

MINUTES
CITY COMMISSION MEETING
OLD CITY HALL, 510 GREENE STREET
TUESDAY, JULY 6, 2010

A regular meeting of the City Commission of the City of Key West, Florida was held in Commission Chambers, Old City Hall, on Tuesday, July 6, 2010.

Mayor Craig Cates called the meeting to order at 6:00 p.m.

Answering roll call were Commissioners Barry Gibson, Teri Johnston, Clayton Lopez, Mark Rossi, Billy Wardlow, Jimmy Weekley and Mayor Craig Cates.

Also present were City Manager Jim Scholl, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, City Attorney Shawn Smith, Assistant City Attorney Ron Ramsingh, City Planner Amy Kimball-Murley, Police Chief Donie Lee, Fire Chief David Fraga, Cemetery Sexton Russell Britton, Deputy Director Community Services Rodrigo Delostrinos, Code Compliance Manager Jim Young, Licensing Official Carolyn Walker, Information Technology Director Patti McLaughlin, Utilities Manager Jay Gewin, Parking Manager John Wilkins, Port Operations Project Manager Doug Bradshaw, Senior Deputy City Clerk Sue Harrison and City Clerk Cheri Smith.

Pastor Sandra Key from the Church of God of Prophecy gave the invocation.

The pledge of allegiance to the flag of the United States of America was given by all present.

CHANGES TO THE AGENDA

City Manager Jim Scholl requested an add-on resolution regarding Wisteria Island. The item would be added to the agenda for discussion purposes only.

Commissioner Johnston requested Resolution Items 7 & 10 be removed from the consent agenda for discussion.

Commissioner Rossi requested adding Resolution Item 13 to the consent agenda.

The Mayor asked for objections and seeing none the agenda was approved with those changes.

PRESENTATIONS:

(a) Good Neighbor Award Brenda Key Johnson

(b) City Attorney's Report -

City Attorney Smith informed the Commission of the need to call for a Closed Session in the case of Keys WiFi v City of Key West prior to the July 20, 1010 meeting at 4:00 p.m.

Commissioner Johnston asked for a monthly update from the City Attorney regarding the Assisted Care Facility deadlines and the progress on those deadlines. The City Attorney would report his first update to the Commission via e-mail with the next update at the July 20, 2010 meeting.

(c) City Manager's Report -

City Manager Scholl reported that on July 14, 2010 the Navy will hold its annual Restoration Advisory Board Meeting, which is open to the public, regarding environmental cleanup of parcels the Navy has responsibility for, at the Double Tree Grand Key at 7:00 p.m.

On July 21, 2010 from 1:00 to 3:00 p.m. at Old City Hall there will be a public meeting on the North Roosevelt Boulevard Improvement Project which is scheduled to start in late 2011.

On the July 26 & July 27, 2010 here at Old City Hall there are two all day sessions scheduled for Budget Workshops for the next fiscal year's budget, starting at 8:00 a.m.

Mr. Scholl announced the City received an energy grant of \$750,000.00 that was coordinated with other municipalities in Monroe County. With the help of Sheila Griffin, our grant writer in Tallahassee, they received everything they asked for.

Mr. Scholl stated the official recognition for the Key West Police Department for reaccreditation due to the work from Chief Lee and his staff and was received last week.

Mr. Scholl reported that he and Russell Britton meet with Commissioners Lopez and Weekley (separately) on a more comprehensive proposal for any changes at the cemetery. He would meet with them again and were continuing to work on the gate issue.

Mr. Andrew Van Chow updated the Commission on the BP oil spill. He stated the TDC received a check for \$400,000.00 for advertising/promotion to encourage tourism here. He also stated there continued to be no threat of impact to the Florida Keys for the foreseeable future. The agencies involved are continuing to update and make enhancements to their plan.

Commissioner Wardlow requested an organizational chart before the budget review with perks for all employees.

CONSENT AGENDA:

The Clerk read the titles of the Resolutions.

It was moved by Commissioner Johnston and seconded by Commissioner Weekley to approve the consent agenda items.

The Mayor acknowledged the motion and second and requested verbal approval. The response was unanimous to approve the Minutes and pass the Resolutions as read.

