only be made to the longer bocce court and not the shorter one. It was clarified that the smaller court would be completely replaced with a regulation-sized bocce court. Commissioner Dodd added that he had hoped to see more parking provided for park users. He also wondered if it would make more sense to do the tennis court lighting in the first year as that might increase the revenue from the tennis courts.

Commissioner Brown made a motion, seconded by Commissioner Dodd, to go with Committee recommendations. Motion carried 5-0.

It was agreed by consensus that local hospitals could be asked to help provide funds toward providing a fitness trail at the Park as well.

17. NEW BUSINESS

a. Process for Town Manager Evaluation (Connie Hoffmann, Town Manager)

It was determined that the Commission would:

- Maintain the format previously used for the evaluation;
- Provide the performance review at the December 9 regular Commission meeting;
- Have the evaluations to the Town Clerk by December 2;
- Establish a date on which to discuss and set performance goals for FY 2015 in January.

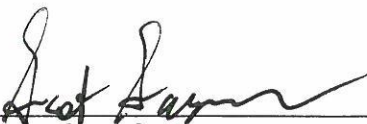
b. Strategic Parking Plan Workshop Scheduled for December 9th at 5 p.m.

The Commissioners agreed on this date by consensus.

Lauderdale-By-The-Sea
Town Commission Regular Meeting
October 28, 2014

18.ADJOURNMENT

With no further business to come before the Commission at this time, the meeting was adjourned at 10:05 p.m.

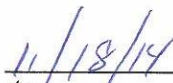


Mayor Scot Sasser

ATTEST:



Town Clerk Tedra Smith



Date

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>SOKOLOW ELLIOT</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>LAUDERDALE BY THE SEA COMMISSION</u>	
MAILING ADDRESS <u>1430 S OCEAN BLVD BROWARD</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <u>LAUDERDALE-BY-THE-SEA</u>		☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <u>10-28-2014</u>		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, ELLIOT SOKOLOV, hereby disclose that on OCTOBER 28, 20 14:

(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 BAC REAL ESTATE AGENTS, 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:

APPROVAL OF ADDITIONAL PAID PARKING. MY COMPANY HAS A MAINTENANCE CONTRACT & PERFORMS SERVICE WORK AT THE BUILDING

10-28-14
Date Filed

Elliot Sokolov
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 Sokolow, Elliot		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Lauderdale-By-The-Sea Commission	
MAILING ADDRESS 1430 S. Ocean Blvd		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 October 28, 2014		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, Elliot Sokolow, hereby disclose that on October 28, 20 14:

(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 Minto Communities, 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:

Agenda Item 11c: Requesting an Accessory Building at 236 Commercial Blvd.
Minto Communities is a large customer of my company.

*MY COMPANY IS A MINTO SUBCONTRACTOR AND
MINTO IS ONE OF OUR LARGEST COMPANIES*

10-28-14

Date Filed

Elliot Sokolow

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.