#### HISTORIC PRESERVATION BOARD CITY OF FORT LAUDERDALE MONDAY, AUGUST 1, 2016 - 5:00 P.M. FIRST FLOOR COMMISSON CHAMBER 100 NORTH ANDREWS AVENUE FORT LAUDERDALE, FLORIDA

		Cumulative Attendance 6/2016 through 5/2017	
<b>Board Members</b>	Attendance	Present	Absent
David Kyner, Chair	Р	2	0
George Figler, Vice Chair	Р	2	0
Ginger Coffey	Р	2	0
Brenda Flowers	Р	1	1
Marie Harrison	А	0	2
Marilyn Mammano	Р	1	1
Donna Mergenhagen	Р	2	0
Phillip Morgan	Р	2	0
Drew Melville	Р	1	0
Alexandria Scherer	А	1	1

#### **City Staff**

Merrilyn Rathbun, Fort Lauderdale Historical Society, Consultant to HPB Lynda Crase, Board Liaison Dwayne Spence, Assistant City Attorney Jamie Opperlee, Recording Secretary, Prototype Inc.

**Communication to the City Commission** 

None.

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# I. Call to Order/Pledge of Allegiance

Chair Kyner called the meeting of the Historic Preservation Board to order at 5:00. p.m.

#### II. Determination of Quorum/Approval of Minutes

Roll was called and it was determined a quorum was present.

Mr. Fajardo read into the record the Memorandum of Voting conflict Ms. Scherer had filed related to the Board's June 2015 meeting.

**Motion** made by Mr. Figler, seconded by Ms. Mergenhagen, to approve the minutes of the Board's June 2016 meeting. In a voice vote, motion passed unanimously.

#### III. Public Sign-in/Swearing-In

All members of the public wishing to address the Board on any item were sworn in.

Board members disclosed communications and site visits they had regarding each case.

#### IV. Agenda Items:

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Case	H16009 FMSF # BD02858		
Applicant	Valerian Soltes, Jr.		
Owner			
Address	327 SW 9 <sup>th</sup> Avenue		
General Location	Approximately 15 feet northwest of the NW corner of SW 4th Street and SW 9th Avenue intersection		
Legal Description	THE NORTH 45 FEET OF THE SOUTH 90 FEET OF LOTS 1 AND 3, BLOCK 106 OF WAVERLY PLACE ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 19 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA SAID LANDS LYING AND BEING IN BROWARD COUNTY FLORIDA		
Existing Use	Single family residence		
Proposed Use	Single family residence		
Applicable ULDR Sections			
Request(s)	<ul> <li>Certificate of Appropriateness</li> <li>Replace existing doors and windows with hurrica resistant impact</li> </ul>		

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CAM #17-0010 Exhibit 2 Page 2 of 15

<ul> <li>Add decorative fence with in front and extend privacy fence</li> </ul>		
Certificate of Appropriateness		
<ul> <li>Replace 3 Tab Shingle roof with architectural shingle</li> </ul>		
roof		

Ms. Rathbun read from her memo:

#### Property Background:

The house at 327 SW 9<sup>th</sup> Avenue, built ca. 1926, is a one story frame vernacular with shiplap wall siding. It is side gabled with a small gabled front facing projection. There is a shed roof extension on the north elevation which has a secondary front door. The façade has a full width porch that was enclosed at some point. The house is contributing in the SBHD.

#### **Description of Proposed Site Plan:**

The applicant is requesting a COA to replace the existing doors and windows with hurricane resistant. The new replacement windows would have grids at the top. He also would replace one front door with an impact door with a glass pane at the top and the second front door would be replaced with a half glass cottage style impact door; a rear door would be a solid impact door.

The applicant also plans to install a 42" white picket fence about three to five feet from the property line; he would like to extend this picket fence along the south side of his driveway to enclose the front yard for his dogs. The existing 6 foot wood privacy fence on the north side of the property, in the applicant's plan would be extended to the front property line. The privacy fence on the south side would also be extended to the front property line.

