

**PALM BAY POLICE AND FIREFIGHTERS' PENSION PLAN
BOARD OF TRUSTEES
Quarterly Board Meeting 06-03**

Held on the 7TH of February 2006 at Robert J. Conlan Professional Center, 1501 R. J. Conlan Blvd., NE, Suite 260, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

Richard B. Adams, Chairperson, called the meeting to order at the hour of 9:07 a.m.

ROLL CALL:

PRESENT

Richard B. Adams, Chairperson, Brd Appt
Richard S. Carter, Vice Chairperson, Police Elected
Coy W. Chapel, Secretary, Fire Elected
William A. Yonce, Sr., Trustee, City Council Appt

EXCUSED

Celestine M. Chirumblo, Trustee, City Council Appt

Also in attendance was Kathy Adams, Board Administrator. Mr. Chad Little, Consulting Actuary, Public Pension Professionals, Inc. arrived at 9:00 a.m.; Mr. Blake Myton, Investment Manager, Trusco Capital Management, and Ms. Karla Engard, 1st VP SunTrust, arrived at 9:45 a.m.; Mr. Jeff Swanson, Performance Manager, Merrill Lynch Consulting Services arrived at 10:41 a.m.; Mr. Donald Bellantoni, CPA, Koch Reiss & Company arrived at 10:41 a.m.; and Ms. Lark Janes, CPA, Janes, Key & Dinho arrived at 11:01 a.m. Also in attendance was Mr. Lee Feldman, Palm Bay City Manager; Mr. Jonathan Lewis, Palm Bay Deputy City Manager; Laura Clawson, Palm Bay Human Resources Analyst II; Mr. Tim Lancaster, President, Fraternal Order of Police, Lodge 111; Deputy Police Chief Doug Muldoon; Captain Doug Dechenne; Captain Don Cristofaro; Captain Bob Kenney; Lt. Joe Eakins; Lt. Jim Veltri; Lt. Dave Crispin; Lt. Alan Abner; Police Officer Bryan Kerr; Agent Greg LaTulippe; and Police Officer Mike Veina. Deputy Police Chief Lynne Nungesser arrived at 11:09 a.m. Mr. Stephen Cypen, Board Attorney, was conference-called at 12:20 p.m. and 1:09 p.m.

ADOPTION OF MINUTES:

Motion by Mr. Carter, seconded by Mr. Chapel to excuse Ms. Chirumblo's absence due to surgical recovery. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Motion by Mr. Carter, seconded by Mr. Chapel to adopt the December 05-14 regular minutes. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Motion by Mr. Carter, seconded by Mr. Yonce to adopt the January 06-01 regular minutes. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr.

*NO CONCURRENCE
1/24/06*

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Yonce, Yea; and Mr. Adams, Yea. Motion by Mr. Carter, seconded by Mr. Yonce to adopt the January 06-02 special minutes. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea.

Motion by Mr. Carter, seconded by Mr. Chapel to increase the amount on the agenda under New Business, *1. Consideration of Warrants for Payment: (d) Koch, Reiss & Company, P.A. from \$7,000.00 to \$8,625.00 as another invoice had arrived. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea.

QUARTERLY REPORTS AT 9:30 a.m. & 10:00 a.m.:

1. Merrill Lynch Consulting Services-Mr. Jeff Swanson, Performance Manager-Mr. Adams said Mr. Swanson would be arriving later in the meeting and explained why Merrill Lynch wanted to change to a hard-dollar arrangement. Mr. Little said soft dollars could be earmarked for trustee education and referred to the Sunrise Firefighter Fund. When Mr. Swanson arrived later he said there was some nice growth since the bear market of 2000. The net contributions from employees, state premium tax funding and the city since 1992 was \$30,542,564.00 with investment returns of \$30,165,706.00 making up the total portfolio of \$60,708,270.00 as of December 2005, excluding pension payments and expenses. He said the fund was up 2.5% for the quarter, beating the target and ranking in the top 8% for the quarter. The strongest component is the international funds, up 7% net of fees. He said it earned more than the target with less risk in the last six years. Trusco exceeded the target for the quarter. He said it was a nice fixed income number for the quarter. He reviewed the comparison of other managers because they have the international component that Trusco does not have due to the policy. They have had consistent returns in the bond portfolio. The international fund was up 21% last year. The last two years the international fund included the Euro Pacific, but previously also had Putnam. Mr. Adams asked if the JPMorgan Real Estate component will be in the quarterly report and Mr. Swanson said it would. The total fund ranked in the 38th percentile of Florida funds. Mr. Swanson said the real estate did about a 25% return in 2005, but does not expect that this year, but the goal is to exceed the fixed income return. JPMorgan is having a conference coming soon and he recommended the board attend since they are new clients. The board and Mr. Swanson reviewed five separate bond managers, companies, fees and risks. Mr. Swanson said Trusco has been a good performer and the board may want to have some managers come in to conduct presentations. The board is going to review it and get back with Mr. Swanson. He said he could relax the bond grade with Trusco, if the board wants to go that route. There was a discussion about recapture companies. Mr. Adams asked about the Donaldson group. Mr. Swanson said Instinet was previously Lynch-Jones-Donaldson. Mr. Adams said he felt the board needed some time to review the information. Mr. Swanson left the meeting at 11:13 a.m.

