

TOWN OF LONG BEACH KEY
REGULAR COMMISSION MEETING AGENDA

July 6, 1993

7:00 P.M.

- I. Call to Order
- II. Pledge of Allegiance
- III. Proclamations and Special Presentations
 - 1. Award to Town - Plaque from Southwest Florida Intergovernmental Risk Management Association.
 - 2. Town Manager's introduction of Dr. Steve Newman of the new Bay Isles Medical Center.
- IV. Approval of Minutes
 - June 7, 1993 Regular Meeting
 - June 24, 1993 Special Meeting
- V. Committee Reports and Communications
- VI. Ordinances - First Reading
 - 1. 93-16, Amend Chapter 111 of Occupational License Code.
 - 2. 93-19, Ensuring Access by Disabled Persons to Town's Sidewalks and Bicycle Paths.
- VII. Ordinances - First Reading and Public Hearing
 - 1. 93-18, Amending Chapter 158, Excluding Roof Overhangs from Lot Coverage Calculations.
- VIII. Ordinances - Second Reading and Public Hearing
 - 1. 93-09, Eliminate Alternate Members and Change Date of Appointment of Regular Members of Code Enforcement Board.
 - 2. 93-10, Eliminate Alternate Members and Change Date of Appointment of Regular Members of Planning and Zoning Board.
 - 3. 93-11, Eliminate Alternate Members and Change Date of Appointment of Regular Members of Zoning Board of Adjustment.

Minuted Indexed
8-23-93

REGULAR COMMISSION MEETING AGENDA

JULY 6, 1993 7:00

IX. Resolutions

None

X. Other Public Hearings

XI. Closing of Consent Agenda

The purpose of the Consent Agenda is to expedite those items on an agenda that appear to be of a routine nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Agenda by any member of the Town Commission without having to make a motion, receive a second, or submit to a vote; otherwise, all items on the Consent Agenda are voted upon in their totality by one action (motion, second and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda is a vote of confirmation for the action noted in each item.

1. Confirmation of payment authorization to Frank Conrad for reimbursement of costs.

XII. Unfinished Business

XIII. New Business

1. Delegate to Metropolitan Planning Organization.

XIV. Action on Consent Agenda

XV. Town Attorney Comments

XVI. Town Manager Comments

XVII. Town Commission Comments

XVIII. Public to be Heard

XIX. Questions from Press

XX. Adjournment

If any person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, a record of the proceedings will be needed. For such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Proceedings will be electronically recorded. Copies of the cassette tapes may be purchased from the Office of the Town Clerk.

MINUTES OF THE REGULAR MEETING OF THE LONGBOAT KEY TOWN COMMISSION,
JULY 6, 1993, 7:00 P.M.

Present: Mayor Brown, Vice-Mayor Farber, Commissioners Patterson,
Drohlich, Metz, Sagman, Green

Also Present: Town Manager Roberts, Town Attorney Persson, Town Planner
Gaffney, Public Works Director Smally, Administrative
Services Director Hubbard, Fire Chief Fakelman, Town
Clerk Arends, Deputy Clerk Spencer

I. Call to Order

The meeting was called to order at the Longboat Key, Florida, Town
Commission Chambers, 501 Bay Isles Road, at 7:00 P.M.

II. Pledge of Allegiance

Mayor Brown led the Pledge of Allegiance to the Flag.

Moment of Silent Meditation

Mayor Brown asked those present to remain standing for a moment of
silent meditation or prayer asking for blessings on the
deliberations of the Commission.

III. Proclamations and Special Presentations

1. Award to Town - Plaque from Southwest Florida Intergovernmental
Risk Management Association.

Administrative Services Director Hubbard received the SFIRMA award
on behalf of the Town for the lowest incident rate of job-related
injuries of the 23 cities and counties in the Association. Mr.
Hubbard outlined programs implemented by the Town resulting in a
reduction of Workers' Compensation incidents.

2. Town Manager's introduction of Dr. Steve Newman of the new Bay
Isles Medical Center.

Mr. Roberts introduced Dr. Newman to the Commission as a member of
the Bay Isles Medical Associates, P.A. Dr. Newman stated this group
of eleven physicians established the Center in order to increase
medical care for Longboat Key residents. He reported on the
facility located in the Mediterranean Plaza. He stated it would be
open to ambulatory patients on 10-1-93 and outlined the hours of
operation and schedules for medical personnel. He stated the
facility included an on-site laboratory and x-ray service; the
accounting office was to be staffed full-time, accepted Medicare
and secondary insurances, and was equipped to handle direct
electronic submissions to the Medicare Office. He explained the
Center would not handle emergency care patients. He pointed out
this was a private association. Fire Chief Fakelman stated the Town
operated its emergency medical care under Dr. Newman's license, as
the designated Medical Director for the Town. He explained
emergency medical care and transport procedures were mandated by
the State and the Town's guidelines would remain the same.