The applicant is asking to replace his existing 3 tab shingle roof with an architectural shingle roof.

#### Criteria for Certificate of Appropriateness:

Pursuant to ULDR Section 47-24.11.C.3.c.i, in approving or denying applications for certificates of appropriateness for alterations, new construction, demolition or relocation, the HPB shall use the following general criteria:

#### ULDR Section 47-24.11.C.3.c.i

a) The effect of the proposed work on the landmark or the property upon which such work is to be done;

Consultant's Response: The applicant requests a 42 inch picket fence; however the City of Fort Lauderdale Historic Preservation Design Guidelines recommends that fences in front yards be limited to 36 inches in height to preserve visibility of the resource.

b) The relationship between such work and other structures on the landmark site or other property in the historic district;

Consultant's Response: This property has an exceptionally long set back from the front property line. The applicant wants to add a picket fence to the property line along the

south side of the drive and he wishes to extend the 6 foot privacy fence along the north side of the drive to the front property line. This could have considerable visual impact on the owner's property and that of neighboring properties.

c) The extent to which the historic, architectural, or archeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property will be affected;

Consultant's Response: The applicant wishes to replace his existing shingle roof with architectural shingle, which has a more prominent profile and would be an upgrade.

 f) Whether the plans comply with the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."
 Consultant's Response: See below

From the "United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

In addition, pursuant to ULDR Section 47-17.7.A, the Sailboat Bend Historic District material and design guidelines shall be read in conjunction with the existing guidelines provided in this section and shall be utilized as additional criteria for the consideration of an application for a certificate of appropriateness for new construction, alterations, relocation, and demolition.

In each of the following sections below, relevant to the specific request being made, a description of the architectural features corresponding to the material & design guidelines as outlined in the ULDR (47-17.7.B), is provided for both the existing buildings and the proposed new construction.

In addition to the General Criteria for obtaining a COA, as outlined above, pursuant to ULDR Section 47-17.7.A, the Board must consider the following material and design guidelines to identify existing features of a structure which conform to the guidelines and determine the feasibility of alternatives to the demolition of a structure:

# ULDR Section 47-17.7.B

# 1. Windows and doors.

- a. Configurations.
  - i. Doors: garage nine (9) feet maximum width.
    - ii. Windows: square; rectangular; circular; semi-circular; semi-ellipse; octagonal; diamond; triangular; limed only to gable ends.
- b. Operations.
  - Windows: single and double hung; casement; fixed with frame; awning; sliders (rear and side only); jalousies and louvers.
- c. General.

- i. Wood shutters sized to match openings (preferably operable).
- ii. Wood and metal jalousies.
- iii. Interior security grills.
- iv. Awnings.

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- v. Bahama shutters.
- vi. Screened windows and doors.

Consultant's Response: The applicant requests:

#### 1. Windows and doors.

- a. Configurations.
  - ii. Windows: square; rectangular
- b. Operations.

Other: Single-hung windows 6 over 1 lights

### 2. Roofs and gutters.

- a. Roof--materials.
  - i. Terra cotta.
- ii. Cement tiles.
- iii. Cedar shingles.
- iv. Steel standing seam.
- v. 5-V crimp.
- vi. Galvanized metal or copper shingles (Victorian or diamond pattern).
- vii. Fiberglass/asphalt shingles.
- viii. Built up roof behind parapets.
- b. Gutters.
  - i. Exposed half-round.
  - ii. Copper.
  - iii. ESP aluminum.
  - iv. Galvanized steel.
  - v. Wood lined with metal.
- c. Configurations.
  - i. Roof: The pitch of new roofs may be matched to the pitch of the roof of existing structures on the lot. Simple gable and hip, pitch no less than 3:12 and no more than 8:12. Shed roofs attached to a higher wall, pitch no less than 3:12. Tower roofs may be any slope. Rafters in overhangs to be exposed. Flat with railings and parapets, where permitted, solar collectors and turbine fans at rear port.

