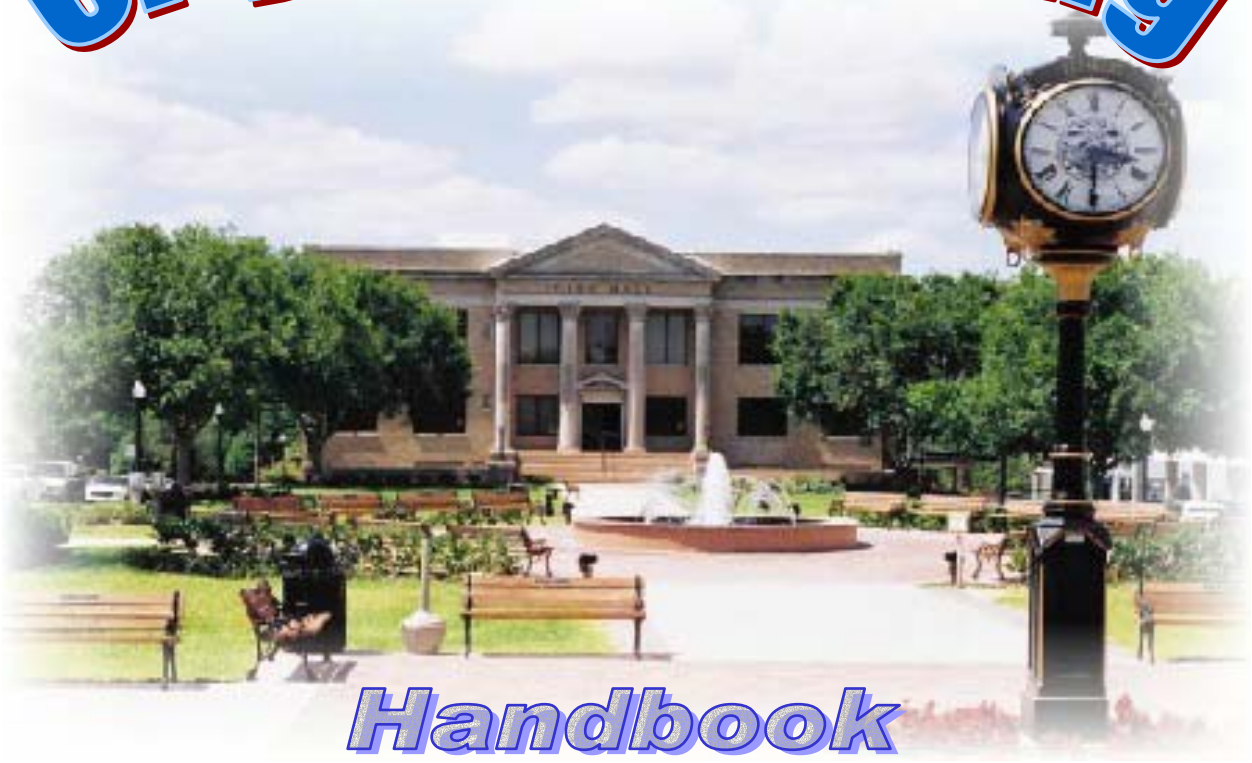
City of Leesburg



Handbook for Appointed Boards & Commissions

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INTRODUCTION

The City Commission appoints members of the community to boards and commissions to act as advisors on a wide variety of topics and projects. These advisory bodies act in an advisory capacity to the City Commission, the City Manager or to departments of the city government. The tasks vary depending upon the type of organizations, but generally include reviewing long range plans and suggesting changes, modifications or additions to the plans. The advisory groups are not responsible for day-to-day operations of departments, operating policies of departments or the business decisions of the local government.

All City of Leesburg Boards, Commissions, Committees, and Task Forces serve at the pleasure of the City Commission. Each of these entities was created for a different reason and has a different relationship with both the City Commission and the City support staff. Each appointed body has a specific scope of authority as provided by City Ordinance and/or State Statute. Boards, Commissions, Committees, and Task Forces may have administrative, managerial, quasi-judicial, investigatory, and/or advisory powers dependent upon the enabling legislation. These bodies (except for the Library Board) do not set policy, but rather act as a collective citizen sounding board in the policy process.

The advisory bodies are an integral part of citizen participation in local government and an important asset to the city for proper growth and development and the long term stability of our city.

DEFINITIONS

What does “quasi- judicial” mean?

