

Council Members

Roger Manning-Mayor
Katrina Long Robinson-Vice Mayor
John Stanavitch-Seat 1
Kara Crump-Seat 2
Phillip Everett-Seat 3



City of Westlake

4001 Seminole Pratt Whitney Rd.
Westlake, Florida 33470
Phone: 561-530-5880
Fax: 561-790-5466

Regular Meeting

Monday, January 9, 2017

Meeting Location

Westlake Council Chambers

4005 Seminole Pratt-Whitney Road

Westlake, FL 33470

7:00 PM

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing may be continued to another date and time as may be found necessary during the aforesaid meeting. In accordance with the provisions of the Americans with Disabilities Act (ADA), any person requiring special accommodations at these meetings because of disability or physical impairment should contact the Interim City Manager at (954)753-5841 at least two (2) calendar days prior to the meeting.

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January 5, 2017

City Council
City of Westlake

Dear Mayor and Council:

The regular meeting of the City Council of the City of Westlake will be held on Monday, January 9, 2017 at 7:00 p.m. at the Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, Westlake, Florida. Following is the advance agenda for the meeting.

1. Call to Order/ Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Audience Comments on Agenda Items (3) Minute Time Limit
5. Approval of the Minutes of the December 12, 2016 Meeting
6. Presentation by City Engineer

PUBLIC HEARING

SECOND READING OF ORDINANCE

7. Public Hearing to Adopt Ordinance 2016-7, Adopting a Code of Ethics
8. Approval of Financials Dated November 30, 2016
9. City Manager's Lobbyist Authorization Request
10. City Manager
11. City Attorney
12. Audience Comments on Other Items (3) Minute Time Limit
13. Adjournment

Any additional supporting material for the items listed above, not included in the agenda package, will be distributed at the meeting. Staff will present their reports at the meeting. I look forward to seeing you, but in the meantime if you have any questions, please contact me.

Sincerely,

Kenneth Cassel

Kenneth G. Cassel
City Manager

cc: Pam E. Booker, Esq
John Carter
Terry Lewis
Johnnie Easton

Fifth Order of Business

**MINUTES OF MEETING
CITY OF WESTLAKE**

A regular meeting of the City Council of the City of Westlake was held on Monday, December 12, 2016 at 7:00 p.m. at the Westlake Community Center, 4005 Seminole-Pratt Whitney Road, Westlake, Florida.

Present and constituting a quorum were:

Roger Manning	Mayor
Katrina Long-Robinson	Vice Mayor
John Stanavitch	City Council Seat 1
Kara Crump	City Council Seat 2
Phillip Everett	City Council Seat 3

Also present were:

Kenneth Cassel	City Manager
Pam E. Booker, Esq.	City Attorney
John Carter	Minto PBLH, LLC
Tara Duhay	Lewis Longman Walker

The following is a summary of the minutes and actions taken during the December 12, 2016 City of Westlake Council Meeting.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mayor Manning called the meeting to order and Mr. Cassel called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Approval of Agenda

On MOTION by Councilman Stanavitch seconded by Councilwoman Crump with all in favor the agenda was approved.

FOURTH ORDER OF BUSINESS

**Audience Comments on Agenda Items (3)
Minute Time Limit**

There being none, the next item followed.

FIFTH ORDER OF BUSINESS

Approval of Minutes

- A. November 14, 2016 Planning and Zoning Meeting**
- B. November 14, 2016 City Council Meeting**

On MOTION by Councilman Everett seconded by Vice Mayor Long Robinson with all in favor the minutes of the November 14, 2016 Planning and Zoning Meeting and City Council Meeting were approved.

SIXTH ORDER OF BUSINESS

Presentation by Major Landowner on Current Progress

Mr. John Carter of Minto PBLH, LCC provided a PowerPoint presentation of the current construction progress.

- Mayor Manning asked for an update on the fire station.
- Ms. Booker responded the fire station is under design with the County. Staff expects to bring this before the Council for approval at either the January 23, 2017 meeting or the February 13, 2017 meeting.
- Mr. Carter stated Minto PBLH, LLC will convey the land to the County once the plat and subdivision plans are approved.

SEVENTH ORDER OF BUSINESS

Public Hearing to Adopt Ordinance 2016-5, Adopting Quasi-Judicial Proceedings

Ms. Booker explained this ordinance adopts formal procedures for items that go before the Planning and Zoning Board as well as the City Council.

Mr. Cassel read Ordinance 2016-5 by title only.

On MOTION by Councilman Stanavitch seconded by Councilman Everett with all in favor Ordinance 2016-5 was adopted.

EIGHTH ORDER OF BUSINESS

Public Hearing to Adopt Ordinance 2016-6, Adopting Business Tax (Occupational License)

Mr. Cassel read Ordinance 2016-6 by title only.

Ms. Booker stated one business already submitted an application. They were issued a temporary license and will be issued a permanent license once this ordinance is adopted. Letters will also be sent to other business owners within the City, advising them of the newly adopted ordinance.

On MOTION by Councilman Everett seconded by Vice Mayor Long Robinson with all in favor Ordinance 2016-6 was adopted.

NINTH ORDER OF BUSINESS

Ordinance 2016-7, Adopting a Code of Ethics

Mr. Cassel read Ordinance 2016-7 by title only.

Ms. Booker stated this is required pursuant to section (14) (B) of the City Charter. A representative of the Commission on Ethics was unable to attend this meeting to provide a presentation, but will be scheduled to attend a future meeting.

On MOTION by Councilman Stanavitch seconded by Councilwoman Crump with all in favor the first reading of Ordinance 2016-7 was approved.

TENTH ORDER OF BUSINESS

Approval of Financials Dated October 31, 2016

Mr. Cassel stated staff is monitoring the City’s expenses and looking at projections for the next year.

On MOTION by Councilwoman Crump seconded by Councilman Stanavitch with all in favor the financials dated October 31, 2016 were approved.

ELEVENTH ORDER OF BUSINESS

Future Meeting Dates Reminder

- January 9, 2017 at 6:00 p.m. – Planning and Zoning Board Meeting
- January 9, 2017 at 7:00 p.m. – City Council Meeting
- January 23, 2017 at 7:00 p.m. – City Council Meeting

TWELFTH ORDER OF BUSINESS

City Manager’s Report

Mr. Cassel invited the City Council to contact Ms. LoBrutto to schedule individual tours of the property. He also reported the major lane change and rerouting of traffic will commence on January 3, 2017.