Consultant's Response: The applicant requests:

#### 3. Roofs and gutters.

- a. Roof--materials.
  - ix. Other; Architectural Shingle.
- b. Configurations.

i. Roof: The pitch of new roofs may be matched to the pitch of the roof of existing structures on the lot. Simple gable and hip, pitch no less than 3:12 and no more than 8:12.

#### 4. Garden walls and fences.

- a. Materials and style.
  - i. Stucco: float finish, smooth or coarse, machine spray, dashed or trowled.
  - ii. Wood: picket, lattice, vertical wood board.
- iii. Masonry: coral, keystone or split face block; truncated or stacked bond block.
- iv. Metal: wrought iron, ESP aluminum, green vinyl coated chain link.
- b. Configurations.
  - i. Front: spacing between pickets maximum six (6) inches clear.

Consultant's Response: The applicant requests:

- 5. Garden walls and fences.
  - a. Materials and style.
    - ii. Vertical wood board, wood: picket
  - b. Configurations.
    - i. Front: spacing between pickets maximum six (6) inches clear.

The applicant's request meets the SBHD Materials and Design Guidelines.

#### Request No. 2 - COA for Alterations:

The applicant is requesting a certificate of appropriateness for alterations to one structure.

In addition to the General Criteria for obtaining a COA and the Material and Design Guidelines, as previously outlined, pursuant to ULDR Section 47-24.11.C.3.c.ii, the Board must consider the following additional criteria specific to alterations, taking into account the analysis of the materials and design guidelines above:

"Additional guidelines; alterations. In approving or denying applications for certificates of appropriateness for alterations, the board shall also consider whether and the extent to which the following additional guidelines, which are based on the United States Secretary of the Interior's Standards for Rehabilitation, will be met."

ULDR Section 47-24.11.C.3.c.ii

 a) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose;

Consultant's Response: There is no change in the use.

 b) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible;

Consultant's Response: The applicant requests a COA to extend privacy fences to the front property line. As there is a very long front yard setback this request could visually impact the resource.

#### Summary Conclusion:

The new roofing material is appropriate and can be approved. The two 6 foot high privacy fences to be extended to the front property line might visually impact the historic

resource. The Board should explore the possibility of lowering the height of the privacy fence as it extends to the front property line.

Valerian Soltes, owner, stated he wished to install privacy fencing in the side yards and a picket fence in the front yard. He wanted to block the view of the duplexes' parking across the street with the privacy fencing. Mr. Soltes informed the Board that he had purchased the home in April. Ms. Mergenhagen recalled the property had been before the Board in the past for window replacement and they had expressed concern that the front steps had been replaced without design review or permits. Mr. Soltes showed the Board photos of the original concrete front steps, from which he had removed the wooden steps the previous owner had installed

Mr. Soltes explained where the fences would be installed on the property.

Mr. Figler said the recommendations were for a 36" tall picket fence, not 42" tall and Mr. Soltes stated he felt the taller fence would look nicer. He wanted to continue the same fencing already on the property along the length of the side property lines. Mr. Figler said the Board strongly opposed opaque fences that blocked neighborhood views and noted that landscaping could provide privacy. Mr. Soltes explained that on the north side of the property, there was no room for landscaping.

Ms. Flowers understood Mr. Soles' desire to block the view of the next-door property but said a six-foot fence would have significant visual impact on the neighborhood. She believed that any existing six-foot fences in the neighborhood had not come before the Board for a Certificate of Appropriateness.

Mr. Figler asked the setback requirements for fencing and Mr. Fajardo said all residential properties had a front setback requirement of three feet, depending on the opacity and height of the fence. The Board could not alter the setback requirements.

Ms. Mammano pointed out that a homeowner could plant a dense hedge that would obscure the view of the home. She felt a picket fence would allow less obstructed views and asked Mr. Soltes to pull the privacy fence back five to ten feet from the front of the property and continue the picket fence around the corners.

Mr. Morgan said this house was set very far back on the lot -60 feet - and privacy fencing would create a tunnel effect. Mr. Melville noted that the adjacent homes were closer to the street than this one.

