AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, MAY 17, 2016
6:00 P.M.

The following minutes reflect action items of the City Council of the City of Arcadia. For a verbatim copy of the minutes, you may contact City Administration to obtain a copy of the recorded meeting.

INVOCATION, PLEDGE CALL TO ORDER AND ROLL CALL

Pastor Thomas Simmons gave the invocation which was followed by the pledge of allegiance. The Mayor called the meeting to order at approximately 6:00 p.m. and the following members and staff were present:

Arcadia City Council

Mayor Susan Coker
Deputy Mayor Frierson
Councilmember S. Delshay Turner
Councilmember Judy Wertz-Strickland
Councilmember Joseph E. Fink

Arcadia City Staff

City Administrator Terry Stewart
City Clerk Penny Delaney
City Attorney T.J. Wohl
Finance Director Beth Carsten
Marshal Matt Anderson
Jennifer Codo-Salisbury, CFRPC

PRESENTATION

Agenda Item 1 – Recognition of Donny Stiner as the Recipient of the Ridge League of Cities Scholarship

Prior to the presentation, Mr. Stiner advised that he was currently enrolled at the University of South Florida in Tampa and his main life ambition was to get into some sort of space oriented organization. Councilmember Wertz-Strickland then presented Donny Stiner with a certificate acknowledging his receipt of the Ridge League of Cities Scholarship.

CONSENT AGENDA

Agenda Item 2 – City Council Minutes for Meeting on May 3, 2016
Agenda Item 3 – City of Arcadia Municipal Airport March Report
Agenda Item 4 - Special Event Permit – Flying Club Seminar – Friends of Arcadia Airport

Councilmember Fink made a motion to approve the Consent Agenda Items 2, 3 and 4 as presented and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 5 – Fence on City Right-of-Way Located at 1408 E. Cypress Street – Robert Evans

City Administrator Stewart explained that Cyndy's Place, which is an organization that is building a number of homes on N. 15th Avenue, is doing some road and sidewalk improvements that were necessary as part of the development project. He advised that at the last City Council meeting, Councilmember Fink referred to Resolution 2015-03 which outlines some of the road requirements and said resolution was included in the packet for this meeting. Mr. Stewart advised that Mr. Evans' property is located at 15th Avenue and Cypress and the developer's survey indicates that Mr. Evans' fence is significantly within the right-of-way that is necessary to accomplish the sidewalk. He reminded Council that at the last meeting, Mr. Evans had asked to allow him to keep the fence where it is and find another alternative for the sidewalk. City Administrator Stewart advised that Mr. Evans asserts that the fence was installed twenty (20) years ago and he had obtained a permit and survey, but was not able to provide such and the City does not have a record of such. At this time, Mayor Coker advised that Councilmember Turner had signed and turned in a voting conflict paper.

Connie Collins, attorney for the developer, Cyndy's Place, LLC, confirmed that the information Mr. Stewart had provided was correct and that her client had obtained a survey and the issue not only pertains to the location of the fence and the placement of the sidewalk, but it also affects drainage. She advised that under the requirements of the Southwest Florida Water Management District (SWFWMD) for the water drainage off the roadway, and under the City's Code of Ordinances and land development regulations, any new roads have to have a sidewalk on both sides. She stated that if Council should decide that the sidewalk does not need to be placed on that side of the roadway or should stop because of this property owner who has placed a fence within the City's right-of-way by six and one-half feet (6½'). She advised that the fence is exactly in line with the required placement of the agricultural drainage sockets which are to go under the roadway to provide for the drainage that goes from north to south. Mrs. Collins stated that the developer had followed all of the recommendations of the planning department and SWFWMD and they are asking City Council to have the property owner remove and relocate his fence to within his property line.

Councilmember Wertz-Strickland suggested that the City assist the Evans with moving the fence to where it should be so that the project can continue. She advised that if they did not do so and if they were to try to get grant money for the area, they would not be ADA compliant. Attorney Collins stated that if the Council determines that the fence can remain, there will be the drainage issue which will be problematic because her client would not be able to obtain the financing they need because they had SWFWMD approval and the approval for the renters will be contingent upon SWFWMD approval and that approval is based on the parallel sidewalks

alongside the roadway. She re-emphasized that it was not only the drainage issue, but the sidewalk issue which is the City of Arcadia's requirement under its land development regulations and comprehensive plan.