When a governmental body (such as the Planning Commission or the Code Enforcement Special Master) applies law to a particular set of facts or circumstances to reach a decision, the decision is “quasi-judicial” because the governmental body is taking an action similar to that taken by a judge. “Quasi” means nearly, almost, or *like*. Traditionally, “court like” procedures of government have come to be known as “quasi-judicial” because they are *like* those procedures used by courts.

Why does the Planning Commission conduct “quasi-judicial” proceedings?

Among other things, the Planning Commission is responsible for taking action to approve or deny certain types of site plans and for making recommendations to the City Commissions on zoning map amendments. These actions involve the application of law to a certain set of circumstances.

The Florida Supreme Court recognized that decisions of local government that apply law to specific circumstances such as zoning changes are judicial in nature. The Supreme Court decided these “quasi-judicial” decisions should be made in proceedings conducted with most of the same protections available to those persons who are presenting a case in court. These protections include the right to have all witnesses testify under oath, the right of opposing sides to ask questions of each other’s witnesses, and the right of each side to hear everything said to the decision maker.

Boards

Boards have more limited roles than do Commissions in most cases. Boards usually act in an advisory and/or investigatory capacity to the City Commission. Boards are usually standing bodies, involved with ongoing subject areas.

Commissions

Commissions may have administrative, quasi-judicial, or advisory powers, which are stated in the enabling ordinance. For example, the Planning Commission is a quasi-judicial body. Commissions are standing or permanent bodies, involved with ongoing subject areas.

Committees

Committees are usually temporary bodies organized according to a specific goal’s accomplishment. Committees usually act in an advisory and/or investigatory capacity.

Task Force

Task Forces are specific bodies designed to aid in accomplishing a specific goal, policy, or project. Task Forces are not usually standing bodies, unless the nature of the subject area dictates otherwise.

BOARD AND COMMISSION APPOINTMENT GUIDELINES

In general, citizens interested in serving on an Advisory Board or Commission should comply with the following guidelines:

(a) All appointments require formal action of the City Commission. Every Board/Commission serves in an advisory capacity to the City Commission.

(b) Unless otherwise stated by City Commission, term of office on most Boards/Commissions is three (3) years for regular members.

(c) Appropriate recognition will be made of services when a term is completed and a member leaves a Board/Commission.

(d) A newly formed Board/Commission will be convened by the city staff representative, and each Board/Commission will elect a chairperson and vice chairperson.

(e) The size of the city Board/Commission may vary from 5 to 15 members and is established for each board/commission by the City Commission.

(f) Applications for membership will be kept on file for a period of two years. Applicants will be contacted to ensure their continued interest in serving on a city board/commission before submittal to the City Commission for appointment.

(g) City Advisory Boards/Commissions will reflect, to the greatest extent possible, the community's ethnic, gender, and age composition.

(h) A staff representative will be assigned by the City Manager to work with each Board/Commission to prepare agendas, keep minutes and provide assistance. The City Commission is to receive all notices of meetings, agendas and minutes.

(i) Individuals appointed to Boards/Commissions must reside within the city limits, or city utility district, of Leesburg except in exceptional circumstances.

(j) These guidelines may be waived or changed at the discretion of the City Commission

Application

The City Clerk's office maintains a file of all interested citizens for boards and commissions. A citizen interested in participating should complete an application and submit it to the City Clerk. As vacancies arise, applications will be provided to the Commissioners, who may require interviews of candidates. An applicant will be appointed by a majority vote of the City Commission.

For further information, contact:

City Clerk's Office
P.O. Box 490630
501 W. Meadow Av 352-728-9731
Leesburg, FL 34749-0630

BOARDS & COMMISSION LISTING

Library Board

The Library Board consists of five (5) directors to be chosen from persons who reside within the utility service area of the city and serve terms of 5 years. The City Commission appoints members from a pool of qualified applicants.

This Board governs the operation of the public library within the budget and guidelines of the city administration.

The Board meets quarterly in January, April, July and October, and may call special meetings as necessary.

Historic Preservation

This board is responsible for developing a database of all of the historic structures, areas and archeological sites, and identifies potential landmarks within the City of Leesburg. This board is composed of nine (9) members appointed by the City Commission from a pool of qualified applicants. In cooperation with the Department of Community Development, they establish rehabilitation and redevelopment standards within the historic district, to advise and assist property owners with historic designation and review capital improvements within the historic area of $25,000 or more.