Mr. Soltes suggested he could put picket fencing along the north side of the property and landscaping along the south side.

Chair Kyner opened the public input portion of the meeting. There being no one present wishing to address the Board on this matter, Chair Kyner closed the public hearing and brought the discussion back to the Board.

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Ms. Mammano felt a good case could be made for needing fencing along the north side for privacy. She suggested installing the picket fence down the south side of the property to conceal the neighbor's chain link fence.

Ms. Flowers did not object to the 42" tall picket fence instead of 36" but felt the opaque fence on the south since would block views too much.

Chair Kyner suggested Mr. Soltes continue the picket fence at least 20 feet from the front property line on the north and south sides of the property. He also felt that with a property this deep, the taller picket fence would be more appropriate.

**Motion** made by Ms. Mammano, seconded by Mr. Figler: To approve the application for the windows, doors and roof, and the application for the fence with the following conditions: that the 42" tall picket fence on the south side go back to the existing wood fence, around the front of the property, back up the north property line for 20 feet and then continue as a wood privacy fence back to the existing privacy fence. And that the wood privacy fence be no taller than six feet. In addition, the white picket fence may go down the driveway. In a roll call vote, motion passed 8-0.

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Case	H16004	FMSF #	
Applicant	Florida Department of Transportation-Lynn Kelley		
Owner	City of Fort Lauderdale Parks Department-P. Thornburg, Director		
Address	1936 NW 9 <sup>th</sup> Street		
General Location	NW corner of NW 19th Avenue and NW 9thStreet.		
Legal Description	NORTH WOODLAWN CEMETERY 19-1B ROAD RIGHTS OF WAY AS DEDICATED PER PLAT, LESS THOSE 15' R/WS LYING ADJACENT TO POTTERS FIELD.		
Existing Use	Cemetery (closed)		
Proposed Use	Cemetery (closed)		
Request(s)	Review and Comment: National Register Nomination		

Ms. Rathbun read from her memo:

#### Property Background:

North Woodlawn Cemetery is located in a remote northwest section of Fort Lauderdale. Established in the mid-1920s on land donated by James H. Dillard it served the city's African–American community. The City and all of the State of Florida were under strict racial segregation until the 1960s; at that time African-American residents were restricted to the northwest section of Fort Lauderdale.

The original size of the cemetery is unknown, however 1940 records show that it was five acres and included a Potters Field. Many of the graves are unmarked; others have homemade markers (folk art) provided by the families. By the 1950s the cemetery owners had run out of money, and the property was poorly maintained. At the request of the African-American community the City opened a municipally maintained cemetery to serve the Black community. The City seized the Woodlawn property in 1996 and the cemetery was closed to burials. The City of Fort Lauderdale designated the cemetery as a local historic resource in 1996 (70-H-95).

#### **Description of Proposed Project:**

The applicants are applying for listing of the cemetery in the National Register of Historic Places. As the City of Fort Lauderdale has Certified Local Government (CLG) status, the City of Fort Lauderdale Historic Preservation Board and the City's highest elected official are required to review and comment on the applicant's request for listing. Board members have been provided with copies of the Woodlawn Cemetery application for listing in the National Register.

National Register Bulletin 15, *How to Apply the National Register Criteria for Evaluation*; U.S. Department of the Interior, National Park Service (revised 1995) states four criteria (A through D) for listing properties in the National Register. The applicants are requesting listing under three, Criterion A, Ethnic (Black) Heritage, Criterion C, African-American Folk Art (homemade grave markers) and Criterion D, information.

Bulletin 15 describes Criterion A as applying to a property having association with events important within the historic context of a community. It can refer to a pattern of events, which in this case is what the applicants describe as Ethnic Heritage (Black) i.e. the Fort Lauderdale African-American community in the time of segregation. To meet Criterion C, which refers to design and construction, the applicant's narrative describes the homemade grave markers as "exceptional and unique African-American folk art" to meet this criterions requirement of possessing high artistic value. The applicants maintain that Criterion D, information, is met because of the possibility of providing "scientific information" on community burial patterns and the cemetery's distinctive design features.

