

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, May 13, 2014
7:00 PM**

1. CALL TO ORDER, MAYOR SCOT SASSER

Mayor Scot Sasser called the meeting to order at 7:00 p.m. Also present were Vice Mayor Chris Vincent, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Elliot Sokolow, Town Attorney Susan Trevarthen, Town Manager Connie Hoffmann, Assistant Town Manager Bud Bentley, Assistant to the Town Manager Pat Himmelberger, Town Planner Linda Connors, Finance Director Tony Bryan, Municipal Services Director Don Prince, BSO Captain Fred Wood, and Deputy Town Clerk Tedra Smith.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION – Rabbi Bentzion Singer

Rabbi Bentzion Singer gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

It was decided that discussion of an Alternate to the RRB asset litigation meetings would be added to the Agenda as Item 17h.

5. PRESENTATIONS

a. 2013 Crime Statistics (Captain Fred Wood)

Captain Fred Wood of the Broward Sheriff's Office (BSO) reviewed the 2013 Crime Statistics, noting that the Town experienced a 21.7% overall decrease in crime. The crime clearance rate was 24.8%. The Commissioners recognized BSO Staff for their continuing efforts.

b. Emergency Medical Services Week Proclamation

Mayor Sasser read the Proclamation recognizing the week of May 19-25 as Emergency Medical Services Week in Lauderdale-By-The-Sea.

6. PUBLIC COMMENTS

At this time Mayor Sasser opened the meeting for public comment.

Rick Imboden, resident, advised that the Town's minimum vacation rental period of seven days was not being followed by a neighboring residence. He stated that he wished to report this concern to an appropriate member of Town Staff.

Alex Kublickis, resident, suggested that the Town erect a flagpole, which could be used to implement a Beach Ball Drop event on New Year's Eve.

Tracey Plunkett, president of the Villas By The Sea Condominium Association, stated that residents at this location do not wish to see public restrooms constructed in El Prado Park. She asserted that more research should be conducted to determine if additional restrooms are needed.

Beverly Kennedy, resident, described the removal of a roof from the property adjacent to hers. She explained that materials from this demolition had fallen onto her property and expressed concern that they were toxic.

Yann Brandt, resident, addressed Item 16a, asserting that there is no reason to bypass the RFP process for the Bel Air drainage project. He also noted Item 17e, stating that the proposed policies should increase the transparency of Town purchasing for residents and taxpayers without adding to the work of Town Staff.

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

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

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

Town Manager Connie Hoffmann advised that 17 diver permits have been sold, and recommended that this program be extended for another year. The Commissioners agreed by consensus to continue the program.

Town Manager Hoffmann added that Town Staff is seeking direction from the Commission regarding the installation of a dog watering station in the Downtown area. The Commissioners concurred with this proposal, noting that a determination will need to be made regarding the materials used to construct the station. It was suggested by Commissioner Brown that drinking fountains also be installed Downtown.

Town Manager Hoffmann advised that the Town Attorney has filed suit against Iron Sky for the return of funds associated with the license plate reader camera contract, as well

as damages. Town Staff is soliciting bids on these cameras through a piggyback contract and will present them to the Commission after initial evaluation.

Mayor Sasser requested that the proposal of a flagpole and holiday event by Mr. Kublickis be placed on a future Agenda.

Assistant Town Manager Bud Bentley provided an update on the issue raised by Ms. Kennedy, stating that the Building Official has been on-site and confirmed that the materials used are compatible with the Florida Building Code. The official will be in further contact with Ms. Kennedy.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

- a. March 18, 2014 Town Commission Meeting Minutes (Tedra Smith, Deputy Town Clerk)**

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

- b. March 25, 2014 Town Commission Meeting Minutes (Tedra Smith, Deputy Town Clerk)**

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

11. CONSENT AGENDA

Items 11c and 11d were pulled from the Consent Agenda for further discussion.

