

Palmetto City Commission  
March 9, 2009 7:00 p.m.

Elected Officials Present:

Shirley Bryant, Mayor  
Brian Williams, Vice Mayor  
Tamara Cornwell, Commissioner  
Mary Lancaster, Commissioner  
Tambra Varnadore, Commissioner  
Alan Zirkelbach, Commissioner

Staff Present:

Mark Barnebey, City Attorney  
James R. Freeman, City Clerk  
Garry Lowe, Chief of Police  
Tanya Lukowiak, CRA Executive Director  
Tom McCollum, Interim Planner  
Allen Tusing, Public Works Director  
Diane Ponder, Deputy Clerk-Administration

Invocation by Pastor Charles Williams, King of Kings Baptist Church, followed by the Pledge of Allegiance.

Mayor Bryant presented Commissioner Zirkelbach a Certificate of Completion from the Institute for Elected Municipal Officers for completion of training held January 23-25, 2009.

Mayor Bryant and Chief Garry Lowe presented retired police officer Lorenzo McNeil a Certificate of Appreciation for his service with the Palmetto Police Department from May 8, 1986 to February 17, 2009.

PROCLAMATION: Autism Awareness Month 2009  
Accepting: Christina Irelan, Deputy Clerk II, City of Bradenton Beach

Swearing-in of all persons intending to address City Commission.

PUBLIC COMMENT: None

ORDER OF BUSINESS:

1. AGENDA APPROVAL

Attorney Barnebey requested that an item regarding City property on 17th Street at Lincoln Park be added to the agenda. Mr. Tusing requested that an item regarding City property at the entrance of the Public Works compound also be added to the agenda. In both cases, Manatee County is interested in acquiring the property to effect the widening of 17th Street.

**MOTION: Commissioner Williams moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve the March 9, 2009 7:00 p.m. agenda with the addition of items 15A and 15B as requested by staff.**

2. CONSENT AGENDA

- A) Minutes: February 23, 2009
- B) February Check Register
- C) Legal Fees: Kirk Pinkerton Litigation Billings  
Wendy Smith
- D) Special Function Permits: Palmetto Art Center Spring Art Show

Commissioner Cornwell removed item D for discussion.

**MOTION:** Commissioner Cornwell moved, Commissioner Lancaster seconded and motion carried 5-0 to approve items A, B and C of the Consent Agenda.

Gretchen Leclizio, applicant for the Palmetto Art Center Special Function Permit confirmed that the abutting property owner to the requested street closure is aware of the event and that he is also participating.

**MOTION:** Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve item D of the Consent Agenda.

### 3. VERIZON CELL TOWER AT HIDDEN LAKE PARK

**MOTION:** Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to authorize Verizon to proceed with due diligence study at the Option #1 cell tower site at Hidden Lake Park.

### 4. DEPARTMENT HEAD APPOINTMENTS

Mayor Bryant appointed Jim Freeman as City Clerk, Allen Tusing as Public Works Director and Garry Lowe as Police Chief for a term to run concurrent with her term.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 5-0 to approve the Mayor's Department Head appointments to run concurrent with the term of the Mayor.

### 5. CITY ATTORNEY APPOINTMENTS

Mayor Bryant appointed Mark Barnebey of Kirk Pinkerton as City Attorney for a term to run concurrent with her term.

**MOTION:** Commissioner Williams moved and Commissioner Cornwell seconded to approve the appointment of Mark Barnebey of Kirk Pinkerton as City Attorney.

Discussion: Mrs. Lancaster stated her belief there may have been a conflict of interest in doing business; at the Attorney General's advice she has sent the information to the Florida Bar. Discussion also ensued on the proposed fees as they related to the other submitted proposals and the term Mr. Barnebey's fees would be applicable. Mayor Bryant reviewed her estimate of time an attorney would spend on City business as a comparison between the proposals as well as the issues the appointed attorney faces. Commissioner Zirkelbach stated that as a matter of cost Mr. Barnebey's term should be shorter. Attorney Barnebey discussed the services his firm can provide and stated he has confirmed with the Mayor that they will look at the cost at a later date after some of the existing issues have been settled.