#### **Summary Conclusion:**

Using the information provided in the Woodlawn Cemetery application packet, i.e. the Narrative Description, Physical Description, the Statement of Significance, application of criteria and other provided evidence (photos, maps, public records etc.), Board members should determine if they agree with the applicant's argument and then state their opinion that Woodlawn Cemetery is worthy or not worthy of listing in the National Register of Historic Places.

Lynn Kelley, Senior Environmental Specialist, FDOT, provided a Power Point presentation, a copy of which is attached to these minutes for the public record.

Ms. Kelley stated they had created a Cultural Resource Committee to hear their concerns about potential I-95 projects and committee members were adamant that no ... road widening be done. Citizens reported there were a number of unmarked graves on the property. Three surveys had been conducted and radar had been used and the results reported to community. The radar revealed not only unmarked graves, but burials on top of burials. The community was very concerned about what FDOT would do, and they had assured them they would do nothing that would have an impact on the cemetery.

FDOT had issued a list of commitments:

1. Deed the I-95 adjacent strip of right-of-way back to the City

2. Help the City to get the cemetery listed on the National Register of Historic Places.

3. Provide an historical marker

Ms. Mammano asked if the marker would acknowledge the history of the potter's field. Ms. Kelley said they had conducted interviews with older residents to get input for the marker language. Commissioner McKinzie had reviewed the language as well and Ms. Kelley agreed to provide it to the Board to review.

Ms. Mergenhagen recalled that during the City's centennial year, a marker was proposed for Woodlawn and text suggested. She recommended someone contact Susan Gillis, who had worked on the verbiage then.

Mr. Fajardo did not believe the Board needed to approve the marker text but agreed to bring it to the Board.

Chair Kyner opened the public input portion of the meeting.

Mickey Hinton, president of the Durrs Homeowner's Association, recalled the City had wanted to fine the cemetery for code violations and said area residents had volunteered to clean it up. He stated the community had also gathered the information about the history of the cemetery. Mr. Figler agreed the cemetery was very well maintained. He asked if Mr. Hinton was satisfied with the application. Mr. Hinton stated he was satisfied but wanted to be sure the marker included the information about the potter's field.

Mr. Melville said this cemetery was very significant nationally; teachers could use it to teach their students about segregations, lynching and urban renewal.

Sonya Burroughs informed the Board that many of her relatives were buried in Woodlawn Cemetery. She said there seemed to be a disconnect because the Cultural

Resource Committee was not involved in the interviews FDOT had conducted. She felt the Committee should have vetted that information.

Ms. Kelley stated their consultants from Janus Research and Stantec had worked with the public and decided who should be interviewed. Janus was speaking to the oldest residents for information on the cemetery's history. James Pepe, Janus Research, said they had invited many people from the Cultural Resource Committee to be interviewed, as well as many others, and the interviews were kept in the African American Research Library. The draft text provided to Commissioner McKinzie was derived from these interviews. He said there was a limit to how much information could be included on a marker but the final text was not decided yet.

Ms. Mergenhagen acknowledged that the State would limit how many characters and the size of the marker and had its own a review committee. Mr. Pepe said for the National Register nomination, FDOT could brief State staff as much as they wanted but the Division of Historical Resources had its own presenter, and he assumed the marker approval process was similar. Ms. Mergenhagen said the concern was surrounding the marker text and the State had rigorous guidelines about which people should be informed. She suggested installing another City-sponsored sign on the property referencing the volumes of oral history and telling visitors where this information was available. Ms. Mammano recalled the same problem regarding markers during the City's centennial.

Ms. Mammano informed Mr. Hinton that as President of the Fort Lauderdale Council of Civic Associations, she would nominate Mr. Hinton and his community for their Celebrate Success award for their work to get the cemetery included in the National Register.

Sandra Hodgewood Stanton, consultant, said she had scheduled the interviews and compiled the draft language for the marker. Each person interviewed had provided input about the marker language.