APPROVAL OF MINUTES:

- a) April 20, 1010 (Workshop)
- b) May 4, 2010 (Regular)

RESOLUTIONS:

RESOLUTION NO. 10-194

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RE-APPOINTING NILS MUENCH TO THE HISTORIC ARCHITECTURAL REVIEW COMMISSION (HARC); PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 10-195

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING DANIEL A. METZLER TO THE HISTORIC ARCHITECTURAL REVIEW COMMISSION (HARC); PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 10-196

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPOINTING MARY SANCHEZ TO THE KEY WEST HOUSING AUTHORITY BOARD; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 10-197

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING MEL FISHER MARITIME HERITAGE SOCIETY, INC. TO CONDUCT THE 25TH ANNIVERSARY CELEBRATION OF THE FINDING OF THE ATOCHA ON FRIDAY, JULY 16, 2010 DURING THE HOURS OF 6:00 P.M. TO 9:00 P.M. ON THE 200 BLOCK OF DUVAL STREET; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 10-198

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING CUMULATIVE EXPENDITURES DURING FY 09-10 TO PITNEY BOWES FOR POSTAGE IN A TOTAL AMOUNT NOT TO EXCEED \$32,000.00; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 10-199

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, EXERCISING THE SECOND OF TWO ONE-YEAR OPTIONS FOR FEDERAL GOVERNMENT CONSULTANT SERVICES WITH ALCALDE & FAY ORIGINALLY APPROVED IN RESPONSE TO REQUEST FOR PROPOSAL NO. 005-06; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION NO. 10-200

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A CHANGE IN SCOPE PURSUANT TO KEY WEST CODE OF ORDINANCES SECTION 2-797(4)(B) TO CONTRACT FOR BID #ST 0902 TO CHARLEY TOPPINO AND SONS FOR CONSTRUCTION OF STORMWATER GRAVITY WELLS PHASE V, INCORPORATING THE CONSTRUCTION OF EIGHT INLETS AND PIPING WITHIN THE UNITED STREET MILL AND PAVE PROJECT IN THE TOTAL AMOUNT OF \$100,671.03; AUTHORIZING THE USE OF PROJECT CONTINGENCY FUNDS; PROVIDING FOR AN EFFECTIVE DATE

The said Resolutions were thereupon declared by the Mayor to have been duly passed and adopted and were authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 10-201

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, LIMITING INFILL DEVELOPMENT IN THE POINCIANA SPECIAL NEEDS AREA IN THE POINCIANA HOUSING COMPLEX; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Amy Kimball-Murley, City Planner
Manuel Castillo, Executive Director Key West Housing Authority

It was moved by Commissioner Rossi and seconded by Commissioner Lopez that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 10-202

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RATIFYING THE REVERSAL OF TRAFFIC FLOW ON ANGELA STREET TO A WESTBOUND DIRECTION (BETWEEN FRANCES STREET AND MARGARET STREET); PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following person spoke on the matter:

Jim Scholl, City Manager

It was moved by Commissioner Rossi and seconded by Commissioner Lopez that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 10-203

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SUPPORTING THE FLORIDA KEYS ENVIRONMENTAL COALITION AND ITS EFFORTS IN CONNECTION WITH THE DEEPWATER HORIZON OIL SPILL; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Joel Biddle, 824 Olivia Street
Lara Fox, Danger Charters
Diana Dodson, 1512 Dennis Street
Ed Russo, Key Haven

It was moved by Commissioner Weekley and seconded by Commissioner Rossi that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 10-204

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A RELEASE OF LIENS AGAINST ELOY LOPEZ & STACY O'KEEFE RECORDED IN OR BOOK 2154 PAGE 2449 AND OR BOOK 2154 PAGE 2453 RELATED TO CODE COMPLIANCE CASES 04-2061 AND 04-2062; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Shawn Smith, City Attorney
Jim Scholl, City Manager
Jim Young, Code Compliance Manager

It was moved by Commissioner Rossi and seconded by Commissioner Weekley that the Resolution be passed and adopted as read.

Commissioner Lopez disclosed his relationship to Eloy Lopez and recused himself from the vote.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

Recused: Commissioner Lopez

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

RESOLUTION NO. 10-205

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF KEY WEST AND SHAWN D. SMITH FOR THE POSITION OF CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution.

It was moved by Commissioner Rossi and seconded by Commissioner Lopez that the Resolution be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Resolution was thereupon declared by the Mayor to have been duly passed and adopted and was authenticated by the signatures of the Mayor and the Clerk of the Commission.