Planning Commission

The Planning Commission is made up of seven (7) members appointed from a pool of candidates by the City Commission to 3 year terms, to make decisions on planning matters or make recommendations to the City Commission. The duties of the Planning Commission can be found in the City Code of Ordinances.

The Planning Commission operates according to the bylaws and the ordinances of the City of Leesburg. The bylaws are available from the Community Development Department. Definitions listed in the bylaws are very helpful and should be reviewed before reading the other provisions. The bylaws contain the principle rules of quasi-judicial proceedings of the Planning Commission.

The Commission is responsible for studying the needs, resources and possibilities of the city, planning for growth and development, and recommending appropriate action to the City Commission of all proposals. Their responsibilities may include: reviewing plans for developments; reviewing and amending zoning regulations; and ensuring the best use of resources within the City of Leesburg.

Telecommunications Advisory Committee

The Committee is comprised of five (5) members appointed by each individual city commissioner. The Committee is charged with developing the guidelines for a long range plan for the expansion of the City's telecommunications network. As a part of this function they are to review proposals from firms to provide a market analysis and strategic plan for the system.

This Committee was formed for a specific purpose and will cease to exist when that task is complete.

Citizen Advisory Task Force

The Citizen Advisory Task Force was established to provide input relative to the Community Development Block Grant (CDBG) program.

Residents of the proposed project area are included in the task force, and members are appointed by the City Commission.

The task force meets at its discretion and offers recommendations as it deems appropriate.

Greater Leesburg Community Redevelopment Agency

The GLCRA is a seven (7) member board consisting of the five (5) sitting members of the City Commission and two (2) citizen members appointed by the City Commission for four (4) year terms. Members of the Agency must reside within the corporate limits of the City of Leesburg.

The area of responsibility for this Agency includes the historic business district along Main Street, and the area East of Canal Street know as the Pine Street Area.

Carver Heights and Vicinity Community Redevelopment Agency

This Agency is comprised of seven (7) board members comprised of the five (5) sitting city commissioners and two (2) citizen members appointed by the City Commission to four (4) year terms. Members of the Agency must reside within the corporate limits of the City of Leesburg.

The area of responsibility for this Agency includes the Carver Heights and Montclair subdivisions, Carver Middle School, and Griffin Road, and extending North to the city limits.

Leesburg Regional Airport Advisory Board

The Airport Advisory Board is comprised of five (5) members appointed by the City Commission for a period not longer than the term of office of the appointing commissioner.

The Board advises the City Manager and reports to the City Commission on all matters affecting the airport. These issues may include: safety, security, emergency planning, airspace, runway protection zone encroachments, capital improvements projects, and hangar construction.

This Board meets as required in the City Commission Chambers.

Leesburg Recreation Advisory Board

The Recreation Advisory Board is comprised of five (5) members appointed by the City Commission for a period not longer than the term of office of the appointing commissioner.

This body is responsible for advising the City Manager and reporting to the City Commission on the operation and management of the City's parks and recreation programs, for efficient operation of the programs and facilities. Activities may include: planning, programs, capital improvements, facilities maintenance, and other planning and coordination efforts that will assist the department to operate smoothly and efficiently, within budgetary limitations.

Personnel Committee

The personnel committee is composed of two (2) members of the City Commission, the City Manager, Human Resource Director and the City Clerk. This Committee advises the Commission about matters pertaining to City of Leesburg Employees.

General Employees Retirement Board of Trustees

This is a seven (7) member Board which oversees the various affairs of the General Employees Pension Plan. This Board meets quarterly.

Members are appointed or elected to three (3) year terms, depending on the type of member. Two (2) members are elected by the participants, one (1) member is appointed by the City Commission, one (1) member is a deputized police officer, one (1) member is the Human Resources Director, (1) one member is the City Manager or designee, and one (1) member is a department head appointed by the City Manager.

Fire Department Pension Board of Trustees

This is a five (5) member Board which oversees the various affairs of the Leesburg Fire Department Pension Plan. This Board meets quarterly.

Members are appointed or elected to two (2) year terms, depending on the type of member. Two (2) members are selected by the fire fighters and two (2) members are appointed by the City Commission, based on the applicant's fiscal knowledge and background. One member is appointed by the City Commission based on a majority recommendation of the other four (4) trustees.

Police Department Pension Board of Trustees

This is a five (5) member board which oversees the various affairs of the Leesburg Police Department Pension Plan. This board meets quarterly.