THIRTEENTH ORDER OF BUSINESS

City Attorney’s Report

There being no report, the next item followed.

FOURTEENTH ORDER OF BUSINESS

**Audience Comments on Other Items (3)
Minute Time Limit**

Ms. Long Robinson introduced former West Palm Beach Commissioner Ike Robinson. She also discussed the Safety Summit in Orlando as well as the Legislative Workshop in Palm Beach County, both of which she attended. She recommends being proactive and obtaining a lobbyist for the City.

FIFTEENTH ORDER OF BUSINESS

Adjournment

There being no further business, the meeting adjourned.


Kenneth Cassel
City Manager

Roger Manning
Mayor

Seventh Order of Business

MEMORANDUM

To: Mayor Roger Manning
City Council Members
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: December 6, 2016

Subject: Ethics Ordinance

Pursuant to section (14) (B), of the City Charter, entitled General Provisions, the City Council must adopt an ordinance adopting a code of ethics for the City Council members. The specific language of the Charter states:

“. . . In addition, the City council shall, no later than 6 months from the effective date of incorporation, establish by ordinance a code of ethics for officials and employees of the City which may be supplemental to general law, but in no case may such an ordinance diminish the provisions of general law."

Florida Statutes, Chapter 112, contains provisions which address the ethical conduct of elected officials. Some of the specific provisions address, dual public employment, solicitation and acceptance of gifts, doing business with your agency, accepting gifts to influence the decision making ability, misuse of the public office, voting conflicts and financial disclosures. This chapter also includes penalties for violations of the ethical provisions as set forth in State law.

In addition to the statutory provisions, Palm Beach County has the Commission on Ethics, which newly incorporated municipalities have the option of being a part of their formal process, through a memorandum of understanding agreement between the two entities. A representative from the Commission on Ethics may address the City Council at a future meeting. However, for compliance with the charter provisions, this ordinance is being provided for consideration and approval. Should you have any questions, or need any additional information, please do not hesitate to contact me.

ORDINANCE NO. 2016-7

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ADOPTING A CODE OF ETHICS FOR THE CITY OF WESTLAKE TO PRESERVE AND MAINTAIN INTEGRITY IN THE PROCESS OF CONDUCTING OFFICIAL CITY BUSINESS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Florida Statutes, Chapter 112, the legislature has adopted a code of ethics for the proper conduct of elected officials to be independent in their business dealings so that the public office will not be used for private benefit; and

WHEREAS, the code of ethics as set forth in the Florida Statutes was implemented to avoid conflicts of interest for elected officials in the conduct of public business and in the performance of their official duties; and

WHEREAS, the code of ethics was designed to preserve and maintain integrity in the governmental process by creating transparency and disclosure with those persons engaged in persuading the public official to take specific actions; and

WHEREAS, the City Charter for the City of Westlake provides for the City Council to adopt a code of ethics ordinance which shall set forth standards of conduct; and

WHEREAS, the City of Westlake supports the adoption of a Code of Ethics for ensuring and instilling public trust in the conduct of government business for vendors, elected government officials, board members and employees.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AS FOLLOWS:

Section 1. Code of Ethics: The City of Westlake hereby adopts the Code of Ethics set forth by the Florida legislature as applicable to the City of Westlake.

Section 2. Statutory Provision: The State Statutory provisions of chapter 112 shall govern the City of Westlake, its elected officials, employees, business entities and other person's subject to chapter 112 of the Florida Statutes.

Section 3. Severability: Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

Section 4. Effective Date: This ordinance shall be effective upon adoption on second reading.

PASSED this _____ day of December, 2016, on first reading.

PASSED AND ADOPTED this _____ day of January, 2017, on second reading.

City of Westlake
Roger Manning, Mayor

Sandra DeMarco, City Clerk

City Attorney
Pam E. Booker, Esq.

Code of Ethics

(Effective Date June 1, 2011)

Sec. 2-441. Title; statement of purpose.

This article shall be known as the Palm Beach County Code of Ethics. This code of ethics is enacted pursuant to Florida Constitution, Article VIII, section 1(g), Florida Statutes, ch. 125, and the Charter of Palm Beach County. The Municipalities located within Palm Beach County are subject to the provisions of this code of ethics pursuant to referendum. The purpose of this code is to provide additional and more stringent ethics standards as authorized by Florida Statutes, § 112.326. This code shall not be construed to authorize or permit any conduct or activity that is in violation of Florida Statutes, ch. 112, pt. III. This code of ethics shall be deemed additional and supplemental to any and all state and federal laws governing ethical conduct of officials and employees, as well as all local laws, rules, regulations and policies.

Officials and employees in the public service shall be conscious that public service is a public trust, shall be impartial and devoted to the best interests of the people of Palm Beach County, and shall act and conduct themselves so as not to give occasion for distrust of their impartiality.

Nothing herein shall abridge employees' constitutional right to collective bargaining.

(Ord. No. 2011-011, § 1(Exh. 1), 5-17-11)

Sec. 2-442. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advisory board shall mean any advisory or quasi-judicial board created by the board of county commissioners, by the local municipal governing bodies, or by the mayors who serve as chief executive officers or by mayors who are not members of local municipal governing bodies.

Customer or client means any person or entity to which an official or employee's outside employer or business has supplied goods or services during the previous twenty-four (24) months, having, in the aggregate, a value greater than ten thousand dollars (\$10,000).

Domestic partner is an adult, unrelated by blood, with whom an unmarried or separated official or employee has an exclusive committed relationship and maintains a mutual residence.

Financial benefit includes any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, gratuity, or any promise of any of these, or anything else of value. This term does not include campaign contributions authorized by law.

Household member includes anyone whose primary residence is in the official or employee's home, including non-relatives who are not rent payers or employees of the head of the household.

Inspector general shall mean the office established in article XII of this chapter.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or

any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.

Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

"Lobbyist" shall not include:

- (1) Any employee, contract employee, or independent contractor of a governmental agency or entity lobbying on behalf of that agency or entity, any elected local official when the official is lobbying on behalf of the governmental agency or entity which the official serves, or any member of the official's staff when such staff member is lobbying on an occasional basis on behalf of the governmental agency or entity by which the staff member is employed.
- (2) Any person who is retained or employed for the purpose of representing an employer, principal or client only during a publicly noticed quasi-judicial hearing or comprehensive plan hearing, provided the person identifies the employer, principal or client at the hearing.
- (3) Any expert witness who is retained or employed by an employer, principal or client to provide only scientific, technical or other specialized information provided in agenda materials or testimony only in public hearings, so long as the expert identifies the employer, principal or client at the hearing.
- (4) Any person who lobbies only in his or her individual capacity for the purpose of self-representation and without compensation.
- (5) Any employee, contract employee, or independent contractor of the Palm Beach County League of Cities, Inc., lobbying on behalf of that entity.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid. The term "employee" includes but is not limited to all managers, department heads and personnel of the county or the municipalities located within the county. The term also includes contract personnel and contract administrators performing a government function, and chief executive officer who is not part of the local governing body. The term "official" shall mean members of the board of county commissioners, a mayor, members of local municipal governing bodies, and members appointed by the board of county commissioners, members of local municipal governing bodies or mayors or chief executive officers that are not members of local municipal governing body, as applicable, to serve on any advisory, quasi judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity.

Outside employer or business includes:

- (1) Any entity, other than the county, the state, or any other federal, regional, local, or municipal government entity, of which the official or employee is a member, official, director, proprietor, partner, or employee, and from which he or she receives compensation for services rendered or goods sold or produced. For purposes of this definition, "compensation" does not include reimbursement for necessary expenses, including travel expenses; or
- (2) Any entity located in the county or which does business with or is regulated by the county or municipality as applicable, in which the official or employee has an ownership interest. For purposes of this definition,

an "ownership interest" shall mean at least five (5) percent of the total assets or common stock owned by the official or employee or any combination of the official or employee's household members, spouse, child, step-child, brother, sister, parent or step-parent, or a person claimed as a dependent on the official or employee's latest individual federal tax return.

- (3) the term outside employer or business shall not apply to an employee who is employed by a certified bargaining agent solely to represent employees.

Palm Beach County Commission on Ethics means the commission established in [section 2-254](#) et seq. to administer and enforce the ethics regulations set forth herein, and may also be referred to as the "commission on ethics" in this article.

Persons and entities shall be defined to include all natural persons, firms, associations, joint ventures, partnerships, estates, trusts, business entities, syndicates, fiduciaries, corporations, and all other organizations.

Relative unless otherwise specified in this article, means an individual who is related to an official or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the official or employee or who otherwise holds himself or herself out as or is generally known as the person whom the official or employee intends to marry or with whom the official or employee intends to form a household, or any other natural person having the same legal residence as the official or employee.

Transaction shall refer to the purchase or sale by the county or municipality of goods or services for a consideration.

Vendor means any person or entity who has a pending bid proposal, an offer or request to sell goods or services, sell or lease real or personal property, or who currently sells goods or services, or sells or leases real or personal property, to the county or municipality involved in the subject contract or transaction as applicable. For the purposes of this definition a vendor entity includes an owner, director, manager or employee.

(Ord. No. 2011-011, § 1(Exh. 1), 5-17-11)

Sec. 2-443. Prohibited conduct.

- (a) **Misuse of public office or employment.** An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities:
- (1) Himself or herself;
 - (2) His or her spouse or domestic partner, household member or persons claimed as dependents on the official or employee's latest individual federal income tax return, or the employer or business of any of these people;

- (3) A sibling or step-sibling, child or step-child, parent or step-parent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people;
 - (4) An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who is known to such official or employee to work for such outside employer or business;
 - (5) A customer or client of the official or employee's outside employer or business;
 - (6) A substantial debtor or creditor of his or hers, or of his or her spouse or domestic partner— "substantial" for these purposes shall mean at least ten thousand dollars (\$10,000) and shall not include forms of indebtedness, such as a mortgage and note, or a loan between the official or employee and a financial institution;
 - (7) A civic group, union, social, charitable, or religious organization, or other not for profit organization of which he or she (or his or her spouse or domestic partner) is an officer or director.
- (b) **Corrupt misuse of official position.** An official or employee shall not use his or her official position or office, or any property or resource which may be within his or her trust, to corruptly secure or attempt to secure a special privilege, benefit, or exemption for himself, herself, or others. For the purposes of this subsection, "corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of an official or employee which is inconsistent with the proper performance of his or her public duties.
- (c) **Disclosure of voting conflicts.** County and municipal officials as applicable shall abstain from voting and not participate in any matter that will result in a special financial benefit as set forth in subsections (a)(1) through (7) above. The official shall publicly disclose the nature of the conflict and when abstaining from the vote, shall complete and file a State of Florida Commission on Ethics Conflict Form 8B pursuant to the requirements of Florida Statutes, § 112.3143. Simultaneously with filing Form 8B, the official shall submit a copy of the completed form to the county commission on ethics. Officials who abstain and disclose a voting conflict as set forth herein, shall not be in violation of subsection (a), provided the official does not otherwise use his or her office to take or fail to take any action, or influence others to take or fail to take any action, in any other manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, as set forth in subsections (a)(1) through (7).
- (d) **Contractual relationships.** No official or employee shall enter into any contract or other transaction for goods or services with their respective county or municipality. This prohibition extends to all contracts or transactions between the county or municipality as applicable or any person, agency or entity acting for the county or municipality as applicable, and the official or employee, directly or indirectly, or the official or employee's outside employer or business. Any such contract, agreement, or business arrangement entered into in violation of this subsection may be rescinded or declared void by the board of county commissioners pursuant to [section 2-448\(c\)](#) or by the local municipal governing body pursuant to local ordinance as applicable. This prohibition shall not apply to employees who enter into contracts with Palm Beach County or a municipality as part of their official duties with the county or that municipality. This prohibition also shall not apply to officials or employees who purchase goods from the county or municipality on the same terms available to all members of the public. This prohibition shall also not apply to advisory board members provided the subject contract or transaction is disclosed at a duly noticed

public meeting of the governing body and the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction.