- a. Award of Contract to Desman Associates to Prepare a Parking Strategic Plan (Bud Bentley, Assistant Town Manager)**
- b. Town Engineer Contract with Flynn Engineering Service, P.A. (Bud Bentley, Assistant Town Manager)**

Commissioner Dodd made a motion, seconded by Commissioner Brown, to approve 11a and 11b. Motion carried 5-0.

- c. Florida Coastal Zone Management Grant – Working Toward Resilient Coastal Communities (Linda Connors, Town Planner)**

Town Planner Linda Connors explained that this is an informational item, advising the Town of how it would be affected by the projections described in the report. Commissioner Dodd requested more information regarding the effects of increasing sea level on Allenwood Drive, Imperial Lane, and Codrington Drive. Town Planner Connors stated she would request additional information about these streets.

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

d. Collection of Code Enforcement Fines on 3270 Spanish River Drive (Bud Bentley, Assistant Town Manager)

Vice Mayor Vincent requested additional information on this Item. Town Attorney Susan L. Trevarthen recalled that the property participated in the Town's lien mitigation process, but ultimately the property's purchaser did not take advantage of the 75% lien reduction during the appropriate time frame, and the offer of a reduction has expired. A shade session was requested to further discuss the Item, including Staff's recommendation.

Vice Mayor Vincent made a motion, seconded by Commissioner Dodd, to take this [Item] a shade session. Motion carried 4-0 (Mayor Sasser recusing himself).

Town Attorney Trevarthen requested a shade session under the Open Meetings Laws allowed for pending litigation in the matter of 3270 Spanish River Drive, at a date to be determined later.

12. ORDINANCES

a. 1st Reading

None.

b. 2nd Reading

None.

13. RESOLUTIONS – PUBLIC COMMENTS

None.

14. QUASI-JUDICIAL PUBLIC HEARINGS

Town Attorney Trevarthen explained the quasi-judicial process for all present, and disclosures were made by the Commissioners. Any members of the public wishing to speak on these Items were sworn in.

a. Site Plan Application for 216 Commercial Boulevard – Parking Lot (Lots 1-4, Block 20 LBTS) (Linda Connors, Town Planner)

Town Planner Connors presented the Site Plan Application, for which backup materials were available. There are existing Code violations that will be corrected by the Site Plan, which will tie the four lots together. The Planning and Zoning Board recommends approval of the Application.

Craig Unger, representing the Applicant, thanked Staff for their assistance in preparing the Application.

At this time Mayor Sasser opened the meeting for public comment, which he closed on receiving no input.

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

b. Conditional Use Application for 216 Commercial Boulevard – Paid Private Parking (Lots 1-4, Block 20 LBTS) (Linda Connors, Town Planner)

Town Planner Connors presented the Application, recalling that the Commissioners had previously approved this conditional use on this site, however, the Applicant did not meet the implementation deadline in the development order. The Planning and Zoning Board recommends approval of the Application by a vote of 4-1.

Craig Unger, representing the Applicant, concurred with Staff's recommendation.

Commissioner Dodd asked why the lot did not designate spaces specific to the businesses sharing the site, expressing concern that the Town otherwise has no control over which businesses are using the spaces. Staff responded that other conditional use lots within the Town leave this issue to the discretion of the landlord.

At this time Mayor Sasser opened the meeting for public comment, which he closed on receiving no input.

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

c. Site Plan Application for Assumption Catholic Church – 2001 Ocean Drive – New Rectory (Linda Connors, Town Planner)

Town Planner Connors presented the Application, noting that the proposed Site Plan would replace the existing rectory with a larger structure. The Planning and Zoning

Board recommends approval of the Application, with the condition to review the photometric survey once the project is completed.

Bruce Celenski, representing the Applicant, thanked Staff for their assistance in the Application process.

Mayor Sasser opened the meeting to public comment, which he closed on receiving no input.

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

15.COMMISSIONER COMMENTS

Commissioner Brown congratulated the Community Center for holding an excellent cello concert, as well as John Boutin and the Relay for Life team.