2. Trusco Capital Management-Mr. Blake Myton, Investment Manager-Mr. Myton said it had been three years since the negative returns of the over-all market. The one year return for equity was 4.9% and

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for fixed it was 2.43%. He said the feds might slow down with rate increases. Companies are still making money. The fixed income is tough to forecast. He stated there had been six plus interest rate increases over the last year. He expects 2006 to be a slightly better year. The equity portfolio drove the year. Large cap growth helped the quarter and was up 3.12%; however for the year it was the worse performer. Value did much better. The fund is balanced between value and growth. The fixed income changed between the high grade and intermediate to about 90/10. The split was 80/20. He discussed the bond down-grading, but did not feel the timing was best now. Mr. Chapel asked if he felt the market was going to slow down? Mr. Myton said the expansion for October 2002-2003 were anomalies; 2004 was a wilder ride with a big quarter finishing the year, but 2005 didn't follow that. He said SunTrust is not out there speculating about the market. He reviewed the bond grade comparison.

AUDIT PRESENTATION AT 11:00 a.m.:

1. **Koch Reiss & Company, P.A.-Mr. Donald Bellantoni, CPA**-Mr. Bellantoni distributed copies of the draft audit and reviewed it with the board. He said net assets at 9/30/05 were \$57,827,782.00 and that the DROP plan is reflected in the liability section. The plan adopted GASB 40 Amendment Statement 3 and covers risk. The new GASB requirement defines risk. The city met the funding requirements. The audit went well. He discussed implementing the retiree affidavit annual notification procedure next year. Ms. Adams said she went ahead and implemented it this year with a 100% response. Mr. Bellantoni said the board is one of the most progressive in this area and ahead of other boards. Motion by Mr. Chapel, seconded by Mr. Yonce to approve the audit. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Mr. Bellantoni; Ms. Janes; Mr. Myton and Ms. Engard left the meeting at 11:41 a.m.

OLD BUSINESS:

1. **State Funding for Police Officers-Review Draft Ordinance for Adding 35 Overtime Hours in the Definition of Police Compensation**-Mr. Lancaster said the FOP negotiated to limit overtime purchases to 50 hour increments. Mr. Carter said the board could go forward as there was available state funding to purchase part of the last required minimum benefit, which was total cash remuneration. He stated there were several items in the FOP contract that are not binding on the board. Captain Dechenne and Lt. Crispin asked questions concerning this matter. Mr. Lancaster said he negotiated in good faith and the members signed off on the contract. Mr. Carter asked Mr. Feldman if this was a no-cost item for the City, as State funding was being used to purchase the item? Mr. Feldman said benefits using 185 & 175 funding are negotiable items. Mr. Carter stated that was correct only if the minimum benefits have been purchased. Mr. Adams discussed the investment of adding 35 overtime hours and members contributing on those hours. Mr. Chapel stated that some plan members were not union members. Mr. Carter quoted