**MOTION:** Commissioner Williams moved and Commissioner Cornwell seconded to amend the motion on the floor to approve the appointment of Mark Barnebey of Kirk Pinkerton as City Attorney for a one year term. Motion carried 4-1. Commissioner Lancaster voted no.

### 6. INTERAGENCY AGREEMENT FOR INFORMATION-SHARING ON SELECT JUVENILES

Revised interagency agreement that was approved by City Commission January 26, 2009. Mayor Bryant suggested that if Commission approves the document it should be contingent upon the signature block conforming to the request the City made when the last document was presented for consideration. Chief Lowe reviewed the change to the document in section 2.3 requiring teacher notification of a juvenile placed in probation or commitment program for a felony offense. Discussion ensued on the accuracy of the named school district employee in section 2.3. Chief Lowe could not confirm the School District has approved the document. Attorney Barnebey confirmed the signature block for the School District is not the standard format. Chief Lowe requested to table the item until a later date so he can clarify the discussion points.

7. APPROVAL: WORK ASSIGNMENT #2 FOR 10TH ST. & 14TH AVE.

Approval of a work assignment to authorize Lombardo, Foley & Kolarik, Inc. to begin the engineering phase of the intersection improvements at 10th Street and 14th Avenue in preparation for the school relocation.

**MOTION: Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to approve the Lombardo, Foley & Kolarik, Inc. Work Assignment #2 for intersection improvements at 10th Street and 14th Ave. in an amount not to exceed \$77,500.**

8. APPROVAL: WORK ASSIGNMENT #3 FOR 10TH ST. & 10TH AVE.

Approval of a work assignment to authorize Lombardo, Foley & Kolarik, Inc. to begin the engineering phase of the intersection improvements at 10th St. & 10th Ave.

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to approve the Lombardo, Foley & Kolarik, Inc. Work Assignment #3 for intersection improvements at 10th Street and 10th Ave. in an amount not to exceed \$63,900.**

Mr. Tusing confirmed that both of the previous projects are grant funded with the exception of the engineering, which is the City's responsibility. He reviewed the proposed projects, including the improved traffic flow resulting from the turn lanes and total signalization of the intersections, and the additional sidewalks on the north side of 10th Street that will be installed as a joint venture with the school district as part of its safe route program.

9. RESOLUTION NO. 09-14

Budget amendment to recognize the Byrne Grant revenue for the Police Department radio purchase.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009, AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Cornwell moved, Commissioner Lancaster seconded and motion carried 5-0 to adopt Resolution No. 09-14.**

10. CITY COMMISSION POLICY 09-04-TELEPHONIC PARTICIPATION BY COMMISSION MEMBERS

Review and approval of Commission Policy 09-04 revised by City Commission on February 23, 2009. Attorney Barnebey confirmed that written notice includes email.

**MOTION: Commissioner Varnadore moved, Commissioner Williams seconded and motion carried 5-0 to adopt City Commission Policy 09-04.**

11. APPROVAL: CRA ADVISORY BOARD RULES OF PROCEDURE

Attorney Barnebey stated the procedures are largely the same rules that were in place for the CRA. He stated the issues of the meeting start time, the manner in which the Chair is appointed by Commission and the appointment of the Vice-Chair remain.

Discussion ensued with clarification of specific topics and amendments to the document as follows:

- Commission will have to establish if the CRA Advisory Board is a tool of the Commission or the CRA Board, and how that body will function.

- The CRA is a representative of the City, thus Commission appoints the Chair of the Advisory Board.
- The Advisory Board has the right to establish the time and location of its regular meeting. Section 1A, second sentence, was amended to read: The time and location of a regular meeting may be changed by a majority vote of the Advisory Board members present at a regular meeting.
- The CRA Advisory Board has the power to suspend, alter, amend or repeal the Rules of Procedure without CRA Board approval.
- The recently adopted ordinance establishes the Advisory Board membership criteria
- It is appropriate for the CRA Board to direct how the CRA Executive Director will support the CRA Advisory Board. The ordinance provides that the director shall serve as secretary to the CRA Advisory Board. Section E was added to the Rules and Procedures to read: The CRA Director shall serve as staff to the CRA Advisory Board.
- CRA Board Rules of Procedure will be provided at the first meeting of the board.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 5-0 to approve the Rules of Procedure for the Community Redevelopment Advisory Board; 1) under Section A, last sentence, strike the words "the immediately preceding" and insert the letter a, 2) Section D, add "The Vice-Chair of the Advisory Board, as its representative, shall be selected by the City Commission. If the City Commission has not selected a Vice-Chair, then the Advisory Board may select a Vice-Chair to serve until one is appointed by the City Commission." and 3) Add Section E to read "The CRA Director shall serve as staff to the CRA Advisory Board."