Members are appointed or elected to two (2) year terms, depending on the type of member. Two (2) members are selected by the police officers and two (2) members are appointed by the City Commission, based on the applicant's fiscal knowledge and background. One member is appointed by the City Commission based on a majority recommendation of the other four (4) trustees.

GENERAL OPERATING PROCEDURES

Selection of a Chairperson

The Chairperson (Chair) of any board, commission, committee, or task force is crucial to efficiently run meetings. Boards and commissions usually select their own chair and vice-chair in accordance with the legislation governing that board or commission. If the chair is absent, the vice-chair usually presides. In the absence of chair and vice-chair, the commission or board designates an acting chair if a quorum is present.

Powers of the Chairperson

The chair is responsible for conducting the meeting and acting as liaison between staff and the board or commission. The chair also has the power to limit discussion during a meeting to the main issue under consideration and to end debate when it ceases to be productive. The chair's rulings must be followed unless overruled by the commission or are contrary to City ordinances, Board rules or other established policy. The presiding officer has the right to make and second motions, participate in debate, and vote on all matters before the board, commission, committee or task force.

Attendance

To be effective all boards, commissions, committees, and task forces must have regular attendance. The following governs attendance at meetings:

(a) When a member has been absent for three (3) or more consecutive meetings (or 25% of the annual meetings), such absences and the reasons therefore, if known, shall be communicated to the Mayor and the City Commission by the chair of the relative board or commission. The City Commission may elect to treat such absences as the member's resignation.

(b) Resignations shall be effective when accepted by the City Commission. Upon acceptance of the resignation, the position on the board, commission, committee, or task force shall be deemed vacant. The City Commission shall then notify the members of the relative body when any resignation has been accepted.

Quorum

A majority of the members of a Commission, Committee, Board or Task Force shall constitute a quorum for the transaction of business. If there is not a quorum present within fifteen (15) minutes following the scheduled starting time of the Commission, Committee, Board or Task Force, the chairman can call the meeting to order, announce the absence of a quorum and adjourn the meeting. The chairman can also call the meeting to order and then entertain a motion to adjourn, to fix the time to adjourn, to recess, or to take measures to obtain a quorum.

PUBLIC INPUT AND PARTICIPATION

All meetings of Boards, Commissions, Committees, Authorities and Task Forces must be open to the public. There is, however, no obligation under the Sunshine laws, that an advisory body is required to permit public input at any meeting. Public input is at the sole discretion of the advisory body, upon a general consensus of the members. The only exception to this general rule is the Planning Commission, which operates under specific legal requirements described in the Florida Statutes.

The Planning Commission meetings are quasi-judicial in nature, and therefore must provide an opportunity for participation in the process by an aggrieved or adversely affected party, allowing a reasonable time for the party to prepare and present a case. The process must provide an opportunity for the disclosure of witnesses and exhibits prior to hearing and an opportunity for the depositions of witnesses to be taken. At the hearing, all parties must have the opportunity to respond, to present evidence and argument on all issues involved, and to conduct cross-examination and submit rebuttal evidence. Public testimony must be allowed.

LEESBURG IN THE SUNSHINE

Florida's Government in the Sunshine Law provides a right of access to governmental proceedings at both the state and local levels. The law is equally applicable to elected and appointed Boards and Commissions, and has been applied to any gathering of two (2) or more members of the same Board to discuss some matter which will forseeably come before that Board for action. There are three basic requirements of §286.011, Florida Statutes:

1. Meetings of public Boards and Commissions must be open to the public;
2. Reasonable notice of such meetings must be given; and
3. Minutes of the meetings must be taken.

The law applies to elected and appointed Boards, Commissions, Committees and Authorities of any government agency in the state of Florida. It equally binds advisory boards whose powers are limited to making recommendations to a public agency and which possess no authority to bind that agency.

Even though an Advisory Board, Committee or Commission must submit their recommendations for review by an elected body it does not exempt them from the provisions of this law.

Meetings are defined as any gathering whether formal or casual of two (2) or more members of the same Board, Committee or Commission to discuss some matter on which foreseeable action will be taken by the public board or commission. This rule extends to telephone conversations and e-mail communication, and even instant messaging conversations, whether on personal or public devices. This can extend further to a casual lunch between 2 members of a Committee – if they discuss some issue that the appointed body to which they belong, that lunch becomes a public meeting and is subject to all of the provisions of the *Sunshine Law*.