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Chapter 99-1 saying "...shall use State funding to purchase minimum benefits established by the State." Mr. Feldman said he wanted the Board's Attorney, Mr. Cypen, to give an opinion on this. He stated Mr. Cypen did some statement for another plan in 1999 that differed from that opinion. He said if his attorney and the board's attorney concurred, then he would go with it. Captain Dechenne said he doesn't want to be denied a benefit if funding is available. Officer Kerr asked about purchasing 35 hours now or next year and how that would be impacted. Mr. Lancaster said if he goes back to the table to negotiate, then that's a problem. Mr. Adams said the board could forward the proposed ordinance and impact statement and let the City deny it. Mr. Feldman said he wanted a written opinion from Mr. Cypen. Motion by Mr. Carter, seconded by Mr. Chapel to send the proposed ordinance forward and obtain a written opinion from Mr. Cypen about implementing overtime in 50-hour increments listed in the FOP contract. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Mr. Feldman asked Mr. Little if the city had to pay the interest on the unfunded liability and he said as long as there is money there it is covered. There was further discussion on this issue. Mr. Feldman stated the city is not trying to gain the assets of the plan to fund road improvements and said it's an apparent rumor going around. Mr. Adams told him it was not coming from the board, but from city council.

2. State Funding for Firefighters-Impact Study-The impact study states the firefighters' have \$29,290.00 in available state funding. Mr. Chapel said he spoke to the new union president, Mr. Ray Roberts, but the union board is in transition. There had been no decision as to whether or not to hold the funds or not.

3. Police Officer Fraternal Order of Police Negotiated Benefits-Draft Ordinance-Mr. Carter asked about the city's revised draft ordinance. Ms. Adams said she just received a copy at 4:24 p.m. yesterday, so the board had not reviewed it. Mr. Adams said Mr. Cypen stated the city put things into the contract that were illegal and the state was to be contact for their opinion. Mr. Feldman said he wanted a written response from Mr. Cypen. Mr. Lancaster said he's offered to sit down with the city and the board's attorney. Mr. Adams stated that to prevent delay it was better to go directly to the state as they were the ones that had final approval. There was further discussion on this where Mr. Feldman wanted an opinion from Mr. Cypen, rather than the state. Mr. Feldman; Mr. Lewis; Mr. Carter; Lt. Eakins; Lt. Crispin; Lt. Abner; Captain Cristofaro; Mr. Lancaster; Lt. Dechenne; Captain Kenney; Agent LaTulippe; Officer Kerr; and Office Veina left the meeting. The board recessed at 10:00 a.m. and reconvened at 10:11 a.m. After reconvening, Lt. Crispin; Lt. Abner; and Captain Cristofaro returned to the meeting. Lt. Veltri left the meeting at 10:23 a.m. Major Dechenne returned to the meeting at 10:39 a.m. and left the meeting at 11:00 a.m. Deputy Chief Muldoon left the meeting at 10:55 a.m. Mr. Carter returned to the meeting at 11:10 a.m. Mr. Adams discussed the issues regarding the management of the plan. He said the city plans to put the ordinance before council in March. Mr. Little reviewed the buy-back intent stating the contribution times the years of service times the salary at the time of hire and that the difference in value increases the liability. He stated several items were pending clarification. He asked how the city was going to pay, now or as they go? It appeared the city wanted the preference of paying the aggregate or frozen entry method with regard to the buy-back. He said if the employee and the city pays the buy-back at the time it is bought, then there

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is not impact. If it is pay as you go, then the city's cost will be impacted. New hires will not be included in the analysis of the current group, but Mr. Little will have to assume or impact their cost when they achieve the purchase. He said the sentence reference the full actuarial cost to be paid by the member would have to be deleted from the current draft ordinance. Motion by Mr. Carter, seconded by Mr. Yonce to provide an opinion from Mr. Cypen on the draft ordinance as written and Mr. Little to provide and impact on the draft by the first or second reading. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Mr. Carter and Mr. Little stated and reiterated that all the above clarifications would have to be provided, in writing by both the union and the city, to the pension board before he could prepare an impact statement. Mr. Lewis said he would get that to the board. Mr. Lewis said if Mr. Cypen could get an immediate response that it would help. Mr. Lewis left the meeting at 11:34 a.m. Lt. Eakins returned to the meeting at 11:35 a.m.; Officer Kerr returned to the meeting at 11:36 a.m.; Captain Kenney and Mr. Lancaster returned at 11:40 a.m.

4. Revision of Deferred Retirement Option Plan (DROP)-The board reviewed the letter of intent to file an injunction from Mr. Feldman concerning changes to the DROP. Mr. Cypen was telephoned at 12:20 p.m. He felt the board could not implement an extension in the term of the DROP as it had to be negotiated; however, the ministerial items were allowed by the board. Motion by Mr. Carter, seconded by Mr. Chapel to delete the 120-month extension, but to retain the remaining payment options with the DROP Guideline changes being retroactive to the current DROP participant. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Mr. Lewis said he felt the city didn't address either item. Mr. Lancaster said he didn't have a problem with the payout changes. Ms. Adams was asked to send a copy to the union presidents, the city and state.