SO ORDERED

MODIFICATION TO A MAJOR DEVELOPMENT PLAN

RESOLUTION NO. Postponed to July 20, 2010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A MAJOR MODIFICATION TO THE MAJOR DEVELOPMENT PLAN; APPROVING MODIFICATION TO REQUIRE AISLE WIDTH AND PARKING STALL SIZE PER SECTION 122-699(9) AND SECTION 108-91(A)(2)(B) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR THE PROPERTY LOCATED AT 512 GREENE STREET (RE #00001170-000000); PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Resolution and stated there were 38 notices sent to property owners within 300 feet; no responses were received.

The following people spoke on the matter:

Susan Cardenas, Stones and Cardenas, 221 Simonton Street
Owen Trepanier, Trepanier and Associates, 402 Applerouth Lane
Amy Kimball-Murley, City Planner
Dean Carlson, 217 – 219 Ann Street

Shawn Smith, City Attorney, suggested language for a provision stating that the failure to adhere to the conditions specified by the City Commission would result in a loss of that conditional use upon a hearing before the City Manager and subsequent appeal to the City Commission. Commissioner Johnston wanted that amendment added.

It was moved by Commissioner Lopez to postpone the item. Commissioner Lopez withdrew his motion to postpone.

The Clerk read a letter into the record from Jody Smith-Williams, Vice President GLEE

It was moved by Commissioner Rossi to deny the resolution based on the failure to meet the requirements of the Land Development Regulations. The Mayor asked for a second; seeing none the motion failed.

It was moved by Commissioner Lopez and seconded by Commissioner Wardlow that the Resolution be postponed to the next meeting.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Wardlow, Weekley and Mayor Cates

Nays: Commissioner Rossi

SO ORDERED

RESOLUTION NO. Postponed to July 20, 2010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, ALLOWING A VARIANCE TO SECTION 18-28 OF THE CODE OF ORDINANCES OF KEY WEST, FLORIDA REGARDING

**THE SALE OF ALCOHOL WITHIN 300 FEET OF A CHURCH,
SCHOOL, CEMETERY OR FUNERAL HOME FOR PROPERTY
LOCATED AT 512 EATON STREET (RE #00006500-000000);
PROVIDING FOR AN EFFECTIVE DATE**

The Clerk read the title of the Resolution.

At this time the Clerk asked anyone giving testimony on this item to please stand to be sworn in; the Clerk administered the oath. The Clerk reported there were 44 notices sent to property owners within 300 feet with 50 responses received. One objection from William Gaiser and Dana Wenant of 529 Eaton Street was read into the record.

The following people spoke on the matter:

Ginny Stones, Stones and Cardenas, 221 Simonton Street
Amy Kimball-Murley, City Planner
Mary Sparacio, 813 Eaton Street
Skipper Kripitz, 624 Olivia Street
Todd German, 2315 N. Roosevelt Boulevard
Deborah Flynn, 1010 Kennedy Drive
Black Dog, 701 Palm Avenue
Mike Mongo, 1218 Pearl Street
Damian Vantriglia, 830 Caroline Street
Rev. Ruben Velasco, 411 Simonton Street
Sandra Higgs, 80 Key Haven Road
Mark Annicelli, 1013 Southard Street
George Linder, 1215 Simonton Street
Fr. Larry Hooper, Rector St. Paul Episcopal Church, 401 Duval Street
Mary Deasy, 1213 14th Street
Gary Brown, 214 Whitehead Street
Lynn Kephart, 512 Eaton Street
Police Chief Donie Lee
Shawn Smith, City Attorney

It was moved by Commissioner Rossi and seconded by Commissioner Gibson that the Resolution be postponed to July 20, 2010.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow and Mayor Cates

Nays: Commissioner Weekley

SO ORDERED

After a fifteen-minute recess the Mayor reconvened the meeting.

DISCUSSION ONLY

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, OPPOSING PROPOSED AMENDMENTS TO THE COUNTY'S COMP PLAN AND FUTURE LAND USE MAP UNDER CONSIDERATION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS PERTAINING TO WISTERIA ISLAND;

The Clerk read the title of the Resolution.

The following people spoke on the matter:

Jim Scholl, City Manager
Amy Kimball-Murley, City Planner
Shawn Smith, City Attorney

ORDINANCE - FIRST READING:

ORDINANCE NO. SECOND READING JULY 20, 2010

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, CREATING CHAPTER 109 OF THE CODE OF ORDINANCES ENTITLED "DOGS IN PUBLIC FOOD SERVICE ESTABLISHMENTS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance.

The following person spoke on the matter:

Shawn Smith, City Attorney

It was moved by Commissioner Weekley and seconded by Commissioner Rossi that the Ordinance be passed on first reading.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first reading.

