



CITY OF MARGATE MINUTES

Regular City Commission Meeting
Commission Chambers, 1st Floor
City Hall, 5790 Margate Boulevard
Margate, FL 33063

Wednesday, April 18, 2012 - 7:00 PM

Commission Present: Mayor Pam Donovan; Vice Mayor David McLean; Commissioner Lesa Peerman; Commissioner Frank B. Talerico; Commissioner Joseph Varsallone.

City Staff Present: City Manager Yolanda A. Rodriguez; City Attorney Eugene M. Steinfeld; Police Chief Jerry Blough; Director of DEES Reddy Chitepu; Director of Economic Development Ben Ziskal; Finance Director Gail Gargano; I.T. Director James Wilbur; Interim Public Works Director Sam May; Purchasing Manager Pat Greenstein; and Fire Chief Anthony Stravino.

The regular City Commission meeting of the Margate City Commission, having been properly noticed, was called to order by Mayor Donovan at 7:04 PM. There was a moment of silence followed by the pledge of allegiance.

1) PRESENTATIONS

At the request of Commissioner Varsallone, the City Manager announced that "Interim" had been removed from James Wilbur's title and he was now the Director of I.T. (Information Technology) for the City.

A. EMPLOYEE RECOGNITION FOR YEARS OF SERVICE:

TREATMENT PLANT OPERATOR I, JAMES D. WALKDEN, DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES - 25 YEARS

B. FIRE DEPARTMENT RECOGNITIONS:

RECOGNITION OF RECENT CERT GRADUATES

FIREFIGHTERS OF THE YEAR FOR 2011 - ALS TEAM B

LORNE BROWN
VITO LABRIOLA
MASON LEBRON
MANUEL SANCHEZ

FIREFIGHTER OF THE QUARTER FOR 2012

RAUL PEREZ
WILLIAM YASICH

C. POLICE DEPARTMENT RECOGNITIONS: ACCOUNT CLERK II, WYLENE SPROUSE, CIVILIAN OF THE MONTH FOR FEBRUARY, 2012.

D. LEGISLATIVE UPDATE: DISTRICT 94 REPRESENTATIVE HAZELLE P. "HAZEL" RODGERS.

The following item was heard after the presentations and before the Commission Comments.

- 9) A. COLLECTION BOX IN CITY HALL FOR THE MARGATE MIDDLE MACARONI AND CHEESE PROGRAM. (Presented by Jackie Dixon)**

Allyssa Barrios, Margate Middle School National Junior Honor Society, stated that Margate Middle School had collected over 500 boxes of Macaroni and Cheese last year in their annual drive to help Kids In Distress. She asked for the city of Margate's support again this year to collect boxes.

MOTION: SO MOVE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

2) COMMISSION COMMENTS

Commissioner Talerico asked for an update on Margate Community College. The City Manager stated that the program was launched last week by sending invitations to all current volunteers sitting on city boards and to members of the Margate Chamber of Commerce Board of Trustees. She said 13 people so far had signed-up, and the deadline was next Thursday. She stated that it would be used as a focus group to acquire feedback from the residents. Commissioner Talerico asked about the transparency project where records would be placed on the website. The City Manager stated that the City Clerk had provided an Excel spreadsheet containing a listing of records being requested. She stated that quotes were being obtained on the hosting of the public records online for the city's resolutions and ordinances going back one year and then going forward.

Commissioner Peerman announced that last Saturday was the Waste Management Earth day celebration and this year Margate Elementary school was invited. Their PTA won a \$1,000 prize.

The City Manager informed everyone of the construction on Atlantic Boulevard at West Palm Drive for the next two nights.

3) PUBLIC DISCUSSION

Rich Alieniello, 7631 NW 23rd Street, stated that there was a palm tree at Royal Palm Boulevard and NW 76 avenue that had a giant hole that needed to be addressed. The Mayor asked for the Interim Public Works director to assist Mr. Alieniello with the matter.

Danny Marino, 6812 NW 4th Street, was concerned with flooding on U.S. 441 by Northwest Regional Hospital caused by the recent construction.

Scott Yardley, Margate Resident, asked about the employee training for Outlook taking place in Plantation. The I.T. directed explained that the training would take place at city hall, not in Plantation.