- (e) **Exceptions and waiver.** The requirements of subsection (d) above may be waived as it pertains to advisory board members where the advisory board member's board is purely advisory and provides regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction. No waiver shall be allowed where the advisory board member's board is not purely advisory and provides regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction. Waiver may be effected by the board of county commissioners or by the local municipal governing body as applicable upon full disclosure of the contract or transaction prior to the waiver and an affirmative vote of a majority plus one (1) of the total membership of the board of county commissioners or the local municipal governing body as applicable. In instances in which appointment to the advisory board is made by an individual, waiver may be effected, after full disclosure of the contract or transaction at a public hearing, by the appointing person. In addition, no official or employee shall be held in violation of subsection (d) if:

- (1) The business is awarded under a system of sealed, competitive bidding to the lowest bidder and:
 - a. The official or employee or member of his or her household has in no way participated in the determination of the bid specifications or the determination of the lowest bidder;
 - b. The official or employee or member of his or her household has in no way used or attempted to use the official or employee's influence to persuade the agency, governmental entity or any personnel thereof to enter such a contract other than by the mere submission of the bid; and
 - c. The official or employee, prior to or at the time of the submission of the bid, has filed a statement with the supervisor of elections and the commission on ethics, disclosing the nature of the interest in the outside employer or business submitting the bid.
- (2) An emergency purchase or contract which would otherwise violate a provision of subsection (d) must be made in order to protect the health, safety, or welfare of the citizens of the county or municipality as applicable.
- (3) The outside employer or business involved is the only source of supply within the county or municipality as applicable and there is full disclosure by the official or employee of his or her interest in the outside employer or business to the county or municipality as applicable and the ethics commission prior to the purchase, rental, sale, leasing, or other business being transacted.
- (4) The total amount of the contracts or transactions in the aggregate between the outside employer or business and the county or municipality as applicable does not exceed five hundred dollars (\$500) per calendar year.
- (5) Notwithstanding any provision to the contrary, subsection (d) shall not be construed to prevent an employee from seeking part-time employment with an outside employer who has entered into a contract for goods or services with the county or municipality as applicable provided that:
 - a. The employee or relative of the employee does not work in the county or municipal department as applicable which will enforce, oversee or administer the subject contract; and
 - b. The outside employment would not interfere with or otherwise impair his or her independence of judgment or otherwise interfere with the full and faithful performance of his or her public duties to the county or municipality as applicable; and

- c. The employee or relative of the employee has not participated in determining the subject contract requirements or awarding the contract; and
 - d. The employee's job responsibilities and job description will not require him or her to be involved in the outside employer's contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance; and
 - e. The employee demonstrates compliance with applicable merit rules regarding outside employment and obtains written permission from his or her supervisor; and
 - f. The employee has obtained a conflict of interest waiver from the chief administrative officer and the employee's department head of the county or municipality based on a finding that no conflict exists. The employee shall submit the request for waiver in writing and under oath. The request for the waiver shall be signed by the employee under oath or affirmation on an approved form provided by the commission on ethics. The document shall contain written acknowledgment of compliance with the provisions of subsection (5)a. through (5)e. of this subsection, together with such pertinent facts and relevant documents that support such waiver. A waiver under this subsection must be approved by both the employee's supervisor and chief administrative officer of the county or municipality. The county or municipality shall record such waiver in the employee's personnel file and shall submit a copy of the waiver and all related documents to the commission on ethics. The commission on ethics in its discretion may elect to review, comment on, or investigate any waiver. The commission on ethics review or investigation shall not delay an employee's ability to take the part time employment.
 - g. *Official law enforcement overtime or extra duty details.* The provisions of subsection (d) shall be waived for outside employment when that employment consists of a certified police agency uniformed external security or extra duty detail, contracted or administered by the police agency as applicable. For the purpose of this subsection, all records of external, extra duty or overtime security details, including supervisor approval, identity of contracting parties, and including time, date and manner of detail shall be maintained by the individual contracting or administering police agency, records of which shall be accessible to the public subject to state public records disclosure exemptions.
- (f) **Accepting travel expenses.** No official or employee shall accept, directly or indirectly, any travel expenses including, but not limited to, transportation, lodging, meals, registration fees and incidentals from any county or municipal contractor, vendor, service provider, bidder or proposer as applicable. The board of county commissioners or local municipal governing body as applicable may waive the requirements of this subsection by a majority vote of the board or local municipal governing body. The provisions of this subsection shall not apply to travel expenses paid by other governmental entities or by organizations of which the county or municipality as applicable is a member if the travel is related to that membership.
- (g) **Contingent fee prohibition.** No person shall, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person shall, in whole or in part, receive or agree to receive a contingency fee. As used herein, "contingency fee" means a fee, bonus, commission, or nonmonetary benefit as compensation which is dependent on or in any way contingent on the passage, defeat, or modification of: an ordinance, resolution, action or decision of the board of county commissioners or local municipal governing body as applicable, any employee authorized to act on behalf of the board of county

commissioners or local municipal governing body as applicable, the county administrator or municipal administrator as applicable, or any action or decision of an advisory board or committee. This prohibition does not apply to real estate brokers when acting in the course of their profession as regulated by Florida Statutes, §§ 475.001—475.5018, as may be amended. Nothing in this section may be construed to prohibit any salesperson from engaging in legitimate government business on behalf of a company from receiving compensation or commission as part of a bona fide contractual arrangement with that company provided such compensation or commission is ordinary and customary in the industry. Nothing in this section may be construed to prohibit an attorney from representing a client in a judicial proceeding or formal administrative hearing pursuant to a contingent fee arrangement.

- (h) **Honesty in applications for positions.** No person seeking to become an official or employee, or seeking to enter into a contract to provide goods or services to the county or municipality as applicable, may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with employment by or services to the county or municipality as applicable.
- (i) **Disclosure or use of certain information.** A current or former official or employee shall not disclose or use information not available to members of the general public and gained by reason of his or her official position, except for information relating exclusively to governmental practices, for his or her personal gain or benefit or for the personal gain or benefit of any other person.

(Ord. No. 2011-011, § 1(Exh. 1), 5-17-11)

Sec. 2-444. Gift law.