Mr. Evans' son, Gary Evans, advised Council that according to the plan, the sidewalk will be placed two (2) feet from his parents' carport. He expressed concern that people would be walking right on their carport. Mr. Evans stated that he felt the sidewalk should stop right there and while it is the City's right of way, his parents would still have to take care of the right-of-way. Councilmember Wertz-Strickland asked what would happen if this does not get done and City Administrator Stewart replied that if SWFWMD had granted approval and then something is changed within the approval, it could jeopardize approval for the entire project and at the very least it could put the project in limbo for possibly sixty (6) days to six (6) months depending on the complexity of the situation.

Councilmember Fink asked City Attorney Wohl about ramifications of not following the code and City Attorney Wohl stated the issue of ADA compliance is an issue in itself, but the potential receipt of federal funds requires ADA compliance. He stated that from a legal standpoint, there was not much ground that the landowner has because he is encroaching on the City's right-of-way, that there was no adverse possession or easement claimed and while he had seen discrepancies with surveys, he would have a hard time believing the survey is off by six and a half feet (6½'). He stated he did not really see any ramifications other than the City spending money if an agreement cannot be reached with the landowner. He advised Council against not doing anything in this instance. City Administrator Stewart advised Council had a similar situation with the Bridle Path Project and in that instance, the property owners were required to remove whatever was encroaching or the City removed it with no obligation to replace it.

After much further discussion, City Administrator Stewart suggested possibly getting a separate survey to validate the right-of-way at the expense of the property owner. Councilmember Wertz-Strickland made a motion to give the Evans seven (7) working days to get a survey and produce it to the City so Mr. Stewart will have it so they can compare to see what they have here and in the event they cannot produce the survey in seven (7) days, that they call a special meeting and go on with the decision and Deputy Mayor Frierson seconded the motion. Councilmember Fink questioned the special meeting and City Attorney Wohl suggested structuring the motion to not require a special meeting. Councilmember Wertz-Strickland made a motion for staff to review the survey and if the survey reveals the identical location to the Cyndy's Place survey, the decision of Council would be the fence be moved to that location and Deputy Mayor Frierson seconded the motion. City Administrator Stewart stated that if the second survey shows the fence is where it should be, then Council will have a broader problem because there will be an issue with Cyndy's Place. City Attorney Wohl stated that would create a bigger issue for Cyndy's Place and an emergency for completing the construction would create a bigger issue. Councilmember Wertz-Strickland withdrew her motion and Deputy Mayor Frierson withdrew her second. Councilmember Wertz-Strickland then made a motion to give the Evans until May 27, 2016, to produce a survey and in the event the survey does not show that the fence is on their property, then the City will proceed with them having to take the fence down and move it so the City can proceed with the construction project and Councilmember Fink

seconded the motion. Councilmember Fink asked Attorney Collins if such was agreeable with her. She stated that while they did not like it, if it was the will of the Council to give the property owner until next week, she felt it was a reasonable period of time, provided if their survey indicates a similar encroachment, they needed an immediate remedy. City Attorney Wohl stated that the City could take immediate action, but whether relief is immediate, there were due processes involved and this technically would not satisfy that. No discussion followed and it was unanimously, 4/0, approved, with Councilmember Turner abstaining from voting on the agenda item.