Vice Mayor Vincent recalled that on April 22, 2014, the Commission heard arguments related to liens against a property owned by Ocean Medical Center. He stated that upon full review of the backup materials related to this item, he wished to apologize publicly to Town Staff for suggesting they may have made mistakes in addressing this issue.

Commissioner Dodd reported that at a recent Oceans Task Force meeting, he had recommended the establishment of more marine preserves. He also complimented Holy Cross Outpatient Surgery Unit on its service to him. Commissioner Dodd concluded by suggesting that the Commission consider adding items to the agenda for the Planning and Zoning Board to study, and cited areas of concern, such as subjective language and increasing setback requirements in Code.

Mayor Sasser thanked Assistant to the Town Manager Pat Himmelberger for providing car stickers to promote civic pride in the Town. They will be available at Town Hall for a minimal price.

Commissioner Sokolow expressed concern that some of the Town's smaller businesses to the west of A1A may be unhappy with how they are treated under State Building Code, as they may not place tables on sidewalks due to this Code's restroom requirements. He suggested that the Town consider ways this Code might be modified.

16.OLD BUSINESS

a. Bel Air Drainage Award (Don Prince, Municipal Services Director)

Municipal Services Director Don Prince advised that this Item would award the drainage construction contract to State Contracting for a guaranteed maximum price. This was being accomplished under State's continuing services agreement with the Town for

Construction Manager at Risk services. He explained that in the past, other contractors procured through the bidding process have not met the Town's standards. The Commission knew of the problems with the Bougainvillea Drive drainage contractor. Under a construction manager at-risk contract, State can immediately replace a subcontractor without shutting down the project.

Mayor Sasser noted Mr. Brandt's earlier comments regarding sending the contract to RFP, and wanted to verify that State Contracting actually solicits bids from contractors on the Town's behalf. Town Manager Hoffmann confirmed that and noted that the backup materials for the item show the detail on the bids received for various aspects of the job. She also pointed out that State Contracting was selected as the Construction Manager at Risk for the Town through a competitive process as required by State law. The Commissioners expressed a consensus of confidence with the process used in selecting State Contracting.

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

b. Commission decision on whether to proceed with FDOT on the development of Alternative Concepts for an El Mar Drive Greenway (Mark Brown, Commissioner)

Commissioner Brown stated that this Item was a follow-up to a workshop conducted in April, which included public input. The Florida Department of Transportation (FDOT) has agreed to move the proposed project into the design phase if the Town designates El Mar Drive as the preferred location of the greenway; otherwise, FDOT would need to prepare designs for both El Mar Drive and A1A.

Mayor Sasser noted that during the next public workshop, FDOT has recommended additional outreach to walkers in the El Mar Drive area as well as business owners.

Commissioner Brown made a motion, seconded by Commissioner Dodd, to proceed with FDOT on the development of alternative concepts for an El Mar Drive greenway. Motion carried 5-0

c. Public Bathrooms Location Decision & Design Guidance (Connie Hoffmann, Town Manager)

The Commissioners agreed that there is a need for restrooms. They also discussed whether or not one restroom would be sufficient, as well as whether or not the temporary installation of portable restrooms would help determine which site would best address this need.

Commissioner Brown noted that because the beach attracts many out-of-town visitors, there is a need for public facilities in order to prevent placing a burden on the Town's

businesses. Commissioner Dodd stated that while he would prefer portable facilities as a trial, he would not object to the site recently purchased by the Town.

Vice Mayor Vincent made a motion, seconded by Commissioner Brown, to utilize the newly purchased property on El Mar as the location for a restroom. Motion carried 5-0.