Donna Casey, 1388 NW 62 Way, read a statement and accused Vice Mayor McLean of not paying her back on a personal loan he signed for \$15,000. Vice Mayor McLean responded that it was a civil matter being handled by attorneys. She stated that she had emailed the Mayor regarding the matter and the Mayor responded back that it was not a city matter.

Rich Popovic, 6066 Winfield Boulevard, commented on the previous speaker's comments. He disagreed with Representative Hazelle Rogers regarding the fire fees. He asked how sometimes the City Commission voted to get rid of things, then the items were brought back without a vote; like the Field of Dreams. He said that the items that are brought back do not get done.

Mitch Pellecchia, Margate resident, asked about the April 18 *Sun-Sentinel* article about a \$50,000 cost for a pilot program for Closest Unit Response. The City Manager stated that she wrote to the editor that the facts were incorrect and asked for a retraction.

Mike Casey, Margate Resident, asked if the Mayor stood behind her email response to Donna Casey that the Vice Mayor's behavior on the personal loan did not make the city look bad. Mayor Donovan

stated that when she answered the email, she stated it was not a city matter. She added that the misuse of the credit card made the city look bad. Mr. Casey asked why the Vice Mayor was not suspended and Mayor Donovan explained that the City Commission did not have that power; that had to be done by the Governor or at the request of the residents, and that was why the City Commission censured him and were creating a new policy. She said the City Commission were all appalled by the personal use of the credit card.

4) **CONSENT AGENDA**

- A. **MOTION** - AUTHORIZATION TO ADVERTISE AN ORDINANCE AMENDING THE MARGATE CODE OF ORDINANCES, ARTICLE V, CITY DEPARTMENTS, BY ADDING SECTION 2-146, CREATING THE DEPARTMENT OF ECONOMIC DEVELOPMENT; PROVIDING FOR A DIRECTOR; PROVIDING FOR RESPONSIBILITIES OF THE DEPARTMENT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION.
- B. **RESOLUTION 12-094**- ACCEPTANCE BY THE CITY COMMISSION OF THE FULLY EXECUTED UTILITY EASEMENT DEED, UTILITY ACCESS EASEMENT AND BILL OF SALE BETWEEN NORTHWEST MEDICAL CENTER, INC. AND THE CITY OF MARGATE FOR MAINTENANCE OF WATER AND SEWER UTILITIES.
- C. **RESOLUTION 12-095**- AWARDING BID NO. 2012-005 HATS, SHORTS AND T-SHIRTS FOR THE FIRE DEPARTMENT, TO J. R. CUSTOM TEES FOR ITEMS 1, 3, 4 AND 5.
- D. **RESOLUTION 12-096** - WAIVING OF BIDDING FOR SOLE SOURCE PURCHASE OF RAYNOR DOORS FROM ELECTRONIC DOOR LIFT, INC. IN AN AMOUNT NOT TO EXCEED \$28,035.
- E. **RESOLUTION 12-097** - ACCEPTING AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$12,763.00 FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT TO FUND THE SPECIAL ENFORCEMENT TEAM (SET) OVERTIME PROJECT FOR THE MARGATE POLICE DEPARTMENT.
- F. **RESOLUTION 12-098** - ACCEPTANCE OF FEMA AFG GRANT FOR ADVANCED LIFE SUPPORT EQUIPMENT.
- G. **RESOLUTION 12-099** - APPROVING WAIVING OF BIDDING FOR THE PURCHASE OF HEAVY DUTY REPAIR PARTS FROM RECHTIEN INTERNATIONAL TRUCKS PENDING THE AWARD OF THE BID FROM THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE PURCHASING GROUP THEREAFTER PURCHASES SHALL BE MADE UTILIZING THE AWARD FROM SAID GROUP.
- H. **RESOLUTION 12-100** - APPROVING REAPPOINTMENT OF RALPH COLON TO THE PLANNING AND ZONING BOARD FOR A TERM COMMENCING MAY 2, 2012 - MAY 1, 2014.
- I. **RESOLUTION 12-101** - APPROVING AMENDMENT NO. 1 TO PROJECT AGREEMENT 69-4209-12-1771 BETWEEN CITY OF MARGATE AND THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE TO EXTEND THE COMPLETION DATE BY 60 DAYS TO AUGUST 20, 2012.
- J. **RESOLUTION 12-102** - APPROVING AGREEMENT BETWEEN CORAL SPRINGS AND MARGATE FOR CORAL SPRINGS TO PROVIDE MARGATE FIRE PERSONNEL WITH LIVE FIRE PRACTICAL TRAINING FOR A 3-YEAR PERIOD TO BE PAID FOR ANNUALLY BY MARGATE.
- K. **RESOLUTION 12-103** - APPROVING MILEAGE REIMBURSEMENT FOR CITY EMPLOYEES, PURSUANT TO ORDINANCE NO. 2006-10, AT THE INTERNAL REVENUE SERVICE STANDARD MILEAGE RATE FOR BUSINESS MILES DRIVEN; PROVIDING FOR AN EFFECTIVE DATE.
- L. **RESOLUTION 12-104** - SUPPORTING THE BROWARD REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL'S TAKE FIVE TO STAY ALIVE CAMPAIGN.