While this may seem very restrictive, it is not the case. Appointed members of Boards, Committees and Commissions must remain aware of with whom they are communicating and what is being discussed. The safest course of action is to avoid discussion about matters that will come before the advisory body, with other members of your advisory body, except when attending a meeting of that body. Should you have any questions about this law, contact the advisory body's staff representative with your concern.

CONFLICT OF INTEREST

Generally, a conflict of interest exists when a board member influences a decision of the board that will (or has the potential to) materially affect the individual's financial interest. Questions involving conflicts of interest are each unique unto themselves, and each potential conflict must be considered individually in order for proper legal guidance to be given. Any Board or Commission member who has a question concerning a possible conflict of interest may contact the City Manager's office or a private attorney, and should do so immediately.

Definitions

Breach of the public trust *-*

A violation of a provision of the State Constitution or Florida Statutes which establishes a standard of ethical conduct, a disclosure requirement, or a prohibition applicable to public officers or employees in order to avoid conflicts between public duties and private interests.

Business Associate –

Any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, co-owner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

Conflict or conflict of interest *-*

A situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

Material interest *–*

A direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity. For the purposes of this act, indirect ownership does not include ownership by a spouse or minor child.

Public Officer *–*

Any person elected or appointed to hold office in any agency, including an advisory body.

Relative *–*

Means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, or wife.

> Section 112.3143(3)(a), F.S., prohibits a county, municipal, or other local public officer from voting on any measure which inures to his or her special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal or parent organization or subsidiary of a corporate principal, other than a public agency, by whom he or she is retained; or which the officer knows would inure to the special private gain or loss of a relative or business associate of the officer. An exception exists for a commissioner of a community redevelopment agency created or designated pursuant to s. 163.356, F.S., or s. 163.357, F.S., or an officer of an independent special tax district elected on a one-acre, one-vote basis. Section 112.3143(3)(b), F.S.

Florida law requires that all persons appointed to boards or committees disclose any financial interests they have by filing disclosure forms, and must abstain from participating in any matters before their board or committee that may have an impact on their financial interest. In effect, if a board or committee member does business with a person or business coming before the board or committee, it is essential for that the members not participate in the proceedings, or the individual will be in violation of the law. In addition, members of boards and committees are required to abstain from voting when a conflict of interest is involved. This means that they may not vote on any matter which may have an impact on themselves, a family member, or someone who retains their services.

When an individual abstains from voting, a voting conflict form provided by the City, must be completed and returned within 15 days after the vote occurs. This form must be attached to the official minutes of the meeting.

If you believe you have a possible conflict of interest in any matter before your advisory body, contact the City Manager's office before taking any official action on the matter where the conflict may exist.

STEPS TO RESOLVE A CONFLICT OF INTEREST

When a person abstains from voting due to a conflict of interest, the individual must complete FORM 8B and submit it to the City Clerk's Office within 15 days of the abstention. The form must become a part of the official minutes of the meeting.

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.

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:

1. You must complete and file Form 8B (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.
2. A copy of the form must be provided immediately to the other members.
3. 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 Form 8B 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.

A copy of the official form is attached to the end of this publication. You should consult the City Clerk for the most recent edition of the form. The Florida Ethics Committee may change the format and/or content without notice.

EXPECTATIONS FOR BOARD AND COMMISSION MEMBERS

Citizen input on City programs and services are vital to ensuring their relevance, efficiency and effectiveness to the community. Using citizen Boards and Commissions on various issues is an important way for the City Commission and City of Leesburg administration to receive and consider citizen input.

Serving on a City of Leesburg Board or Commission is always challenging and rewarding. The information given below should help board members understand some of the expectations the City of Leesburg has for them in their respective roles.

1. Every member has a valuable contribution to make and each member should respect and consider each other's input in a particular subject. Boards and Commissions are expected and encouraged to respect the diversity of opinions of each member.
2. Members are expected to seek out and consider input from citizens interested in an issue or parties impacted by actions of the body prior to making a final determination on an issue.
3. Boards and Commissions represent the City of Leesburg in their appointed roles. All members are expected to conduct themselves in a manner that demonstrates ***respect, integrity, teamwork, and competence.***
4. Members should periodically take the time to set realistic and achievable goals and allow enough time to do a good job on each issue.
5. Board/Commission members are asked to regularly attend all meetings. Members should notify the staff liaison or chairperson of planned absences prior to meetings.
6. All persons involved in Boards and Commissions should treat each other with fairness and respect. Interactions between Board and Commission members and City staff not meeting this standard should be brought to the attention of the City Manager immediately.