17. NEW BUSINESS

a. FY15 Budget Preparation – Draft of 5 year CIP (Connie Hoffmann, Town Manager)

Mayor Sasser requested that this discussion be deferred until a later meeting to allow the Commissioners additional time to review the backup materials. It was determined that the Item would be presented at a June Commission meeting.

b. Town-Wide Dune Restoration and Beach Protection Program (Mark Brown, Commissioner)

Commissioner Brown explained that he would like the sea oats planting program to be formalized by working with the Youth Environmental Alliance (YEA), which can help provide manpower to assist with this project. He proposed that the Town commit \$10,000 toward this goal. Commissioner Brown recommended that this not be considered a special event, but a Town-administered program, for which permits from the Department of Environmental Protection (DEP) will be required.

It was recommended that the properties in front of which sea oats are planted be asked to make a financial contribution toward the project, such as the \$300-\$500 cost of the sea oats themselves. Commissioners Dodd and Sokolow, however, pointed out that some properties may not wish to make this contribution, in which case the Town should be prepared to cover this cost. Mayor Sasser agreed, suggesting that the funds be set aside in a similar program to the neighborhood improvement grants.

Vice Mayor Vincent made a motion, seconded by Commissioner Sokolow, to approve the proposed program and direct the Town Manager to include \$10,000 in the FY 2015 budget. Motion carried 5-0

c. Shopping Plazas Banner Concepts (Pat Himelberger, Assistant to the Town Manager)

Assistant to the Town Manager Pat Himelberger showed a presentation of different design concepts for banners to be placed on poles in the shopping plazas, noting that the designs were also presented to the owners of businesses located in the plazas. The owners were overwhelmingly in favor of the banners named for sculptures in the plazas.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, for the banners named after the sculptures in the Plazas. Motion carried 5-0.

d. Revising the Resident Permit Program (Bud Bentley, Assistant Town Manager)

Asst. Town Manager Bentley recalled that this issue arose earlier in the year during discussions of the West Commercial Boulevard parking rates. Staff has made suggestions to revise the resident parking permit program.

The Commissioners reviewed the recommendations, noting they were not aware of problems in the past regarding the issuance of residential parking permits. Staff commented that many questions arise about who is eligible to buy permits based on the current language of the ordinance.

Several Commissioners recommended that regulations related to commercial parking be more strictly enforced. Assistant Town Manager Bentley advised that this is addressed in the draft language.

Commissioner Sokolow stated that he did not agree with the rationale of allowing no more than two residential permits per dwelling. Asst. Town Manager Bentley advised that the draft language actually expands the program so residents not listed on the property's deed, such as wives or teenage or adult children, may also purchase permits. At present, only the property owner may purchase a permit. It was clarified that Code does not currently allow for anyone residing at a given address to purchase a parking permit for his or her vehicle, although staff had tried to use reason in allowing spouses to purchase permits even if they were not on the deed.

The Commissioners addressed other parking issues as well, including the suggestion that commercial building owners be allowed to purchase Downtown parking passes, the intent of the existing business pass program, and the practice of business owners moving their vehicles from one parking spot to another to avoid ticketing.

Mayor Sasser commented that while some residents or owners may be taking advantage of the existing system, he did not feel it was a sufficiently significant problem for the Commission and Staff to spend a great deal of time regulating exceptions. He recommended deferral of the Item to a date certain so the Commission could reach consensus on whether or not they wish to address this issue.

Asst. Town Manager Bentley recommended that any Code change be adopted by October 1, 2014, before new permits are issued for the next year. This would allow the purchasers time to become familiar with any new regulations.

The Commissioners agreed to defer the Item to a later Agenda.

e. Purchasing Policies (Scot Sasser, Mayor)

Ron Piersante, resident, stated that he found this item to be insulting to Staff, as he was not aware of any existing problem regarding transparency. He asked to know the reason for the proposed changes to the Town's purchasing policies.

Mayor Sasser explained that he had placed this item on the agenda at the request of a member of the public who had addressed this issue earlier in public comments. The item has been discussed with the Town Manager and Town Attorney as an issue on which the Town might improve the transparency of its process. He advised that he would work with Town Manager Hoffmann to determine which items should be brought before the Commission for purchase approval.