- M. **RESOLUTION 12-105** - AMENDING THE CITY COLOR PALETTE PREVIOUSLY APPROVED BY RESOLUTION 10-456 FOR NON-RESIDENTIAL STRUCTURES; PROVIDING FOR BASE AND TRIM COLORS TO BE ANY TWO COLORS ON THE SAME CARD.

MOTION: SO MOVE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

- 5) **MOTION** - ACCEPTING COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2011.

MOTION: SO MOVE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

6) RESOLUTIONS - QUASI-JUDICIAL HEARINGS

- A. **RESOLUTION 12-106** - CONSIDERATION OF ABANDONMENT OF A 2-COP (BEER AND WINE CONSUMPTION ON PREMISES) ALCOHOLIC BEVERAGE ALLOCATION FOR J & R ROTI SHOP LLC., 5416 WEST ATLANTIC BOULEVARD, MARGATE 33063. (DISTRICT D)

MOTION: SO MOVE TO ABANDON.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Abstained; Mayor Donovan, Yes. The motion passed 4-0.

- B. **RESOLUTION TABLED** - CONSIDERATION OF RENEWAL OF SPECIAL PERMIT FOR EXTENDED HOURS OF ALCOHOL SALES FOR CONSUMPTION ON PREMISES FY 2011/2012 FOR PALADIUM, 5688 WEST SAMPLE ROAD. (DISTRICT D)

MOTION: SO MOVE TO TABLE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Abstained; Mayor Donovan, Yes. The motion passed 4-0.

7) RESOLUTIONS

- A. **RESOLUTION TABLED** - MAKING A DETERMINATION REGARDING EXTENSION OF THE 2-COP ALCOHOL BEVERAGE ALLOCATION FOR H & R SUBS AND CARIBBEAN RESTAURANT INC., 5428 WEST ATLANTIC BOULEVARD, MARGATE. (DISTRICT D) (Petitioner: Rodrique Aristilde, Owner)

MOTION: SO MOVE TO TABLE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Abstained; Mayor Donovan, Yes. The motion passed 4-0.

- B. **RESOLUTION TABLED** - MAKING A DETERMINATION REGARDING EXTENSION OF THE 2-COP ALCOHOL BEVERAGE ALLOCATION FOR ARTIBONITE CARIBBEAN RESTAURANT, 7824 WEST SAMPLE ROAD, MARGATE. (DISTRICT B) (Petitioner: Willfrid Benjamin, Owner)

AND

- C. **RESOLUTION TABLED** - APPROVING 2-COP ALCOHOL BEVERAGE ALLOCATION FOR

CRIOLLO'S BAKERY, 5416 WEST ATLANTIC BOULEVARD, MARGATE (DISTRICT D) (Petitioner: Ruben Malitto)

MOTION: SO MOVE TO TABLE 4B AND 4C.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Abstained; Mayor Donovan, Yes. The motion passed 4-0.