Agenda Item 6 – Improper Zoning at 1001 E. Oak Street

Jennifer Codo-Salisbury of the Central Florida Regional Planning Council advised that the property located at 1001 E. Oak Street currently has a major automotive repair business operating on the site. She stated that the future land use and zoning is P-3 and back in 2012, a business tax license was issued on the property for major automotive repair. She explained that back in 2012, the City was operating under the former land development code which allowed for major automobile repair through special approval. She advised that upon review of the City's records, there was no special approval on file for this property specifically. Ms. Codo-Salisbury stated that to remedy the situation, they would like to rezone the property to a planned unit development – commercial (PUD-C) which would allow them to recognize the major automotive use, but also place conditions on it to mitigate for any off-site impact. She explained it would also allow that if the use discontinued for a certain amount of time for the property to go back to P-3 zoning. Councilmember Fink asked Ms. Codo-Salisbury if the cost would be borne by the person involved. Ms. Codo-Salisbury stated that the reason it was being brought before Council was to determine if Council wanted it to be applicant-initiated or City-initiated. Councilmember Fink made a motion for it to be City initiated and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 7 – 4th Saturday Antique Show – 2 Separate Applicants

City Administrator Stewart advised there were two (2) different applications for the 4th Saturday Antique Fair. He stated one (1) application was from Tater Hill and there was also an application from the Antique Association from Mrs. Flo Rife and Council would need to decide if they were going to issue a permit at all, and if so, to which one. Mr. Robert DeFino, a County resident and shop owner on Oak Street, advised Council that he and another person have Tater Hill Antiques and they run a Fifth Saturday Show. He stated a turn-around was needed and things needed to be better for the shop owners. When asked, Mr. DeFino explained his plans for advertising and his plans to improve the Fourth Saturday Show. City Administrator Stewart stated that should Council grant Tater Hill's permit, it would begin at the expiration of the current applicant. When asked why he would not choose another Saturday, Mr. DeFino advised that it conflicted with other shows. Mayor Coker informed Council that Councilmember Fink had signed a Memorandum of Voting Conflict regarding this matter. Deputy Mayor Frierson made a motion to leave it to the Antique Association for the 4th Saturday and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 4/0, approved.

Agenda Item 8 – Amendment 7 to Loan Agreement DW140100

Finance Director Carsten advised this item was Amendment 7 for the Water Treatment Plant State Revolving Fund Loan and it would amend number six (6) because the initial amortization did not allow for the capital interest. She stated it would change the semi-annual payment from $152,848.00 to $156,910.00 which is over the twenty (20) years of the loan. Ms. Carsten advised the total loan amount of the building is $9,152,704.00 and of that amount $4,870,000.00 is forgiven through the state revolving fund (SRF) and the amount that we will be paid back is $4,650,000.00. Councilmember Wertz-Strickland made a motion to adopt Amendment 7 to Loan Agreement DW14100 (actual loan agreement number is DW140100) for the Drinking Water State Revolving Fund and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 9 – Amendment to the Tyler Technologies, Inc. Application Service Provider Agreement

Finance Director Carsten advised that Tyler Technologies is the City's software provider for the Munis Financial System that is used in finance and throughout the City. She further advised they are currently in a three (3) year agreement and that agreement ran April 30th and they had been provided an extension. She stated it was going up approximately Eleven Thousand and 00/100 Dollars ($11,000.00) due to the different modules that had been added for purchasing. Ms. Carsten advised that originally they had five (5) continual users and it had been changed to twenty (20). She informed Council that purchase orders will soon be done through the computer system instead of paper which will allow it to be implemented throughout the City. She stated they did not charge for the change in users and it could have been almost Fifteen Thousand and 00/100 Dollars ($15,000.00) more annually for that amount. Ms. Carsten asked for the agreement to be approved for a total of One Hundred Seven Thousand Three Hundred Thirty-Seven and 00/100 Dollars ($107,337.00) over a three (3) year period of time and each year would be Thirty-Five Thousand Seven Hundred Seventy-Nine and 00/100 Dollars ($35,779.00). She also informed Council that the amount was budgeted for in this year's budget for the old contract and if it is approved, it would be put in next year's budget. Councilmember Wertz-Strickland made a motion to allow staff to execute Amendment to Application Service Provider Agreement with Tyler Technologies, with the annual amount of Thirty-Five Thousand Seven Hundred Seventy-Nine and 00/100 Dollars ($35,779.00) and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 10 – Resolution No. 2016-07 – Authorizing Amendment and Restatement of VALIC Profit Sharing Plan Document (GA#61141 Plan #002)