The Commissioners discussed the item further, with several Commissioners noting that the Town operates under a Town Manager form of government, which means the Town Commission makes policy decisions while the Town Manager oversees the day-to-day operations of the Town. Commissioner Brown felt the recommendations made would effectively be changing the form of government, something that could only be done by referendum and should not be done via a back door approach. He said the Town Manager serves at the pleasure of the Commission, and would be held accountable if there were any infractions or overstepping of authority. It was also noted that the aggregate purchasing cap would be redundant, and that there should be additional discussions with Staff before a final decision is made regarding the implementation of purchasing changes.

Mayor Sasser indicated that there was no consensus to bring items over \$500 to the Commission for approval, but indicated that all the Commissioners should try to do a better job of denoting what they think is important. He went on to explain that he also did not hear a consensus to establish an aggregate purchasing limit of \$50,000, or a higher amount, or a lower amount. Commissioner Brown stated that he wished to know if other towns post all their checks online before deciding whether or not the Town should take this step. Town Manager Hoffmann indicated she was aware of a handful of cities that posted all transactions. She suggested that posting the check register online could be done on a trial basis. She noted that would be much easier than segregating expenditures as suggested by Mr. Brandt.

Town Manager Hoffmann added that the implication of the proposal was the Commission did not know about significant expenditures but, in reality, during the Town's budget preparation process, The Commissioners were given a line item budget with backup justification that detailed the planned expenses. Individual meetings are held with each that Commissioner to go over the budget and respond to any questions and provide more information if requested. She pointed out that the Commission also receives a finance report that compares expenditures by line item each month to the budget, and displays year to date data too. This report is on the agenda monthly and posted on the website, so there is a great deal of transparency. She concluded that the

proposal suggested either a misunderstanding of the Town Manager/Town Commission form of government or, perhaps, a desire to change it.

Mayor Sasser requested that the posting of check transactions for a 90-day trial period, with the exception of voided or stopped checks, be brought back as an Agenda Item at a future meeting. Commissioner Brown and Vice Mayor Vincent did not agree, however, and reiterated that they would like to know if this is a standard practice in other communities. Vice Mayor Vincent added that he was also concerned that starting this practice could negatively affect the way the Town is perceived.

Commissioner Dodd made a motion to post Town expenditures on the Town's website for a trial period of 90 days. The motion died for lack of second.

It was determined that this proposal would be presented at a subsequent Commission meeting, along with the information requested by the Commissioners.

f. Final Phase of Commercial Boulevard Streetscape Project (Connie Hoffmann, Town Manager)

Town Manager Hoffmann asked the Commissioners to determine the priority of completing the remaining two blocks of Commercial Boulevard streetscape, which would cost approximately \$670,000. Another alternative would be to first complete the portion of this final phase that would improve the realignment of the west bound lanes between the second and third blocks across the A1A intersection, so that the County and the FDOT would allow the Town to reinstate the two through lanes in the westbound direction. That portion would cost of roughly \$140,000, and would mean removing the planted median. The Town Manager stated the result would not be pretty, but it could be done before the winter tourist season. The rest of the project could then be designed and implemented after the tourist season. Town Manager Hoffmann confirmed that breaking the project into two parts would increase the overall cost of the project, but would be much less disruptive to the tourist season. She could not predict how much it increased the price, but noted that mobilization of a construction company would have to occur twice.

Commissioner Brown made a motion, seconded by Commissioner Dodd, to move forward with correcting the lane issues at a cost of approximately \$140,000. Motion carried 5-0.

g. Medical Marijuana Constitutional Amendment and Statute (Scot Sasser, Mayor; Susan Trevarthen, Town Attorney; and Kathryn Mahaffey, Assistant Town Attorney)

Town Attorney Trevarthen stated that there are two issues in Florida related to medical marijuana: a State Constitutional Amendment, which will be on the ballot in November 2014, and a recent Statute passed by the State Legislature, which may be signed into

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law by the Governor or allowed to become law without a signature. The backup materials include all that is known about these two issues at present. She reviewed the proposed Amendment, which sets guidelines under which patients may be eligible to obtain medical marijuana by prescription from an authorized source. Attorney Trevarthen emphasized that the Amendment is dependent upon the definition of the term "debilitating medical condition."