- D. **RESOLUTION 12-107** - APPROVING 2-APS ALCOHOL ALLOCATION FOR DOLLAR DAZE PLUS LLC., 275 SOUTH STATE ROAD 7, MARGATE (DISTRICT E) (Petitioner: Tina McGee)

MOTION: SO MOVE TO APPROVE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

8) ORDINANCES - SECOND READINGS

- A. **ORDINANCE 2012-4** - AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 16¼ - PERSONNEL, ARTICLE II. - CIVIL SERVICE DIVISION 1. - GENERALLY SECTION 16¼-23. COVERED PERSONNEL; PROVIDING THAT A CIVIL SERVICE EMPLOYEE WHO LEFT CIVIL SERVICE STATUS TO FILL AN EXEMPTED POSITION OF THE CITY OF MARGATE SHALL NOT HAVE THE RIGHT TO AUTOMATICALLY RETURN TO THE PREVIOUSLY HELD CIVIL SERVICE STATUS OR ITS EQUIVALENT AT ANY TIME; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (APPROVED FOR AUTHORIZATION TO ADVERTISE ON 3/21/12, APPROVED FIRST READING ON 4/4/12)

MOTION: SO MOVE FOR DISCUSSION.

The City Manager explained that employees who were department heads as of this date, were "grandfathered in" and would not lose their job; however, in the future new department heads would not be able to return to his or her previous civil service position if it was found that he or she were not doing right as a department head.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

- B. **ORDINANCE 2012-5** - AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 16¼ - PERSONNEL, ARTICLE II. - CIVIL SERVICE DIVISION 2. - APPOINTMENT PROCEDURES; SECTION 16¼-42. EXAMINATION PROCEDURE; PROVIDING FOR WAIVING OF WRITTEN EXAMINATION BY THE CHIEF EXAMINER FOR THE CUSTODIAN POSITION, ANY ENTRY LEVEL POSITION, AND FOR ANY POSITION THAT REQUIRES A SPECIFIC OR SPECIALIZED DEGREE, DESIGNATION OR CERTIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (APPROVED FOR AUTHORIZATION TO ADVERTISE ON 3/21/12, APPROVED AT FIRST READING ON 4/4/12)

MOTION: SO MOVE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

- C. **ORDINANCE 2012-6** - AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 16¼ - PERSONNEL, ARTICLE II. - CIVIL SERVICE DIVISION 2. - APPOINTMENT PROCEDURES; SECTION 16¼-49. APPOINTMENTS AND PROMOTIONS PROBATIONARY; PROVIDING FOR IN-HOUSE APPOINTEES; PROVIDING FOR CODIFICATION;

PROVIDING FOR AN EFFECTIVE DATE. (APPROVED FOR AUTHORIZATION TO ADVERTISE ON 3/21/12, APPROVED AT FIRST READING ON 4/4/12)

MOTION: SO MOVE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

- D. **ORDINANCE 2012-7** - AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 16¼ - PERSONNEL, ARTICLE II. - CIVIL SERVICE DIVISION 2. - APPOINTMENT PROCEDURES; ADDING NEW SECTION 16¼-56. IN-HOUSE APPOINTMENTS; PROVIDING FOR FILLING VACANT POSITION THAT DOES NOT FALL UNDER A DIRECT CAREER PATH PROMOTIONAL OPPORTUNITY; PROVIDING FOR REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (APPROVED FOR AUTHORIZATION TO ADVERTISE ON 3/21/12, APPROVED AT FIRST READING ON 4/4/12)

MOTION: SO MOVE.

Commissioner Varsallone asked if there was an intent to no longer have a civil service board. The City Manager stated for the record that there was no intent to eliminate the civil service board. She stated that the ordinance allowed for employees to move to a position in another department without testing.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

- E. **ORDINANCE 2012-8** - AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 2, ARTICLE III, CITY OFFICERS AND EMPLOYEES, ADDING NEW SECTION 2-42, PROVIDING THAT UTILIZATION OF EITHER A CITY CREDIT CARD OR A CITY PURCHASING CARD FOR OTHER THAN OFFICIAL CITY BUSINESS IS A VIOLATION OF THE CODE, PROVIDING FOR GROUNDS FOR FORFEITURE OF OFFICE FOR VIOLATION PURSUANT TO SECTION 3.11(2)(b) OF THE CITY CHARTER. PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (APPROVED FOR AUTHORIZATION TO ADVERTISE ON 3/21/12, APPROVED AT FIRST READING ON 4/4/12)

MOTION: SO MOVE.