REGULAR MEETING (CONT.)

7-6-93, PAGE 2

IV. Approval of Minutes

It was moved by Green, seconded by Metz, to approve the 6-7-93 Regular Meeting and the 6-24-93 Special Meeting minutes as written. Motion carried unanimously.

V. Communications and Committee Reports1. Town Service and Community Center Surveys.

Vice-Mayor Farber reported the Communications Committee recommended the next Town Hall meeting be held 11-17-93 and requested approval to move forward with meeting plans for that date. He stated the Committee requested a delay of a Town service survey to 3-94, as it was anticipated a community center survey would be conducted prior to the proposed 11-93 referendum. Commissioner Drohlich recommended the two surveys be combined resulting in a broader "feel" of the community. He suggested the surveys be workshopped. There was consensus to forward to the 7-22-93 Regular Workshop discussion of how the two surveys were to be conducted.

2. Proposed Cable Television Coverage of 11-93 Town Hall Meeting.

Vice-Mayor Farber reported the Communications Committee was researching the possibility of televising this Town Hall Meeting; a report would be forwarded upon completion.

Mayor Brown pointed out complaints posed at a Town Hall Meeting two years ago were resolved in this year's budget: ambulance service charges would be made only for Medicare and secondary insurance.

3. Elimination of Agenda Item 13: New Business.

Mayor Brown announced this Item was removed from the agenda as he decided to continue serving as the Town's delegate to the Metropolitan Planning Organization.

VI. Ordinances - First Reading1. 93-16 (D2), Amend Chapter 111 of Occupational License Code.

Town Clerk Arends distributed copies of Draft 2 of this Ordinance and explained language provided in Section 111.07 was moved to Section 111.04.

Ordinance 93-16, an ordinance of the Town of Longboat Key amending the Code of Ordinances of the Town of Longboat Key, Florida, in Chapter 111, *Occupational Licenses* for compliance with Florida Statutes; amending Section 111.04, *Collection Remedies*, providing additional penalties for nonpayment; amending Section 111.06, *Registration Prior to Licensing*, requiring Federal Employee Identification Number or Social Security Number from licensee; amending Section 111.07, *Due Date; Penalty for Late Payment*, providing for licenses to be sold beginning August 1 of each year and to be due and payable by September 30 of each year; amending Section 111.08, *Transfer*, revising fees for transfer of licenses; amending Section 111.10, *Contents of License*; providing for severability of provisions; providing for repeal of ordinances in conflict herewith; providing an effective date, was placed on first

7-6-93, PAGE 2

BOOK 10 PAGE 293

93-17

REGULAR MEETING (CONT.)

7-6-93, PAGE 3

reading by title only.

It was moved by Metz, seconded by Green, to pass Ord. 93-16 (D2) on first reading.

Mrs. Arends responded to Commission questions stating these funds were placed in the Town's General Fund; the amendments brought the Town Code into compliance with new State regulations; the Town's program was implemented in 1986-87 and produced around \$9,000 in revenue that year; this year's program had already produced \$85,000 and was expected to generate close to \$100,000. Mayor Brown commended the Town Clerk's office for their outstanding efforts in this regard.

Motion carried unanimously on roll call vote: Metz, aye; Green, aye; Patterson, aye; Drohlich, aye; Farber, aye; Sagman, aye; Brown, aye.

Ord. 93-16 (D2) was forwarded for second reading and public hearing at the 7-22-93 Special Meeting.

2. Ord. 93-19, Ensuring Access by Disabled Persons to Town's Sidewalks and Bicycle Paths.

Ordinance 93-19, an ordinance of the Town of Longboat Key amending the Code of Ordinances of the Town of Longboat Key, Florida, in Chapter 73, Bicycles; amending Section 73.01, Definitions, to exclude from the definition of "Vehicle", manual and battery powered wheelchairs, scooters and carts designed for the use of the sick and disabled; providing for severability of provisions; replacing all ordinances in conflict herewith; providing for an effective date, was placed on first reading by title only.