- (a) (1) No county commissioner, member of a local governing body, mayor or chief executive when not a member of the governing body, or employee, or any other person or business entity on his or her behalf, shall knowingly solicit or accept directly or indirectly, any gift with a value of greater than one hundred dollars (\$100) in the aggregate for the calendar year from any person or business entity that the recipient knows, or should know with the exercise of reasonable care, is a vendor, lobbyist or any principal or employer of a lobbyist who lobbies, sells or leases to the county or municipality as applicable.
- (2) No vendor, lobbyist, or principal or employer of a lobbyist that lobbies the county or a municipality shall knowingly give, directly or indirectly, any gift with a value greater than one hundred dollars (\$100) in the aggregate for the calendar year to a person who the vendor, lobbyist, or principal knows is an official or employee of that county or municipality. For the purposes of this subsection (a)(2), the term vendor also includes any person or entity that, because of the nature of their business, may respond to an invitation to bid, request for proposal or other procurement opportunity that has been published by the county or a municipality.
- (b) (1) No advisory board member, or any other person on his or her behalf, shall knowingly solicit or accept directly or indirectly, any gift with a value of greater than one hundred dollars (\$100) in the aggregate for the calendar year from any vendor, lobbyist, or any principal or employer of a lobbyist, who lobbies the recipient's advisory board, or any county or municipal department as applicable that is subject in any way to the advisory board's authority, influence or advice.
- (2) No vendor, lobbyist, or principal or employer of a lobbyist who lobbies an advisory board or any county or municipal department that is subject in any way to the advisory board's authority, influence

- or advice, shall knowingly give, directly or indirectly, any gift with a value greater than one hundred dollars (\$100) in the aggregate for the calendar year to a person who the vendor, lobbyist, or principal knows is a member of that advisory board. For the purposes of this subsection (b)(2), the term vendor also includes any person or entity that, because of the nature of their business, may respond to an invitation to bid, request for proposal or other procurement opportunity that has been published by the county or a municipality.
- (c) No county commissioner, member of a local governing body, mayor or chief executive officer when not a member of the governing body, or employee, or any other person or business entity on his or her behalf, shall knowingly solicit a gift of any value from any person or business entity that the recipient knows is a vendor, lobbyist or any principal or employer of a lobbyist where the gift is for the personal benefit of the official or employee, another official or employee, or any relative or household member of the official or employee. No advisory board member or any other person or business entity on his or her behalf, shall knowingly solicit a gift of any value from any person or business entity that the recipient knows is a vendor, lobbyist or any principal or employer of a lobbyist who lobbies the recipient's advisory board, or any county or municipal department as applicable that is subject in any way to the advisory board's authority, influence or advice, where the gift is for the personal benefit of the advisory board member, another advisory board member, or an official, or any relative or household member of the official or employee.
- (d) For purposes of this section, a principal or employer of a lobbyist shall include any officer, partner or director of the principal or employer entity, or any employee of a principal or employer who is not an officer, partner or director, provided that the employee knows or should know with the exercise of reasonable care that the principal or employer employs a lobbyist.
- (e) No person or entity shall offer, give, or agree to give an official or employee a gift, and no official or employee shall accept or agree to accept a gift from a person or entity, because of:
- (1) An official public action taken or to be taken, or which could be taken;
 - (2) A legal duty performed or to be performed or which could be performed; or
 - (3) A legal duty violated or to be violated, or which could be violated by any official or employee.
- (f) Gift reports. Any official or employee who receives a gift in excess of one hundred dollars (\$100) shall report that gift in accordance with this section.
- (1) *Gift reports for officials and employees identified by state law as reporting individuals.* Those persons required to report gifts pursuant to state law shall report those gifts in the manner provided by Florida Statutes, § 112.3148, as may be amended. A copy of each report shall be filed with the county commission on ethics.
 - (2) *All other officials and employees who are not reporting individuals under state law.*
 - a. *Personal gifts.* All officials and employees who are not reporting individuals under state law are not required to report gifts in excess of one hundred dollars (\$100) so long as those gifts are given to the official or employee by a personal friend or co-worker and the circumstances demonstrate that the motivation for the gift was the personal or social relationship rather than an attempt to obtain the goodwill or otherwise influence the official or employee in the performance of his or her official duties. Factors to be considered in determining whether a gift was motivated by a personal or social relationship may include but shall not be limited to:

whether the relationship began before or after the official or employee obtained his or her office or position; the prior history of gift giving between the individuals; whether the gift was given in connection with a holiday or other special occasion; whether the donor personally paid for the gift or sought a tax deduction or business reimbursement; and whether the donor gave similar gifts to other officials or employees at or near the same time. If the personal friend or co-worker is a vendor, lobbyist or principal or employer of a lobbyist that lobbies the county or municipality as applicable, then the official or employee shall not accept a gift in excess of one hundred dollars (\$100) in accordance with subsections (a)(1) and (b)(1).

- b. *All other gifts.* All officials or employees who are not reporting individuals under state law and who receive any gift in excess of one hundred dollars (\$100), which is not otherwise excluded or prohibited pursuant to this subsection, shall complete and submit an annual gift disclosure report with the county commission on ethics no later than November 1 of each year beginning November 1, 2011, for the period ending September 30 of each year. All officials or employees who are not reporting individuals under state law and who do not receive a gift in excess of one hundred dollars (\$100) during a given reporting period shall not file an annual gift disclosure report. The annual gift disclosure report shall be created by the county commission on ethics and shall be in a form substantially similar in content as that required by state law.
- (g) For the purposes of this section, "gift" shall refer to the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality, item or promise, or in any other form, without adequate and lawful consideration. Food and beverages consumed at a single setting or a meal shall be considered a single gift, and the value of the food and beverage provided at that sitting or meal shall be considered the value of the gift. In determining the value of the gift, the recipient of the gift may consult, among other sources, Florida Statutes, § 112.3148, and the Florida Administrative Code as may be amended.
- (1) Exceptions. The provisions of subsection (g) shall not apply to:
- a. Political contributions specifically authorized by state or federal law;
 - b. Gifts from relatives, domestic partners, and dependents named on the official's or employee's latest federal income tax return, or one's household member;
 - c. Awards for professional or civic achievement;
 - d. Materials such as books, reports, periodicals or pamphlets which are solely informational or of an advertising nature;
 - e. Gifts solicited or accepted by county or municipal officials or employees as applicable on behalf of the county or municipality in performance of their official duties for use solely by the county or municipality for a public purpose;
 - f. Publicly advertised offers for goods or services from a vendor under the same terms and conditions as are offered or made available to the general public;
 - g. Inheritance or other devise;
 - h. Registration fees and other related costs associated with educational or governmental conferences, meetings or seminars and travel expenses either properly waived or inapplicable pursuant to [section 2-443\(f\)](#), provided that attendance is for governmental purposes, and

attendance is related to their duties and responsibilities as an official or employee of the county or municipality;