Mayor Donovan asked the City Attorney about reporting of misuse of credit cards by the staff member who receives the credit card statements. The City Attorney stated that it was quite obvious now that misuse of a city credit card was grounds for forfeiture of office, and anyone having this knowledge would have to report it to the city commission. Mayor Donovan asked if the reporting of misuse was required prior to this ordinance. The City Attorney stated that it was not clear in the code previously as to the reporting of misuse, but it was clear now with the new ordinance.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

- F. **ORDINANCE 1500-586** - AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, APPENDIX A ZONING, AMENDING ARTICLE X ¼ RVRP RECREATIONAL VEHICLE RESORT PARK DISTRICT, SECTION 10 ¼.5 DESIGN STANDARDS; AMENDING ARTICLE II DEFINITIONS, SECTIONS 2.2 TERMS DEFINED; PROVIDING FOR SHED AWNINGS AND SATELLITE DISHES; PROVIDING FOR DEFINITION OF RECREATIONAL VEHICLE (RV) LOT STRUCTURE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (APPROVED WITH CONDITIONS BY DRC ON 1/19/12, APPROVED AT P & Z ON 3/6/12, APPROVED FOR AUTHORIZATION TO ADVERTISE ON 3/21/12, APPROVED AT FIRST READING ON 4/4/12) (PETITIONER: Jean Guy

Sylvain, Aztec RV Resort Inc.)

MOTION: SO MOVE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

- G. **ORDINANCE 1500-587** - AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX A - ZONING; AMENDING ARTICLE XX ARCADE AMUSEMENT CENTERS AND DEVICES; SECTION 20.3 LOCATION OF ARCADE AMUSEMENT CENTERS, AND SECTION 20.6 ADDITIONAL DEVELOPMENT STANDARDS; PROVIDING FOR DEVELOPMENT AND OPERATIONAL STANDARDS FOR AMUSEMENT ARCADE CENTERS; DELETING DISTANCE REQUIREMENTS FROM RESIDENTIAL USES, PUBLIC PARKS, PUBLIC LIBRARIES, PUBLIC OR PRIVATE SCHOOLS, AND DAYCARE; PROVIDING FOR HOURS OF OPERATION; PROVIDING FOR ALCOHOL SALES AND CONSUMPTION WITHIN AMUSEMENT ARCADES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (APPROVED AT DRC ON 1/19/12, APPROVED AT P & Z ON 3/6/12, APPROVED FOR AUTHORIZATION TO ADVERTISE ON 3/21/12, APPROVED AT FIRST READING ON 4/4/12)

MOTION: SO MOVE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

- H. **ORDINANCE TABLED** - AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 12 ½ LANDSCAPING; AMENDING CHAPTER 18 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 18-0.3 MAINTENANCE OF SWALE AREAS; AMENDING APPENDIX A- ZONING, ARTICLE VI TRANSIT ORIENTED CORRIDOR TOC DISTRICT; SECTION 6.13 LANDSCAPING; AMENDING ARTICLE XI NEIGHBORHOOD BUSINESS B-1 DISTRICT, SECTION 11.8 YARDS AND SETBACKS; AMENDING ARTICLE XII COMMUNITY BUSINESS B-2 DISTRICT, SECTION 12.8 YARDS AND SETBACKS; AMENDING ARTICLE XIII LIBERAL BUSINESS B-3 DISTRICT, SECTION 13.8 YARDS; AMENDING ARTICLE XIV LIGHT INDUSTRIAL M-1 DISTRICT, SECTION 14.7 YARDS AND SETBACKS; AMENDING ARTICLE XIV ½ INDUSTRIAL PARK M-1A DISTRICT, SECTION 14 ½.9 YARDS; AMENDING ARTICLE XXIII PROPERTY MAINTENANCE STANDARDS, SECTION 23.10 MAINTENANCE OF SWALES; PROVIDING FOR LANDSCAPE REQUIREMENTS; PROVIDING FOR FLORIDA FRIENDLY LANDSCAPE PRINCIPLES; PROVIDING FOR OBJECTIVES; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICATION OF LANDSCAPING CODE; PROVIDING FOR PLAN REQUIRED; PROVIDING FOR MATERIALS, INSTALLATION, AND IRRIGATION REQUIREMENTS; PROVIDING FOR DRIVEWAY LIMITATIONS, LANDSCAPING ABUTTING RIGHT-OF-WAY, VISUAL CLEARANCE; PROVIDING FOR LANDSCAPING ADJACENT TO OTHER PERIMETERS; PROVIDING FOR PARKING AREA AND PEDESTRIAN ZONE INTERIOR LANDSCAPING; PROVIDING FOR DUMPSTER AND OTHER SCREENING REQUIREMENTS; PROVIDING FOR PLANTING IN SWALES; PROVIDING FOR MINIMUM LANDSCAPE REQUIREMENTS FOR ZONING DISTRICTS; PROVIDING FOR MAINTENANCE OF LANDSCAPING; PROVIDING FOR YARDS AND SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (APPROVED AT DRC ON 12/15/11, APPROVED AT P & Z ON 3/6/12, APPROVED FOR AUTHORIZATION TO ADVERTISE ON 3/21/12, APPROVED AT FIRST READING ON 4/4/12)