It was moved by Sagman, seconded by Drohlich, to pass Ord. 93-19 on first reading. Motion carried unanimously on roll call vote: Sagman, aye; Drohlich, aye; Farber, aye; Metz, aye; Green, aye; Patterson, aye; Brown, aye.

Ord. 93-19 was forwarded for second reading and public hearing at the 7-22-93 Special Meeting.

VII. Ordinances - First Reading and Public Hearing

1. Ord. 93-18, Amending Chapter 158, Excluding Roof Overhangs from Lot Coverage Calculations.

Ordinance 93-18, an ordinance of the Town of Longboat Key amending the Code of Ordinances of the Town of Longboat Key, Florida, in Chapter 158, Zoning Code; amending Section 158.006, Definitions, in the definition for "Lot Coverage", to exclude roof overhangs not to exceed three feet from lot coverage calculations; providing severability of provisions; repealing all ordinances in conflict herewith and providing for an effective date, was placed on first reading by title only.

It was moved by Metz, seconded by Sagman, to pass Ord. 93-18 on first reading.

7-6-93, PAGE 3

BOOK 10 PAGE 392

93-19

REGULAR MEETING (CONT.)

7-6-93, PAGE 4

Pursuant to published notice, the public hearing was opened.

Rusty Chinnis, 7091 Longboat Drive East, spoke in favor of this Ordinance as a building contractor specializing in remodeling.

No one else wished to be heard, and the public hearing was closed.

Commissioner Green stated he was in favor of this Ordinance; however, he stated concern the increased lot coverage may result in much larger homes. Town Planner Gaffney pointed out the Ordinance provided a maximum of 3-foot overhangs resulting in increased lot coverage of 5-10% of living space only. He stated the projected overhangs were not allowed to project into sideyards, would continue to be included in setback measurements and would not affect sideyard requirements. He said past policies may have resulted from a desire to protect open space. Town Attorney Persson pointed out past policy protected open space; however, there was no environmental recognition that the overhangs reduced the amount of energy required to operate a home for cooling purposes. He said there were no architectural standards to enforce compatible structures within a particular subdivision. Commissioner Green stated he hoped this Ordinance would encourage citizens to remodel on the ground floor, as opposed to building up, maintaining the architectural "look" of the neighborhood.

Vice-Mayor Farber said since he was planning to make an addition to his home, a conflict of interest existed and he must abstain from this vote. Commissioner Green stated adoption of this Ordinance would make it possible for him to add a pool cage on his property, therefore, he would also abstain from this vote. Mr. Persson stated an advisory opinion should be obtained from the Ethics Commission when a Commissioner was "in doubt" as to a conflict of interest.

Motion carried on roll call vote: Metz, aye; Sagman, aye; Green, abstained; Farber, abstained; Patterson, aye; Drohlich, aye; Brown, aye.

Mrs. Arends advised Vice-Mayor Farber and Commissioner Green were required by State law to file Form 8B, Memorandum of Voting Conflict, with the Town Clerk's office.

Ord. 93-18 was forwarded for second reading and public hearing at the 7-22-93 Special Meeting.

VIII. Ordinances - Second Reading and Public Hearing1. Ord. 93-09, Eliminate Alternate Members and Change Date of Appointment of Regular Members of Code Enforcement Board.

Ordinance 93-09, an ordinance of the Town of Longboat Key amending the Code of Ordinances of the Town of Longboat Key, Florida, in Chapter 33, *Boards and Commissions*; amending Section 33.03, *Establishment; Members*, deleting Subsection (B)(4) concerning an alternate member of the Code Enforcement Board; amending Subsection (C) providing for terms of appointment to expire in May; amending

7-6-93, PAGE 4

BOOK 10 PAGE 391

93-17

REGULAR MEETING (CONT.)

7-6-93, PAGE 5

Section 33.04, Organization; Quorum and Compensation, deleting Subsections (C) and (D), providing for elimination of an alternate member; providing for severability of provisions; providing for repeal of all ordinances in conflict herewith; providing for an effective date, was placed on second reading by title only.

It was moved by Farber, seconded by Patterson, to adopt Ord. 93-09 on second reading.

Pursuant to published notice, the public hearing was opened. No one wished to be heard, and the public hearing was closed.

Motion carried unanimously on roll call vote: Farber, aye; Patterson, aye; Green, aye; Sagman, aye; Metz, aye; Drohlich, aye; Brown, aye.