- i. A ticket, pass or admission in connection with public events, appearances or ceremonies related to official county or municipal business, if furnished by a nonprofit sponsor organization of such public event, or if furnished pursuant to a contract between the event's non-profit sponsor and the county or municipality as applicable, provided the sponsor organization does not employ a lobbyist, and further provided the ticket, pass or admission is given by a representative of the sponsor organization who is not otherwise a vendor, lobbyist, principal or employer of a lobbyist. Notwithstanding the exception as provided in this subsection, the ticket, pass or admission must be disclosed in accordance with the gift law reporting requirements of subsections (f)(1) and (f)(2);
 - j. Expenditures made in connection with an event sponsored by a nonprofit organization funded in whole or in part with public funds whose primary function is to encourage and attract tourism or other business opportunities for the benefit of Palm Beach County or the municipalities as applicable, provided the sponsor organization does not employ a lobbyist, and further provided that the invitation to the event is made by a representative of the sponsor organization and the representative is not otherwise a vendor, lobbyist, principal or employer of a lobbyist. Notwithstanding the exception as provided in this subsection, the expenditure must be disclosed in accordance with the gift law reporting requirements of subsections (f)(1) and (f)(2).
- (h) Solicitation of contributions on behalf of a non-profit charitable organization.
- (1) Notwithstanding the prohibition on gifts as outlined in subsections (a) and (b), the solicitation of funds by a county or municipal official or employee for a non-profit charitable organization, as defined under the Internal Revenue Code, is permissible so long as there is no quid pro quo or other special consideration, including any direct or indirect special financial benefit to the official or employee or to the person or entity being solicited. The solicitation by an official or employee as contemplated herein, is expressly prohibited if made to any person or entity with a pending application for approval or award of any nature before the county or municipality as applicable.
 - (2) To promote the full and complete transparency of any such solicitation, officials and employees shall disclose, on a form provided by the commission on ethics, the name of the charitable organization, the event for which the funds were solicited, the name of any person or entity that was contacted regarding a solicitation or pledge by the official or employee, and the amount of the funds solicited or pledged if known. The form shall be completed legibly and shall be filed with the commission on ethics. The form shall be filed within thirty (30) days from the occurrence of the event for which the solicitation was made, or if no event, within thirty (30) days from the occurrence of the solicitation.
 - (3) Officials and employees may not use county or municipal staff or other county or municipal resources in the solicitation of charitable contributions described in this subsection.

(Ord. No. 2011-011, § 1(Exh. 1), 5-17-11)

Sec. 2-445. Anti-nepotism law.

An official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement in or to a position in the county or municipality as applicable in which the official is serving or over which the official exercises jurisdiction or control, any individual who is a relative or domestic partner of the official. An individual may not be appointed, employed, promoted, or advanced in or to a position in the county or a municipality if such appointment, employment, promotion, or advancement has been advocated by an official, serving in or exercising jurisdiction or control over the county or municipality as appropriate, who is a relative or domestic partner of the individual or if such appointment, employment, promotion, or advancement is made by a collegial body of which a relative or domestic partner of the individual is a member. However, this section shall not apply to appointments to boards other than those with land-planning or zoning responsibilities in those municipalities with less than thirty-five thousand (35,000) population. This section does not apply to persons serving in a volunteer capacity who provide emergency medical, firefighting, or police services. Such persons may receive, without losing their volunteer status, reimbursements for the costs of any training they get relating to the provision of volunteer emergency medical, firefighting, or police services and payment for any incidental expenses relating to those services that they provide. Mere approval of budgets shall not be sufficient to constitute "jurisdiction or control" for the purposes of this section.

- (1) For the purposes of this section, "official" means any official or employee in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in the county or municipality as applicable.
- (2) For the purposes of this section, "relative" means spouse, parent, child, sibling, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

(Ord. No. 2011-011, § 1(Exh. 1), 5-17-11)

Sec. 2-446. Ethics training.

- (a) Officials and employees, as public servants, are considered stewards of the public trust and should aspire to the highest level of integrity and character. Officials and employees shall be informed of their ethical responsibilities at the start of their public service, and shall receive updates and training materials on ethics issues throughout the span of their public service. The county administrator or municipal administrator as applicable shall establish by policy a mandatory training schedule for all officials and employees which shall include mandatory periodic follow-up sessions. This policy may also address ethics training for entities that receive county or municipal funds as applicable.
- (b) The commission on ethics shall develop and deliver, or contract with other entities to develop and deliver, training programs. The commission on ethics shall coordinate and cooperate with all affected county or municipal entities, departments, agencies, boards, councils and commissions to ensure that effective and meaningful training experiences are delivered in a timely and efficient manner.

(Ord. No. 2011-011, § 1(Exh. 1), 5-17-11)

Sec. 2-447. Noninterference.

It shall be a violation of this article for any person: (a) to retaliate against, punish, threaten, harass, or penalize any person for communicating, cooperating with, or assisting the commission on ethics or the inspector general; or (b) to interfere, obstruct or attempt to interfere or obstruct without valid legal basis any investigation conducted by the commission on ethics or the inspector general.

(Ord. No. 2011-011, § 1(Exh. 1), 5-17-11)

Sec. 2-448. Administration, enforcement and penalties.

- (a) The commission on ethics shall be empowered to review, interpret, render advisory opinions, and enforce this code of ethics pursuant to the procedures established in the county commission on ethics ordinance. Jurisdiction of the commission on ethics with respect to advisory opinions rendered shall extend to all county and municipal officials and employees, and all other persons and entities required to comply with the provisions of this code and the county lobbyist registration ordinance, including but not limited to lobbyists, their employers and principals, and contractors and vendors.
- (b) A finding by the commission on ethics of a violation of any part of this article shall subject the person or entity to public reprimand, a fine of up to five hundred dollars (\$500), or both. The commission on ethics may also order the person or entity to pay restitution when the person or entity or a third party has received a pecuniary benefit as a result of the person's violation.
- (c) Upon a finding of the commission on ethics that a violation of this article or the lobbyist registration ordinance resulted in a contract, grant, subsidy, license, permit, franchise, use, certificate, development order or other benefit conferred by the county or municipality as applicable, then such contract, grant, subsidy, license, permit, franchise, use, certificate, development order or other benefit may be rescinded or declared void by the board of county commissioners or the local municipal governing body as applicable.
- (d) The commission on ethics may in its discretion refer willful violations of sections [2-443](#), [2-444\(a\)](#), [2-444\(b\)](#), [2-444\(c\)](#), [2-444\(e\)](#), or [2-447](#) to the state attorney. Pursuant to Florida Statutes, §125.69, a person who violates the sections of the article set forth in this [section 2-448\(d\)](#) shall be subject to prosecution in the name of the state in the same manner as first degree misdemeanors are prosecuted, and upon conviction, such person shall be punished by a fine not to exceed one thousand dollars (\$1,000), imprisonment not to exceed one (1) year, or both.