MOTION: SO MOVE TO TABLE TO MAY 16, 2012.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

9) DISCUSSION AND POSSIBLE ACTION

A. ~~COLLECTION BOX IN CITY HALL FOR THE MARGATE MIDDLE MACARONI AND CHEESE PROGRAM.~~ (Presented by Jackie Dixon)

B. CREDIT CARD POLICY FOR THE CITY COMMISSION

The City Manager explained that staff was giving three different courses of action by the city commission regarding the misuse of the credit card for personal use: the elective body elected to censure the vice mayor publicly, change via ordinance the terms for forfeiture of office, and to create a policy specifically for the city commission. She stated that the city commission had previously signed a policy for the use of the credit card that was created for city employees, but she believed that the anger of the public was why the city commission had not been held to the standards of that policy. She asked the City Commission to allow her to use the employee policy as a basis for the city commission policy to incorporate that in item 4, instead of termination of employee that the language of forfeiture of office be added and on item 9 that the language that the card holder shall surrender the visa purchasing card upon termination be changed to upon the end of the city commissioner's term of office. Mayor Donovan also wanted to reduce the limit on the credit cards. The consensus of the City Commission was to reduce the limit from \$5,000 down to \$3,000. Commissioner Varsallone requested that if the travel amount exceeded the allowed expense, that it be allowed as long as the traveler turned in all receipts from the travel. Mayor Donovan asked that the policy also state that the city credit card should only be used for travel purposes and that the credit card would be checked out for travel and then checked back in upon return. Commissioner Talerico asked if checks would still be given for the hotel and the Mayor agreed, but explained that the hotels also wanted a credit card upon check-in. Commissioner Peerman requested that "city commission" be added to the policy so that it was clear that the policy was for the city commission. The City Manager explained that the policy would be drafted and would come back before the city commission to be approved by resolution.

A consensus was taken to hear Commissioner Varsallone's item regarding ordering new business cards and the consensus was to hear the item.

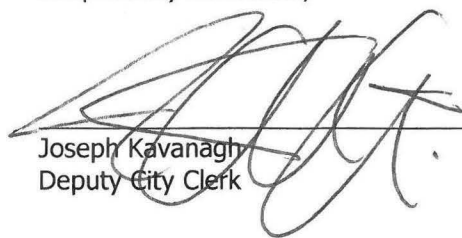
MOTION: SO MOVE TO ORDER 500 BUSINESS CARDS FROM SIR SPEEDY WITH THE CLOCK TOWER BACKGROUND FOR COMMISSIONER VARSALLONE.

ROLL CALL: Commissioner Varsallone, Yes; Commissioner Peerman, Yes; Commissioner Talerico, Aye; Vice Mayor McLean, Yes; Mayor Donovan, Yes. The motion passed 5-0.

There being no further business, the meeting adjourned at 9:04 PM.