5. City of Palm Bay Term Life Insurance Conversion for Retired Police Officers and Firefighters-Non-Compliance-This item is still pending City response.

6. Certification of Nomination for Election of Police Officer & Firefighter Elected Pension Representatives-Ms. Adams stated the only firefighter application submitted for the fire-elected position

was Mike Havener and that Coy Chapel did not reapply. Motion by Mr. Chapel, seconded by Mr. Carter to accept Mr. Havener's application as the new fire-elected trustee representative. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Mr. Carter disclosed a conflict of interest stating by voting he may be elected by default on the matter coming before the board on February 7, 2006 and filed Form 8B with Ms. Adams. Mr. Yonce stated that Mr. Lancaster did not follow the board's procedures that had been in place for several years and asked that Mr. Cypen be contacted. Ms. Adams was asked when she posted the nomination memo and Mr. Adams explained that he did about a month ago. He stated the memo had been posted in the same location as past notifications and that the East side office still had the 2004 memo on their board. He said monthly board minutes and agendas were posted in the same location; one being the FOP board located at the police department. He said as of Sunday, that memo was still on the FOP board. There was discussion about e-mail access and Mr. Adams stated he felt the pension web site would help with these issues in the future. He said he appreciated everyone attending today's meeting and their input for communication

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improvement. He said these were normal growing pains for a growing plan. Mr. Cypen was telephoned at 1:09 p.m. and advised all three trustees must vote. He said the only issue is that the board did not get back with Mr. Lancaster, even though he contacted the board by e-mail on Sunday. Mr. Cypen's call ended at 1:11 p.m. Mr. Adams passed the gavel to Mr. Carter. Motion by Mr. Chapel, seconded by Mr. Adams to accept applications, Mr. Lancaster's and Mr. Carter's. Motion carried with roll call vote as follows: Mr. Chapel, Yea; Mr. Adams, Yea; and Mr. Yonce, Yea. Mr. Carter abstained from the vote. Mr. Carter turned the gavel back over to Mr. Adams. Ms. Adams said she spoke to Mr. Cypen about the ballot process and it would be conducted by mailing ballots to each police plan member. Mr. Lancaster asked if Ms. Adams could come to the police department to take the votes and she declined. She said Mr. Cypen recommended the new mail-ballot procedure be implemented for all future trustees representative elections. The board agreed. Ms. Adams explained the process stating a separate post office box would be opened for receipt of the ballots and would be closed the day the ballots would be counted. A timeline was established. Ms. Adams stated she would prepare a memo for distribution to all sworn officers with instructions. Deputy Chief Nungesser said e-mail could be sent to Ms. Dipalo, Secretary to the Chief of Police, for forwarding to all sworn officers. Mr. Adams asked Mr. Carter and Mr. Lancaster if they wanted a representative to assist? Mr. Carter said he didn't and Mr. Lancaster asked Agent Greg LaTulippe if he would and he agreed. Motion by Mr. Chapel, seconded by Mr. Yonce to have the police fund cover all expenses related to the police ballot process. Motion carried with members voting as follows: Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Mr. Carter abstained from the vote. Mr. Little left the meeting at 1:30 p.m. Mr. Lancaster; Lt. Lt. Eakins; Deputy Police Chief Nungesser; Lt. Crispin; Lt. Abner; Captain Cristofaro; Officer Kerr; and Captain Kenney left the meeting at 1:32 p.m. The board recessed at 1:34 p.m. and reconvened at 1:44 p.m.

7. **Review of FPPTA School**-Mr. Adams said it was a good school. He and Mr. Yonce attended and it was a good conference. He visited Merrill Lynch's new office location.
8. **Office Lease Renewal**-Mr. Adams said it is being prepared for signature.
9. **Website Development**-Mr. Cypen is reviewing the contract. Motion by Mr. Carter, seconded by Mr. Yonce to approve the web site contract upon final review by Mr. Cypen. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea.
10. **Annual Retiree Affidavits**-Ms. Adams said all retirees responded; however, there were a couple that she had to meet because they did not have access to a notary. She stated this would be an annual procedure recommended by the board's auditors.