(Ord. No. 2011-011, § 1(Exh. 1), 5-17-11)

Eighth Order of Business



MEMORANDUM

TO: Members of the City Council
FROM: Tiziana Cessna, District Accountant, Peter Brill, Accounting Manager
CC: Ken Cassel, District Manager
DATE: December 13, 2016
SUBJECT: November Financial Report

Please find attached the November 2016 financial report. During your review, please keep in mind that the goal is for revenue to meet or exceed the year-to-date budget and for expenditures to be at or below the year-to-date budget. An overview of the District is provided below. Should you have any questions or require additional information, please contact me at Tiziana.Cessna@STServices.com.

General Fund

- Total Revenue includes 1st installment per funding agreement by Minto Community LLC. (Developer).
- Total expenditures through November were approximately 73% of the year-to-date budget.

City of Westlake

Financial Report
November 30, 2016

Prepared by



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City of Westlake

Financial Statements

(Unaudited)

November 30, 2016

Balance Sheet
November 30, 2016

<u>ACCOUNT DESCRIPTION</u>	<u>TOTAL</u>
<u>ASSETS</u>	
Cash - Checking Account	\$ 752,141
TOTAL ASSETS	\$ 752,141
<u>LIABILITIES</u>	
Accounts Payable	\$ 99,225
TOTAL LIABILITIES	99,225
<u>FUND BALANCES</u>	
Unassigned:	652,916
TOTAL FUND BALANCES	\$ 652,916
TOTAL LIABILITIES & FUND BALANCES	\$ 752,141

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending November 30, 2016

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
REVENUES				
Interest - Investments	\$ -	\$ -	\$ -	\$ -
Ad Valorem Taxes	72,000	-	-	-
Ad Valorem Taxes - Discounts	(4,000)	-	-	-
Occupational Licenses	-	-	566	566
Building Permits	156,000	26,000	41,323	15,323
Local Govt .05c Sales Tax	1,000	166	-	(166)
Developer Contribution	1,118,197	447,733	447,733	-
TOTAL REVENUES	1,343,197	473,899	489,622	15,723
EXPENDITURES				
Legislative				
Mayor/Council Stipend	204,000	34,000	34,000	-
FICA Taxes	16,000	2,666	2,601	65
ProfServ-Legislative Expense	18,000	3,000	-	3,000
Council Expenses	10,000	1,666	-	1,666
Total Legislative	248,000	41,332	36,601	4,731
Financial and Administrative				
Management Services	249,101	41,517	41,517	-
Auditing Services	7,000	-	-	-
Communication - Telephone	3,600	600	624	(24)
Postage and Freight	1,500	250	36	214
Utility - General	4,500	750	-	750
Insurance - General Liability	5,040	5,040	5,000	40
Legal Advertising	4,500	750	39	711
General Government	79,360	13,226	100	13,126
Misc-Contingency	90,000	15,000	734	14,266
Office Supplies	2,500	416	303	113
Total Financial and Administrative	447,101	77,549	48,353	29,196
Legal Counsel				
ProfServ-Legal Services	276,000	46,000	46,000	-
Total Legal Counsel	276,000	46,000	46,000	-
Comprehensive Planning				
ProfServ-Planning/Zoning/Eng Services	97,096	16,182	35,436	(19,254)
Total Comprehensive Planning	97,096	16,182	35,436	(19,254)

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Period Ending November 30, 2016

ACCOUNT DESCRIPTION	ANNUAL ADOPTED BUDGET	YEAR TO DATE BUDGET	YEAR TO DATE ACTUAL	VARIANCE (\$) FAV(UNFAV)
<u>Other Public Safety</u>				
Contracts-Sheriff	275,000	45,834	-	45,834
Total Other Public Safety	275,000	45,834	-	45,834
TOTAL EXPENDITURES	1,343,197	226,897	166,390	60,507
Excess (deficiency) of revenues Over (under) expenditures	-	247,002	323,232	76,230
Net change in fund balance	\$ -	\$ 247,002	\$ 323,232	\$ 76,230
FUND BALANCE, BEGINNING (OCT 1, 2016)	329,684	329,684	329,684	
FUND BALANCE, ENDING	\$ 329,684	\$ 576,686	\$ 652,916	

City of Westlake

Supporting Schedules

November 30, 2016

Cash and Investment Report

November 30, 2016

GENERAL FUND

<u>Account Name</u>	<u>Bank Name</u>	<u>Investment Type</u>	<u>Maturity</u>	<u>Yield</u>	<u>Balance</u>
Checking Account - Operating	BankUnited	Checking Account	n/a	n/a	\$752,141
				Total	<u><u>\$752,141</u></u>

City of Westlake

Bank Reconciliation

Bank Account No. 0300 Bank United - GF
Statement No. 2016-11
Statement Date 11/30/2016

G/L Balance (LCY)	752,140.93	Statement Balance	744,089.77
G/L Balance	752,140.93	Outstanding Deposits	8,051.16
Positive Adjustments	0.00		
	<hr/>		
Subtotal	752,140.93	Subtotal	752,140.93
Negative Adjustments	0.00	Outstanding Checks	0.00
	<hr/>	Differences	0.00
Ending G/L Balance	752,140.93	Ending Balance	752,140.93
Difference	0.00		

Posting Date	Document Type	Document No.	Description		Amount	Cleared Amount	Difference
Outstanding Deposits							
11/29/2016		DEP00015	Permits and Licences	G/L Ac	8,051.16	0.00	8,051.16
Total Outstanding Deposits.....					8,051.16		8,051.16

City of Westlake

Check register

November 1 - November 30, 2016

City of Westlake
Payment Register by Bank Account
 For the Period from 11/1/16 to 11/30/16
 (Sorted by Check / ACH No.)