Respectfully submitted,

Transcribed by Leslie Wallace May



Joseph Kavanagh
Deputy City Clerk

5/16/12
Date

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

LAST NAME—FIRST NAME—MIDDLE NAME MCLEAN, DAVID		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE MARGATE CITY COMMISSION	
MAILING ADDRESS 5790 MARGATE BOULEVARD		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY MARGATE	COUNTY BROWARD	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED APRIL 18, 2012		NAME OF POLITICAL SUBDIVISION:	
		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 voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, DAVID MCLEAN, hereby disclose that on APRIL 18, 20 12:

(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:

6) RESOLUTIONS - QUASI-JUDICIAL HEARINGS

A. RESOLUTION 12-106 - CONSIDERATION OF ABANDONMENT OF A 2-COP (BEER AND WINE CONSUMPTION ON PREMISES) ALCOHOLIC BEVERAGE ALLOCATION FOR J & R ROTI SHOP LLC., 5416 WEST ATLANTIC BOULEVARD, MARGATE 33063. (DISTRICT D)

I am currently employed by a business in this district, District D.

4/24/12
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME MCLEAN, DAVID		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE MARGATE CITY COMMISSION	
MAILING ADDRESS 5790 MARGATE BOULEVARD		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY MARGATE	COUNTY BROWARD	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED APRIL 18, 2012		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, DAVID MCLEAN, hereby disclose that on APRIL 18, 20 12:

(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:

6) RESOLUTIONS - QUASI-JUDICIAL HEARINGS

B. CONSIDERATION OF RENEWAL OF SPECIAL PERMIT FOR EXTENDED HOURS OF ALCOHOL SALES FOR CONSUMPTION ON PREMISES FY 2011/2012 FOR PALADIUM, 5688 WEST SAMPLE ROAD. (DISTRICT D) (Tabled at 4/18/2012 meeting)

I am currently employed by a business in this district, District D.

4/24/12
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME MCLEAN, DAVID		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE MARGATE CITY COMMISSION	
MAILING ADDRESS 5790 MARGATE BOULEVARD		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY MARGATE	COUNTY BROWARD	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED APRIL 18, 2012		NAME OF POLITICAL SUBDIVISION:	
		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 voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, DAVID MCLEAN, hereby disclose that on APRIL 18, 20 12:

(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.

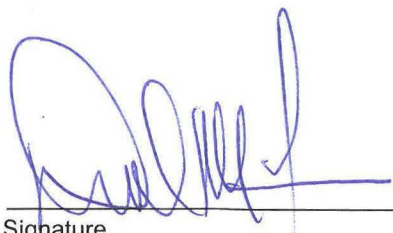
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

7) RESOLUTIONS

A. MAKING A DETERMINATION REGARDING EXTENSION OF THE 2-COP ALCOHOL BEVERAGE ALLOCATION FOR H & R SUBS AND CARIBBEAN RESTAURANT INC., 5428 WEST ATLANTIC BOULEVARD, MARGATE. (DISTRICT D) (Petitioner: Rodrique Aristilde, Owner) (Tabled at 4/18/2012 meeting)

I am currently employed by a business in this district, District D.

4/24/12
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME MCLEAN, DAVID		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE MARGATE CITY COMMISSION	
MAILING ADDRESS 5790 MARGATE BOULEVARD		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 MARGATE	COUNTY BROWARD	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED APRIL 18, 2012		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 voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, DAVID MCLEAN, hereby disclose that on APRIL 18, 20 12:

(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:

7) RESOLUTIONS

B. MAKING A DETERMINATION REGARDING EXTENSION OF THE 2-COP ALCOHOL BEVERAGE ALLOCATION FOR ARTIBONITE CARIBBEAN RESTAURANT, 7824 WEST SAMPLE ROAD, MARGATE. (DISTRICT B) (Petitioner: Willfrid Benjamin, Owner) (Tabled at 4/18/2012 meeting)

C. APPROVING 2-COP ALCOHOL BEVERAGE ALLOCATION FOR CRIOLLO'S BAKERY, 5416 WEST ATLANTIC BOULEVARD, MARGATE (DISTRICT D) (Petitioner: Ruben Malitto) (Tabled at 4/18/2012 meeting)

I am currently employed by a business in this district, District D. Even though 7B is District B, this item was tabled together with 7C in one motion.

4/24/12
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.