EXPECTATIONS FOR BOARD AND COMMISSION CHAIRPERSONS

Chairpersons of Board and Commissions have several important responsibilities, which are essential to the effectiveness of the respective group. These responsibilities include:

1. Conduct meetings in an efficient manner, focusing on the issues relevant to the functions and mission.
2. Regulate and facilitate discussion among board members to ensure that all viewpoints are represented. Give each member the opportunity to express ideas and/or concerns on issues that are being considered by the board or commission.
3. Ensure compliance with the “Government in the Sunshine” laws.
4. Assist in orienting new board members about the function, role and mission of the board/commission.
5. Assist in mediating conflicts or disputes between board/commission members.
6. Serve as primary contact with administrative staff.

OTHER MEETING GUIDELINES WHEN DISCUSSING ISSUES

1. When a topic is first introduced or a main motion is made, allow all questions for information purposes to be asked before opening to debate.
2. Discourage the repetition of arguments. Attempt to call on people who have not yet spoken before those who have already spoken. Discourage dialogues that start up between two individuals in debate.
3. If debate carries on too long, impose time limits on speakers.
4. Discourage people from talking in initials - spell them out.

Meeting Procedure

It is important that all organizations have underlying organizational structure and procedures. The guidelines below provide guidance for members and the general public. Some of Leesburg's Boards and Commissions currently use a similar format that is given below. This list has been created to provide a framework for board and commission procedures:

The following three points are always in order:

1. **Point of Order:** a question about process, or objection and suggestion of alternative process. May include a request for the facilitator to rule on process.
2. **Point of Information:** a request for information on a specific question, either about process or about the content of a motion. This is not a way to get the floor to say something you think people should know.
3. **Point of Personal Privilege:** a comment addressing a personal need - a direct response to a comment defaming one's character, a plea to open the windows, etc.

Motions

All motions must be seconded, and are adopted by a majority vote unless otherwise noted. All motions may be debated unless otherwise noted. Motions are in order of precedence: motions may be made only if no motion of equal or higher precedence is on the floor (i.e., don't do a number 5 (move to end debate) when the body is discussing a number 4 (move to suspend rules).

1. **Motion to Adjourn:** not debatable; goes to immediate majority vote.
2. **Motion to Recess:** not debatable. May be for a specific time.
3. **Motion to Appeal the Facilitator's Decision:** Not debatable; goes to immediate vote, and allows the body to overrule a decision made by the chair.
4. **Motion to Suspend the Rules:** suspends formal process for dealing with a specific question. Debatable; requires simple majority vote.
5. **Motion to End Debate and Vote or Call the Question:** applies only to the motion on the floor. Not debatable; requires simple majority vote.
6. **Motion to Extend Debate**: can be general, or for a specific time or number of speakers. Not debatable.
7. **Motion to Study:** applies only to the main motion. Refers question to a specific group with a specific time and charge.
8. **Motion to Amend:** must be voted for by a majority to be considered and by a simple majority to be passed. If amendment is accepted as "friendly" by the proposor of the amendment then many bodies will allow it to be accepted without a formal vote; this is a way of including a consensus-building process into procedure without endless debate over amendments to amendments. Strictly speaking, however, once the main motion is made it is the property of the body to amend.
9. **Main Motion:** what it is you're debating and amending.
10. **Voice Vote:** The form of voting on a motion by which the chairman asks those in favor to respond to the motion in question by saying “aye” and then asks those opposed to the motion to say “no”. If the “ayes” have the majority the chairman will state that the motion has passed. If the prevailing side is negative, the chairman will state that the motion is lost.
11. **Roll Call Vote:** The form of voting on a motion by which the chair states both sides of then directs the clerk to call the roll. Each member answers as their name is called and the clerk records their vote. Upon completion of the roll the clerk reads the names of those who voted in the affirmative and then the names of those who voted in the negative. The total is then given to the chair who announces the result. An entry must be made in the minutes of each member and how they voted. This method of voting is very time consuming and is not ordinarily used.

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

LAST NAME – FIRST NAME – MIDDLE NAME		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILLING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
		☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY	COUNTY	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED		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 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, co-owner 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,_____, hereby disclose that on_____, 20_____:

(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:

Date Filed	Signature

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