Mr. Figler acknowledged that the community wished additional opportunities for more historical documentation in the cemetery. Ms. Stanton agreed that the community wanted the City to document the history.

Mr. Spence reminded the Board that their input tonight was limited to agreeing that this property should be included in the National Register of Historic Places; they could request that the marker language be presented to them in the future.

Roberto Fernandez stated contrary to the report, Rubin Stacey, who was lynched just outside the city limits, was buried at Woodlawn and Sylvia Aldridge was not. He provided documentation to support both of these facts. Mr. Rodriguez was the former chair of the Broward County Historical Commission and said this cemetery was very

important to him and it should be included on the National Register. He suggested the Cultural Resource Committee be reconvened to work on the marker language.

There being no one else present wishing to address the Board on this matter, Chair Kyner closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Figler, seconded by Ms. Mammano to approve the National Register nomination. In a roll call vote, motion passed unanimously.

#### VI. Good of the City

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Ms. Mergenhagen provided a flyer from her hometown that described the purpose of the Historic Preservation Board and asked staff to distribute this to Board members to discuss creating one of their own.

Chair Kyner was concerned about Board training. He had asked Mr. Spence to explain to Board members what happened if a now-vacant property that had once held an historic structure was sold and the new owner wished to develop it. Mr. Spence explained that Section 47-17.4 applied to Sailboat Bend, whether a structure had been designated individually or not. All new structures must apply for a Certificate of Appropriateness, which was reviewed by the department. If the application did not meet certain guidelines, the application would be forwarded to the Board for review.

Chair Kyner asked if criteria the Board applied passed on to a new owner and Mr. Spence explained that conditions on a Certificate of Appropriateness must be honored by a new owner constructing under *that* Certificate of Appropriateness. Verbal promises were not enforceable.

Chair Kyner reminded the Board that the Villa Torino on Alhambra had been approved by the HPB for designation but the City Commission had voted against it. Someone was challenging the City's refusal to designate the property and while this was being decided, the building had been demolished. Mr. Spence said if the demolition permit was in order, the City must honor it. He understood that the attorneys representing those in favor of preserving the property had filed a request to expedite proceedings; if they had requested a stay of the proceedings, the City would have been prohibited from issuing the demolition permit.

Mr. Spence reported that discussions regarding the Towers Apartments were are at an impasse; they were waiting for the applicant to put forth a more concrete proposal for the site.

Mr. Fajardo announced that the 2017 budget included another Planner III position, which would be dedicated to historic preservation.

# V. Communication to the City Commission None.

# Adjournment

There being no further business to come before the Board, the meeting was adjourned at 7:07 p.m.

Attest: ProtoType Inc. Recording Secretary

Chainna Dawd Kyner, Ph:1.

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The City of Fort Lauderdale maintains a <u>Website</u> for the Historic Preservation Board Meeting Agendas and Results:

http://www.fortlauderdale.gov/departments/city-clerk-s-office/board-and-committeeagendas-and-minutes/historic-preservation-board

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

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# 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
Scherer, alexandria	Historic Presenvation Board
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON
BII S.E. 10th Street	WHICH I SERVE IS A UNIT OF:
	CITY COUNTY OTHER LOCAL AGENCY
CITY COUNTY	NAME OF POLITICAL SUBDIVISION:
Fort Louderdale, Regulard	
DATE ON WHICH VOTE OCCURRED	MY POSITION IS:
June 1 2015	

#### 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

CE FORM 8B - EFF. 11/2013 Adopted by reference in Rule 34-7.010(1)(f), F.A.C.

#### **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** DAION hereby disclose that on (a) A measure came or will come before my agency which (check one or more) 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, JDMM inured to the special gain or loss of whom I am retained; or inured to the special gain or loss of which is the parent subsidiary, or sibling 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: Who is the contractor hired 3029 Allow 3029 Alhambra Street, Fort Landerdale, Building pulled the permits on dnn If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict. Date Filed

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.

CE FORM 8B - EFF. 11/2013 Adopted by reference in Rule 34-7.010(1)(f), F.A.C. PAGE 2