#### 12. CRA ADVISORY BOARD APPOINTMENTS (Mayor Bryant)

Mayor Bryant appointed Charles Smith to the CRA Advisory Board for a term ending January 31, 2012 and Webster N. Hayes for a term ending January 31, 2011. She also requested that Commission approve Charles Smith as Chair and Sia Mollanazar as Vice-Chair.

**MOTION:** Commissioner Williams moved and Commissioner Cornwell seconded to appoint Charles Smith for a term ending January 31, 2012 and Webster N. Hayes for a term ending January 31, 2011 to the CRA Advisory Board and appoint Charles Smith as Chair and Sia Mollanazar as Vice Chair.

Discussion: Mrs. Lancaster called attention to the fact that Mr. Smith and Mr. Hayes are related by marriage, stating it could be a conflict for two family members making decision on the same board. Mayor Bryant thanked Mrs. Lancaster and acknowledged she was not aware of the relation. She withdrew Mr. Hayes' nomination and nominated Betty Ann Price to the CRA Advisory Board for a term ending January 31, 2011.

Mayor Bryant acknowledged that Mr. Mollanazar has been on the CRA Board for over a year, questioning whether a member that has only been on the board for a month should be named Chair. Mayor Bryant spoke of Mr. Smith's experience on City Council and other boards and stated that in casual conversation with Mr. Mollanazar that he "did not seem to embrace that as much".

Commission discussed the fact that while Mr. Mollanazar, Mr. Smith and Mrs. Price either live in the City or own a business in the City, none of them live in the CRA District and suggested that the next two nominees should live within the district.

**MOTION:** Commissioner Cornwell amended the motion on the floor to replace Webster N. Hayes with Betty Ann Price, Commissioner Williams seconded.

**The motion on the floor to appoint Charles Smith for a term ending January 31, 2012 and Betty Ann Price for a term ending January 31, 2011 to the CRA Advisory Board and appoint Charles Smith as Chair and Sia Mollanazar as Vice Chair carried 4-1. Commissioner Lancaster voted no.**

**13. CHARTER COMMITTEE APPOINTMENTS (Mayor Bryant)**

Mayor Bryant requested Commission appoint Ron Witt, Chair, Darrell Woodie, Robert Rotondo, Cynthia Fobbs, Robert Smith, Bill Belle, Robert Anderson and Ray Dielman to the Charter Review Committee and under separate motion consider the appointments of Frank Brunner and Beverly Varnadore, family members of sitting Commissioners.

**MOTION: Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 5-0 to appoint Ron Witt, Chair, Darrell Woodie, Robert Rotondo, Cynthia Fobbs, Robert Smith, Bill Belle, Robert Anderson and Ray Dielman to the Charter Review Committee.**

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 4-1 to appoint Frank Brunner to the Charter Review Committee. Commissioner Cornwell abstained from the vote.**

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 4-1 to appoint Beverly Varnadore to the Charter Review Committee. Commissioner Varnadore abstained from the vote.**

**14. DISCUSSION: CELL PHONE POLICY**

Mr. Freeman reviewed how staff currently monitors employee cell phone usage; quarterly review with reimbursement to the City at eight cents per minute for personal calls. He discussed the allowance program municipalities are beginning to implement in response to closer scrutiny of fringe benefits (which applies to cell phones) by the IRS. Mr. Freeman stated that an allowance is paid to the employee but is not used to figure benefits or retirement. Mr. Freeman specifically identified the Alachua County cell phone policy as one he would like to consider because it sets criteria for deciding which employees should have a cell phone.