2. Ord. 93-10, Eliminate Alternate Members and Change Date of Appointments of Regular Members of Planning & Zoning Board.
Ordinance 93-10, an ordinance of the Town of Longboat Key amending the Code of Ordinances of the Town of Longboat Key, Florida, in Chapter 33, Boards and Commissions; amending Section 33.20, Creation; Members, in Subsection (B), providing for terms of appointment to the Planning and Zoning Board to expire in May, and deleting Subsections (C) and (D), providing for elimination of an alternate member of the Planning and Zoning Board; providing for severability of provisions; providing for repeal of all ordinances in conflict herewith; providing for an effective date, was placed on second reading by title only.

It was moved by Sagman, seconded by Drohlich, to adopt Ord. 93-10 on second reading. Motion carried unanimously on roll call vote: Sagman, aye; Drohlich, aye; Green, aye; Metz, aye; Farber, aye; Patterson, aye; Brown, aye.

3. Ord. 93-11, Eliminate Alternate Members and Change Date of Appointments of Regular Members of Zoning Board of Adjustment.
Ordinance 93-11, an ordinance amending the Code of Ordinances of the Town of Longboat Key, Florida, in Chapter 158, Zoning Code; amending Section 158.026, Zoning Board of Adjustment, in Subsection (A)(1), providing for terms of appointment to expire in May, and deleting Subsubsections (2), (3), and (4), providing for elimination of an alternate member of the Zoning Board of Adjustment; providing for severability of provisions; providing for the repeal of all ordinances in conflict herewith; providing for an effective date was placed on second reading by title only.

It was moved by Green, seconded by Farber, to adopt Ord. 93-11.

Pursuant to published notice, the public hearing was opened. No one wished to be heard, and the public hearing was closed.

Commissioner Patterson stated an alternate member was sworn at the previous ZBA meeting and requested the status of this action. Mr. Persson said the alternate served at that meeting because of a

7-6-93, PAGE 5

BOOK 10 PAGE 390

93-17

REGULAR MEETING (CONT.)

7-6-93, PAGE 6

possible quorum problem; the position would be eliminated with the adoption of this Ordinance.

Motion carried unanimously on roll call vote: Green, aye; Farber, aye; Patterson, aye; Drohlich, aye; Metz, aye; Sagman, aye; Brown, aye.

IX. ResolutionsX. Other Public HearingsXI. Closing of the Consent Agenda

1. Confirmation of payment authorization to Frank Conrad for reimbursement of costs (\$11,775).

It was moved by Metz, seconded by Farber, to close the Consent Agenda. Motion carried unanimously.

XII. Unfinished BusinessXIII. New Business

1. Delegate to Metropolitan Planning Organization.

This item was deleted from the agenda earlier in this meeting.

XIV. Action on Consent Agenda

It was moved by Farber, seconded by Metz, to approve action on the Consent Agenda. Motion carried unanimously.

XV. Town Attorney CommentsXVI. Town Manager Comments

1. Beach Renourishment Status Report.

Mr. Roberts reported sand continued to be stockpiled during the remaining portion of the project; negotiations for removal of shell and replacement of sand at certain locations were in process. He said a letter would be forwarded to some north end condominium associations explaining the application and denial for additional yardage of sand with a status report.

2. Colony Beach Groin Removal Status Report.

Mr. Roberts reported an injunction had been filed by the Colony regarding removal of the 65-foot extension of the groin. Mr. Persson stated discussions were being held between the State and the attorney for the Colony; a response from the State was expected within the next two weeks.

XVII. Town Commission Comments

1. Manatee County Recycling Program.

Vice-Mayor Farber referred to a news article concerning the Manatee County Recycling Program. He inquired how this would affect the current negotiations for a solid waste agreement. Public Works Director Smally stated there would be no affect on current negotiations; the Town's program was compatible with a proposed

7-6-93, PAGE 6

BOOK 10 PAGE 389

93-14

REGULAR MEETING (CONT.)

7-6-93, PAGE 7

"Dirty MRF" (Material Recovery Facility) and may result in a credit to the Town. He pointed out tipping fees would increase. Mr. Persson stated the draft agreement could include a provision the Town receive "equivalent economic credit".