Pymt Type	Check / ACH No.	Date	Payee Type	Payee	Invoice No.	Invoice Description	G/L Account Name	G/L Account #	Amount Paid
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4101 Turtle Creek Rd. - (Acct# xxxxx0300)

Check	7043	11/01/16	Vendor	LAW OFFICES OF PAM E. BOOKER, ESQ	103	LEGAL SERVERICES-OCTOBER 2016	ProfServ-Legal Services	001-531023-51401	\$23,000.00
Check	7044	11/01/16	Vendor	DAKIM, INC	105175	STAMPS WITH DATER	Office Supplies	001-551002-51301	\$151.55
Check	7045	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	14159	MANAGEMENT FEES-OCTOBER 2016	Management Services	001-531093-51301	\$20,758.42
Check	7045	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	14159	MANAGEMENT FEES-OCTOBER 2016	Misc-Contingency	001-549900-51301	\$83.10
Check	7046	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	13231	MANAGEMENT FEE-SEPT 2016	ProfServ-Mgmt Consulting Serv	001-531027-51201	\$9,695.00
Check	7046	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	13231	MANAGEMENT FEE-SEPT 2016	ProfServ-City Clerk Services	001-531079-51301	\$2,691.00
Check	7046	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	13231	MANAGEMENT FEE-SEPT 2016	Accounting/Financial Services	001-532004-51301	\$2,196.00
Check	7046	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	13231	MANAGEMENT FEE-SEPT 2016	General Government	001-549109-51301	\$1,267.42
Check	7046	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	13231	MANAGEMENT FEE-SEPT 2016	ProfServ-Clerical Services	001-531101-51501	\$4,909.00
Check	7046	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	13231	MANAGEMENT FEE-SEPT 2016	Postage	001-541010-51301	\$22.90
Check	7046	11/01/16	Vendor	SEVERN TRENT ENVIRONMENTAL SERVICES, INC.	13231	MANAGEMENT FEE-SEPT 2016	Legal Advertising	001-548002-51301	\$282.08
Check	7047	11/07/16	Vendor	T-MOBILE USA, INC.	10/21/16	SERVICE THROUGH 10/21/16	Communication - Telephone	001-541003-51301	\$981.30
Check	7048	11/15/16	Employee	KARA S. CRUMP	PAYROLL	***Voided Voided****	Payroll Expense	N/A	\$0.00
Check	7049	11/15/16	Employee	PHILLIP D EVERETT	PAYROLL	***Voided Voided****	Payroll Expense	N/A	\$0.00
Check	7050	11/15/16	Employee	KATRINA L. LONG	PAYROLL	***Voided Voided****	Payroll Expense	N/A	\$0.00
Check	7051	11/15/16	Employee	ROGER B MANNING	PAYROLL	***Voided Voided****	Payroll Expense	N/A	\$0.00
Check	7052	11/15/16	Employee	JOHN A. STANAVITCH	PAYROLL	***Voided Voided****	Payroll Expense	N/A	\$0.00
Check	7053	11/15/16	Employee	KARA S. CRUMP	PAYROLL	November 15, 2016 Payroll Posting	Payroll Expense	N/A	\$2,688.34
Check	7054	11/15/16	Employee	PHILLIP D EVERETT	PAYROLL	November 15, 2016 Payroll Posting	Payroll Expense	N/A	\$2,847.09
Check	7055	11/15/16	Employee	KATRINA L. LONG	PAYROLL	November 15, 2016 Payroll Posting	Payroll Expense	N/A	\$2,688.34
Check	7056	11/15/16	Employee	ROGER B MANNING	PAYROLL	November 15, 2016 Payroll Posting	Payroll Expense	N/A	\$2,747.09
Check	7057	11/15/16	Employee	JOHN A. STANAVITCH	PAYROLL	November 15, 2016 Payroll Posting	Payroll Expense	N/A	\$2,797.09

Account Total \$79,805.72

Total Amount Paid	\$79,805.72
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Total Amount Paid - Breakdown by Fund	
Fund	Amount
General Fund Fund - 001	79,805.72
Total	79,805.72

Ninth Order of Business



Date: January 5, 2017
To: Mayor and Council
Copy: Pam Booker, City Attorney
From: Ken Cassel, City Manager
Subject: Lobbyist

Memorandum

As a follow up to the Vice Mayor's inquiry and information from the December council meeting the City Attorney and I have reviewed the proposal submitted, as well as researched some additional firms and individuals. Our research has shown the first firm may not be the best option for the City at this time; therefore, we are still looking at other firms and individuals that will be better equipped to meet the needs of the City right now.

Based on information we have received regarding Palm Beach County's legislative agenda, and our research, it is recommended the City Council authorize the City Manager in consultation with the City Attorney to engage a lobbyist to monitor and counter any attempts to hinder the City's ability to operate within the current statutes.

The authorization for the expenditure would be not to exceed \$25,000.00 for this legislative session. There are sufficient funds within the administration contingency budget line to accommodate this expenditure.

A motion by the City council to authorize the City Manager to engage an appropriate Lobbyist for this legislative session would be in order.

home from a private seller, of any change in ownership of the mobile home park and/or any definite future plans for changes in the use of the park.

LOCAL GOVERNMENT/ADMINISTRATIVE

LEGISLATIVE PRIORITIES

VALUE ADJUSTMENT BOARD

The Palm Beach County Value Adjustment Board received a record 19,800 petitions in 2009 from residents who pay a \$15 filing fee in comparison to the approximate \$114 in costs to the County to facilitate a petition. In 2015 while the number of petitions filed has decreased significantly, the cost ratio to conduct the hearings has remained consistent. The current filing fee has been in effect since 1988. With the changes in law coupled with the vast number of petitions filed and expected to grow, the filing fee should be raised to \$50 to cover the anticipated increasing costs to process them.

PUBLIC RECORDS AMENDMENT

Currently, state law allows for local government agency exemptions from inspection or copying of public records relating to complaints of discrimination regarding race, color, religion, sex, national origin, age, handicap, marital status, sale or rental of housing, the provision of brokerage services, and the financing of housing. **AMEND** s. 119.0713, F.S. to include familial status. Also, include language stating that all records created or received in the course of conciliation with any unit of local government to resolve complaints of discrimination regarding race, color, religion, sex, national origin, age, handicap, marital status, familial status, sale or rental of housing, the provision of brokerage services, and the financing of housing are confidential and exempt from s.119.07(1) and s. 24(a), Article I of the State Constitution. **SUPPORT** a statement of finding from the legislature that this exemption is necessary to encourage the resolution of complaints of discrimination and the effectiveness and efficiency of the conciliation process.

RESIDENCY OF ELECTED OFFICIALS

Controversy over the creation of Westlake has raised questions over its governance, as its charter does not require its council members to live in the municipality. In fact, Westlake's charter states that only two of its five council members must live within Palm Beach County, and there is no requirement that they live within the city itself. Palm Beach County **SUPPORTS** legislation that requires elected officials of local municipalities to live in the districts they represent.