City Administrator Stewart asked Council to allow staff to withdraw this item. He stated there was an item of wording and upon Finance Director Carsten inquiring into it; it raised an issue that the company has things that will have to straighten around as well. He stated in order to fix it, he asked that they allow staff to withdraw it and bring it back to them at a later date. Councilmember Fink made a motion to allow the withdrawal and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 11 – Discussion of Utility and Solid Waste Rates

Councilmember Fink stated that in October of 2012, Council passed two (2) resolutions, numbers fourteen (14) and fifteen (15) which increased sewer, water and garbage rates. He pointed out that it they were not just raised for that particular year, but in perpetuity until Council should decide to undo the action. He stated that over a course of time, the increase for water has been thirty-one percent (31%), sewer has been thirty-one percent (31%) and garbage pick-up to residents has been seventeen percent (17%). Councilmember Fink advised the increase cost of garbage has never been qualified through a study or methodology. He suggested voting on it annually to determine if it is actually needed. He asked that either the resolution be changed to put in an actual vote that they take annually or that they rescind it and have staff come back with suggestions during the budget year.

Councilmember Wertz-Strickland stated that she had raised the issue of garbage collection and City Administrator Stewart commented that he was going over some things to present to Council at a workshop for budget. She further stated that, when they look at it, maybe they could get a study done of the garbage collection, but she was not sure that cutting things is the correct way to do when they already have a study in place on water. Deputy Mayor Frierson pointed out that it was the third water study before any increases were given and there had been no increases probably since the last 90s. She stated she was not against sun-setting it, but at the same time, they were coming up on budget period and at this time, she felt they needed to hear from staff. City Administrator Stewart stated it had been pointed out that there was no professional scientific methodology employed in determining what the solid waste rates would be. He stated he had observed certain things about the operation of the utility end of the system, both in water and wastewater, that indicates the full costs were not factored in and stated the repair and maintenance of the dumpsters was an example. He stated he would continue to review and would be bringing it to Council attention when they get to the budget cycle.

City Administrator Stewart stated that the horizon for that study ends in the 2016-17 fiscal year which tells us that the accuracy in the modeling is good through that time and Council should be considering doing another study at that time. He advised that in the coming year, they should be doing a study for both water and sewer and he recommended that it would be appropriate to do one for solid waste because one had never been done and it would be in the budget for the upcoming year. Councilmember Wertz-Strickland pointed out that they needed to meet the bond covenants.

COMMENTS FROM DEPARTMENTS

Marshal Anderson asked if Council or the general public had any questions or concerns and there were none. He then advised of a fundraiser that had taken place for two (2) families with children suffering from leukemia. He advised that just under Nineteen Thousand and 00/100 Dollars ($19,000.00) had been raised and they had set a goal of Ten Thousand and 00/100 Dollars ($10,000.00).

City Attorney Wohl advised he had nothing to report.

Finance Director Carsten presented the financial update and advised that the revenues were at sixty-two point seven percent (62.7%) and the expenditures were at forty-three point three percent (43.3%). She stated the City's end of the audit should be completed on Thursday and they should have a draft of the financial statements at the beginning of June. She further stated that they should be able to file on the 30th.

City Administrator Stewart advised he had visited with the Arcadia Association of Black Pastors/Churches. He stated that he and the Code Enforcement Officer want to reach out to people in the community and let them know of their increased level of code enforcement. Mr. Stewart said he wanted everyone to understand it wasn't focused on a particular neighborhood, but will hold sway throughout the City. He stated they would also be reaching out to the NAACP and other groups to let them know as well. He said it was their effort to be inclusive to all aspects of our community and it was a pleasure to meet with the group.

City Administrator Stewart they had a number of things they are working on and trying to set up meetings with Council regarding the fire assessment work done with the County as one example. He also pointed out that he was coming up on one (1) year of being employed by the City on June 15, 2016 and as a part of negotiating his contract, an annual evaluation was to be provided and he was looking forward to hearing what Council has to say. Councilmember Fink asked if Mrs. Lowe could provide some sort of generic evaluation form to use to do the evaluation. Mr. Stewart replied that he would ask Mrs. Lowe to do that for Council.