2. Proposed Workshop Discussion re: Inclusion of Solid Waste Fees on Tax Rolls.

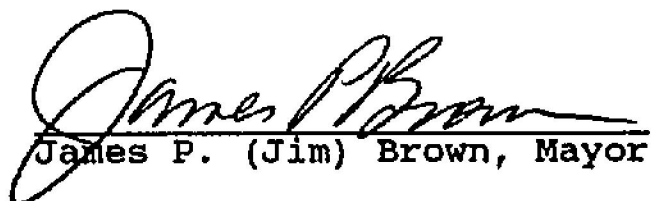
Commissioner Green recommended this topic be workshopped as this option was an advantage for homeowners but not for condominium owners. Mr. Roberts stated additional information in this regard would be forwarded for consideration.

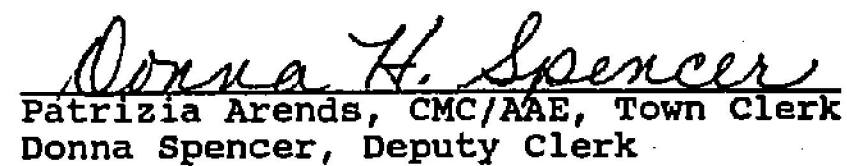
3. Sarasota County Area Transportation.

Vice-Mayor Farber suggested the Town request a ridership audit of the current SCAT service and propose the service be extended from the Holiday Inn on Gulf of Mexico Drive to the Whitney Beach Shopping Center.

XVIII. Public to be HeardXIX. Press to be HeardXX. Adjournment

The Meeting was adjourned at 8:00 P.M.


James P. (Jim) Brown, Mayor


Patrizia Arends, CMC/AEE, Town Clerk
Donna Spencer, Deputy Clerk

Attachments: (2) Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers (See Item VII.1, Ord. 93-18)

BOOK 10 PAGE 388

7-6-93, PAGE 7

93-17

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

LAST NAME - FIRST NAME - MIDDLE NAME Farber, Robert J.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Longboat Key Town Commission
MAILING ADDRESS 3585 Mistletoe Lane		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Longboat Key	COUNTY Sarasota	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> 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 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 special private gain. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained (including the parent organization or subsidiary of a corporate principal by which he is retained); to the special private gain of a relative; or to the special private gain 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, 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.
- 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, Robert J. Farber, hereby disclose that on 7-6-93, 19 :

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

- ☒ inured to my special private gain;
- ☐ inured to the special gain of my business associate, _____;
- ☐ inured to the special gain of my relative, _____;
- ☐ inured to the special gain of _____, by whom I am retained; or
- ☐ inured to the special gain 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:

ORDINANCE 93-18 CHARGES HOW LOT COVERAGE IS DETERMINED. I AM ADDING A ROOM TO MY HOME AND THIS ORDINANCE WOULD ENABLE THAT ADDITION TO PROCEED

Date Filed

7-9-93

Signature

Robert J. Farber

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1991), 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 \$5,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME GREEN ALBERT L.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE TOWN OF LONGBOAT KEY TOWN COMMISSION
MAILING ADDRESS 731 EMERALD HARBOR DRIVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY LONGBOAT KEY	COUNTY MANATEE	NAME OF POLITICAL SUBDIVISION: LONGBOAT KEY
DATE ON WHICH VOTE OCCURRED 7/6/93		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> 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 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 special private gain. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained (including the parent organization or subsidiary of a corporate principal by which he is retained); to the special private gain of a relative; or to the special private gain 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, 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.
- 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, ALBERT L. GREEN, hereby disclose that on JULY 6, 19 93

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

- ☒ inured to my special private gain;
- ☐ inured to the special gain of my business associate, _____;
- ☐ inured to the special gain of my relative, _____;
- ☐ inured to the special gain of _____, by whom I am retained; or
- ☐ inured to the special gain 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:

ORD. 93-16 CAME BEFORE THE TOWN COMMISSION FOR FIRST READING (AND PUBLIC HEARING). I ABSTAINED FROM VOTING SINCE IT MIGHT WORK TO MY POTENTIAL ADVANTAGE. THIS ORDINANCE WOULD AMEND LOT COVERAGE CALCULATIONS. IF ADOPTED THIS WOULD PROVIDE ME WITH SUFFICIENT LOT COVERAGE TO PUT IN A POOL CAGE, NOT CURRENTLY POSSIBLE, IF SO DESIRED (NOT PLANNED AT THIS TIME).

July 12, 1993
Date Filed

Albert L. Green
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1991), 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 \$5,000.