NEW BUSINESS:

All items of business marked with an asterisk were considered under Consent Agenda and enacted by the following motion: Motion by Mr. Carter, seconded by Mr. Chapel to approve the Consent Agenda with changes. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea.

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***1. Consideration of Warrants for Payment:**

- *a) Public Pension Professionals, Inc.-\$750.00-Clarifying Statement for \$89 Firefighter Supplement Benefit Using State Premium Tax Money (Fire Fund Only)-Approved**
- *b) Public Pension Professionals, Inc.-\$250.00-Statement of Premium Tax Money Available for Firefighter Additional Benefits (Fire Fund Only)-Approved**
- *c) Public Pension Professionals, Inc.-\$750.00-Statement of Premium Tax Money Available for Overtime for Police (Police Fund Only)-Approved**
- *d) Koch Reiss & Company, P.A.-\$7,000.00-Progress bill for Audit Work for Period Ending 9/30/05-Invoice #27119-Approved with change from \$7,000 to \$8,625.00.**

***2. New Plan Member Application, Member Beneficiary Changes and Pre-**

Retirement Death Benefit Option Selection Forms-The following Pre-Retirement Death Benefit Option Selection Forms were approved and accepted: Police Officers Alan D. Abner and Alexis Padua. A change in Beneficiary Form was approved and accepted on Police Officer Mark K. Fell.

3. Board Business-The board reviewed the League of Cities agenda with regard to pension issues. Ms. Adams said the board received a \$50 rebate from Office Depot and they asked that it be used for office supplies. Mr. Adams said he was still having problems with his laptop and that Dell said they would take it back and replace it with one of equal or greater value. Ms. Adams reminded everyone to update his or her school list with the FPPTA in order to keep his or her certification current. The City changed the date of its volunteer dinner and would be notifying each trustee later. Ms. Adams said she received a survey from Melbourne PD. It was completed and returned. Ms. Adams said postage expenses were going up, particularly with the annual retiree affidavits and ballot mailings, requiring petty cash to be replenished more frequently than quarterly. Motion by Mr. Carter, seconded by Mr. Yonce to lease a postage meter machine on a monthly fee basis and to charge for fees and postage on a reoccurring warrant to Mr. Adams' VISA. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea.

4. Upcoming Events-Educational Opportunities-Ms. Adams said the FPPTA was going to charge a \$100 recertification fee for the CPPT every three years; however, she did not know how it was going to be billed. No one was interested in attending the upcoming Division of Retirement School and table the JPMorgan Conference until March. Motion by Mr. Carter, seconded by Mr. Chapel to approve two trustees to attend the NCPERS Conference with registration, hotel, parking, per diem, mileage and normal expenses to be covered. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea. Motion by Mr. Carter, seconded by Mr. Chapel to approve two trustees to attend the Stars & Stripes Conference with registration, hotel, parking, per diem, mileage and normal expenses to be covered. Motion carried with members voting as follows: Mr. Carter, Yea; Mr. Chapel, Yea; Mr. Yonce, Yea; and Mr. Adams, Yea.

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5. Review of Correspondence:

a) **Monthly Bank Statement-STI, 12/31/05**-The market value of the SunTrust/Trusco Funds at 12/31/05 was \$55,231,101.58. The Grand Total of all the Funds, including International Funds at 12/31/05 was \$61,331,891.04.

b) **Monthly Statement- American Euro Pacific, 12/31/05**-The market value of the International Funds at 12/31/05 was \$6,100,789.46.


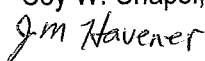
6. Deceased General Employee Retiree Theodore E. Demers-Mr. Demers is a general employee that died back in November. His spouse is 94 years old and her son is taking care of her affairs. She received payments for December and January erroneously as her son did not notify us of his father's death. Mr. Carter asked that a letter be sent requesting she refund the money.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 2:37 p.m.


Richard B. Adams, Chairperson

ATTEST:


Goy-W. Chapel, Secretary


ATTACHMENT: MR. RICHARD S. CARTER'S FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS.

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

LAST NAME—FIRST NAME—MIDDLE NAME CARTER, RICHARD S.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PACUM BAY POLICE & FIREFIGHTERS PENSION PLAN
MAILING ADDRESS PO BOX 100447	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY PACUM BAY	COUNTY BREVARD
DATE ON WHICH VOTE OCCURRED 020 706	NAME OF POLITICAL SUBDIVISION: MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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)