SO ORDERED

ORDINANCE NO. SECOND READING JULY 20, 2010

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED AMUSEMENTS AND ENTERTAINMENT; BY AMENDING SECTION 6-1, TO ADD DEFINITIONS; SECTION 6-2 TO AMEND PERMIT, APPLICATION AND APPEAL PROCESSES, ADDING PALM WEAVING PERMITS AND EXTENDING 2010 PERMITS; AMENDING SECTION 6-3, REGARDING LOCATIONS; AMENDING SECTION 6-4 BY AMENDING PERMIT REGULATIONS AND PROHIBITIONS; AMENDING SECTION 6-7 REGARDING REVOCATION OF PERMITS; AMENDING SECTION 6-8, ADJUSTING PERMIT FEES; AMENDING SECTION 6-9 REGARDING PENALTY ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

The Clerk read the title of the Ordinance. The Clerk read a letter into the record from Dorcas Robertson.

The following people spoke on the matter:

Ron Ramsingh, Assistant City Attorney
Dennis Walsh, P O Box 582, Key West
Lois Songer, 1310 Newton Street
Black Dog, 701 Palm
Susan Cardenas, 221 Simonton Street
Beau Kirkpatrick, 2405 Seidenberg
Scott Balcom, 3920 S. Roosevelt Boulevard
Patrick Stecher, 1015 Simonton Street
Meike Zuechner, 529 Bahama
William Sasser, 6621 Maloney Avenue
Andrea Quigley, Baptist Lane
Kurt Tomecek, 1200 Fourth Street
Steve Clark, 5650 Laurel
Tim (Stitch) Pratt, P O Box 6665
Hector Godoy, 529 Bahama Street
Robert Mathison, 918 White Street
Elise Scott, 918 White Street
Mike Beaudet, 1315 Williams Street
Mike McClain, 200 Duval Street
Jessica Steele, 200 Duval Street
Linda Douville, 1130 Duval Street
Margaret Romero, 1615 Washington Street

It was moved by Commissioner Weekley and seconded by Commissioner Lopez to extend the meeting past 11:00 p.m.

The Mayor asked for objections, Commissioners Johnston and Rossi were opposed to the extension. The Mayor declared the meeting extended. Public input continued.

Jeep Caillouet, 121 Simonton Street
Christine Russell, 1014 Grinnell Street
Carolyn Walker, City Licensing Official
Jim Young, Code Compliance Manager

Commissioner Weekley recommended changes to the ordinance; 1) 30 feet from the intersections changed to 20 feet from the intersections and 2) the space between the performers or artisans changed back to 10 feet.

It was moved by Commissioner Weekley and seconded by Commissioner Rossi that the Ordinance be passed and adopted as read.

The Mayor requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley and Mayor Cates

Nays: None

The said Ordinance was thereupon declared by the Mayor to have been duly passed on first reading.

SO ORDERED

CITIZEN COMMENTS:

The Clerk read a letter into the record from Sheila Mullins, 830 Fleming Street.
John Jones, 1024 James Street
Ron Demes, NAS Key West
Mark Songer, 1310 Newton Street on behalf of Last Stand
Margaret Romero, 1615 Washington Street
Christine Russell, 1014 Grinnell Street

COMMISSION COMMENTS:


Commissioner Wardlow asked the City Manager to hold off on hiring the General Service Director and the Growth Management Planner until they can supplement the Public Works Department if the Commission supported his suggestion.

Commissioner Rossi asked for more information on job positions.

Mayor Cates wished Commissioner Gibson a happy birthday.

ADJOURNMENT:

There being no further business the Mayor adjourned the meeting at 11:52 p.m.


Cheryl Smith, MMC, CPM
City Clerk

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

LAST NAME—FIRST NAME—MIDDLE NAME LOPEZ, CLAYTON	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE KEY WEST CITY COMMISSION
MAILING ADDRESS 326 Amelia Street	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY COUNTY Key West Monroe	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED July 6, 2010	NAME OF POLITICAL SUBDIVISION: City of Key West
	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, Clayton Lopez, hereby disclose that on July 6, 20 10 :

(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:

Item 14 - Approving a release of liens against Eloy Lopez and Stacy O'Keefe recorded in OR Book 2154, Page 2449 and OR Book 2154, Page 2453 related to Code Compliance Cases 04-2061 and 04-2062.

July 06, 2010
Date Filed

[Signature]
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.