PUBLIC

William Bailey, a City resident, referenced an issue he had with Councilmember Fink and the reporting of his semi-trailer being illegally parked to Code Enforcement. After going into detail, he stated that he felt Councilmember Fink was guilty of misconduct and expressed his desire to call for a recall. City Attorney Wohl advised that such an action had to be initiated by the electors of the local government (the citizens) and such is not anything that would involve the actual City Council, City staff or City Counsel. Mr. Bailey asked for the Council Members to please review the information he had provided to them and contact him if they should have any questions.

Jackie Scogin, a City resident, referenced the water rate study being done until 2017 and asked if the rate increases could be sunset at that time and re-evaluated. She stated citizens would just like Council to start discussing it. Councilmember Wertz-Strickland stated increasing or decreasing the income has a big bearing on the City's budget and they need to make sure that when they start decreasing things, it will not place a big burden on the budget to operate the City. She stated staff would be providing information for Council workshops.

Montreal Pearson asked what needed to be done to get the Smith Brown Gym opened. City Administrator Stewart informed Mr. Pearson that the City Council had entered into an agreement with the Smith Brown Community Foundation to raise funds for the gym and he

invited Mr. Pearson to contact his office and he would provide him with Ashley Coone's contact information.

MAYOR AND COUNCIL REPORTS

Councilmember Wertz-Strickland stated she felt the City needed to have a social media policy. After much discussion, Councilmember Wertz-Strickland made a motion to direct staff to develop a social media policy to come back to the Council by the next meeting. She then provided the City Attorney with the County's policy for such. City Attorney Wohl advised that social media policies were fairly new and the goal is to control how such is conducted by the City and how records being posted on social media are being retained to comply with the public record requirement of Florida. He further advised that a policy that was put into place last year may not be up to date because it is an ever changing issue. City Attorney Wohl stated these do not control an individual's right to post on social media, but felt it was time to have a social media policy in place. He then requested leeway on the three (3) week period. Councilmember Wertz-Strickland made a motion that Council ask the City Attorney and City Administrator and City representative to develop a social media policy and Councilmember Fink seconded the motion for discussion. He stated he had never posted anything on the City's site or the Police Department's site and asked if there had been abuse. Councilmember Wertz-Strickland stated she did not know.

Preacher Wills, a County resident, advised that WFLN had inquired as to recording the City Council meetings for the benefit of the radio station and felt that exposure would do a lot of good.

No discussion followed and it was unanimously, 5/0, approved.

Mayor Coker then asked the City Clerk to provide the slide show presentation regarding the grand opening of the splash pad at McSwain Park. She stated that

ADJOURN

Councilmember Wertz-Strickland made a motion to adjourn and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Having no further business at this time, the meeting was adjourned at approximately 8:26 P.M.

ADOPTED THIS 7th DAY OF June, 2016.

By: Susan Coker

Susan Coker, Mayor

ATTEST:

Penny Delaney

Penny Delaney, City Clerk

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
Turner, S. Delshay	City Council
MAILING ADDRESS 23 N. Polk Ave.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY: Arcadia — COUNTY: DeSoto	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED May 17, 2016	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.

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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, S. Delshay Turner, hereby disclose that on May 17, 20 16:

(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, Robert EVANS;

___ 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:

my Father Robert EVANS will come by the concil About an issued with his Fence.

05/09/16
Date Filed

S Delshay Turner
Signature

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

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

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Fink, Joseph E.	City Council
MAILING ADDRESS 23 N. Polk Ave.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY: Arcadia — COUNTY: DeSoto	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED May 17, 2016	MY POSITION IS: ☑ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

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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).

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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:

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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, Joseph E. Fink, hereby disclose that on May 17, 20 16:

(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, _____;

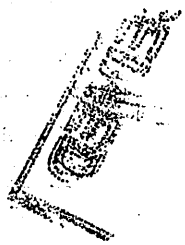
___ inured to the special gain or loss of _____, by whom I am retained; or

___ 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:

Insurance used to cover event is from my business insurance policy

5/6/16
Date Filed

Joseph E Fink
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.