Attorney Trevarthen advised that the proposed Amendment also outlines regulations for medical marijuana treatment centers, which are defined as covering the entire supply chain of the product. She pointed out that the supply chain is where most of the interest from local governments is drawn. Most regulations called for by the Amendment are self-executing, which means the Florida Department of Health may proceed with rulemaking and regulations.

She concluded that if the Amendment passes, it is silent on the role of local government, and BSO has not yet taken a position on this issue. Town Staff has indicated an interest in either prohibiting or regulating the location of treatment centers through conditional use approval or within the B-1A zoning district.

Attorney Trevarthen advised that the State Statute is much narrower, authorizing a very specific definition of medical marijuana that is non-euphoric and effective at controlling certain types of seizures. Senate Bill 1030 would authorize this form of the product only for a few specific diseases, would regulate who may grow it, and would require its use in medical research studies. This Statute is unrelated to whether or not the Amendment passes; however, the ideas related to regulating its supply chain may be applicable, establishing a limited distribution network tied to pre-existing nursery growers. The intent is to set up a supply chain with a centralized access point.

Commissioner Dodd made a motion, duly seconded, to extend the meeting to 11:30. [The motion was not voted upon.]

The Commissioners discussed the implications of the proposed Amendment and Statute, with Mayor Sasser stating that the Town should act preemptively if they wish to regulate treatment centers for medical marijuana within Lauderdale-By-The-Sea. Commissioner Brown pointed out that if the Amendment and Statute are passed, he would not wish to restrict the ability of citizens to exercise their rights under the law.

Attorney Trevarthen clarified that the memo only addresses the location of treatment centers, such as limiting them to within a business zoning district. She explained that the discussion Item is intended to determine whether the Commissioners would like Town Staff to analyze Code and suggest changes that would either more clearly prohibit this use or allow and regulate it. No such review of Code has been undertaken thus far. Commissioner Dodd stated that he agreed Code should be examined to determine the degree to which the Town may wish to control this use.

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Commissioner Sokolow pointed out that neither the Amendment nor the Statute has passed thus far. Attorney Trevarthen advised that one reason the Town may wish to take early action in relation to this issue is the State Legislature's history of preempting home rule unless a municipality already has regulation on its books. It was clarified that any regulation would apply to the sale of medicinal marijuana within Town limits, not to individual use of the product.

Vice Mayor Vincent made a motion, seconded by Commissioner Dodd, to develop options prohibiting or regulating medical marijuana treatment centers in the Town. Motion carried 4-1 (Commissioner Brown dissenting).

h. RRB Mitigation Alternate for Vice Mayor Vincent

Commissioner Sokolow made a motion, seconded by Commissioner Dodd, to confirm Assistant Town Manager Bud Bentley as an alternate for Vice Mayor Vincent. Motion carried 5-0.

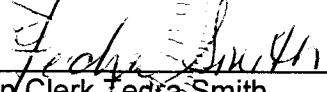
18.ADJOURNMENT

With no further business before the Commission, Mayor Sasser adjourned the meeting at 11:13 p.m.

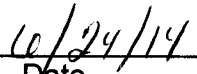


Mayor Scot Sasser

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 Sasscy Scot Wayne		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town Commission	
MAILING ADDRESS 3271 Spanish River Drive		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Lauderdale-By-The-Sea, FL	COUNTY Broward	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 5/13/14		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, Scott Sasser, hereby disclose that on May 13, 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 _____, 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:

The residence is directly across from my house

5/13/14
Date Filed

[Signature]
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.