Commission requested the following information from staff:

- Cost to the City of an allowance program
- List of employees currently carrying cell phones and an explanation of why it is needed
- Poll of City employees carrying cell phones to determine which program they prefer and what they consider a fair allowance
- Spreadsheet using Alachua criteria; break down the staff by group
- Determination of who is responsible for reporting personal cell phone usage for tax purposes
- If personal phones are used, how will the City regulate personal usage

Mr. Tusing opined that if an employee is required to carry a phone and he is required to pay for his personal calls or his pay is grossed with an allowance for his personal phone, it is not a fringe benefit.

Chief Lowe stated his staff has indicated they do not have a problem purchasing a personal phone.

The topic will be brought back at a future meeting.

**15. DISCUSSION: LOCAL PREFERENCE**

Mr. Freeman stated this is an on-going effort to implement local support of vendors within the City. Manatee County has amended their purchasing policy to allow the purchase of items under \$250,000 without going out to bid with a formal proposal. He inquired if Commission was

interested in adjusting the City's purchasing policy to the same levels. Mayor Bryant and Commissioner Zirkelbach discussed the county's bidding process.

Mr. Freeman received direction as follows:

Create a standard bid scoring sheet so local preference can be given to local vendors  
Local businesses will be considered as city first, county second, others last.  
Commission favored the county levels but requested how the county determined the \$250,000 level (Attorney Barnebey stated it is a statutory level)

The topic will be brought back at a future meeting.

15A. TRANSFER OF 17TH STREET CITY OWNED PROPERTY AT LINCOLN PARK

Attorney Barnebey informed Commission Manatee County is requesting that the City transfer ownership by the sale of a 2,056 square foot piece of property on 17th Street at Lincoln Park for \$10. The acquisition will complete the additional right-of-way Manatee County needs for the 17th Street widening project. He suggested the transfer be contingent upon the confirmation the City is the owner of the property.

**MOTION: Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to approve the deeding of the property on 17th Street to Manatee County and authorize the Mayor to execute the deed, contingent upon verification of the ownership of the property.**

15B. TRANSFER OF 17TH STREET CITY OWNED PROPERTY AT THE PUBLIC WORKS COMPOUND

Mr. Tusing informed Commission Manatee County is requesting that the City sell a 5' x 40' piece of property at the entrance to the Public Works compound for \$1,600 and approve a temporary construction easement on a 30' x 40' piece of property at the Public Works yard. The acquisition will complete the additional right-of-way Manatee County needs for the 17th Street widening project

**MOTION: Commissioner Williams moved, Commissioner Lancaster seconded and motion carried 5-0 to approve and authorize the Mayor to execute the contract and all related documents to the conveyance of the deed and the temporary construction easement.**

16. 1st READING & ADVERTISING APPROVAL-ORDINANCE NO. 09-987

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, VACATING A PORTION OF 2<sup>ND</sup> AVENUE WEST RIGHT-OF-WAY SOUTH OF 12<sup>TH</sup> STREET WEST AS MORE PARTICULARLY DESCRIBED IN SECTION 2 OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Lancaster moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve Ordinance No. 09-987 for advertising and schedule a public hearing March 23, 2009.**

17. DEPARTMENT HEADS' COMMENTS

Mr. Tusing

Thanked the Mayor and Commission for his appointment.

Mr. Freeman

Commission meeting to review the CIP is March 10, 2009 at 5:00 pm.

Announced the City has received \$371,000 from Manatee County for the Jackson Park project. Mayor Bryant commended Mr. Tusing, Mr. Freeman and thier staff for seeing the Jackson Park project to its fruition.

Thanked the Mayor and Commission for his appointment.

Chief Lowe

Thanked the Mayor and Commission for his appointment.

Attorney Barnebey

Thanked the Mayor and Commission for his appointment.

Announced the City has received a notice from Manatee County regarding the expansion of its wastewater treatment plant on Erie Road. No action is required by the City.

Discussed the necessity to prioritize work assignments for the City and now the CRA. He asked that if there are any issues in the prioritization that they are taken up with the Mayor and the CRA Director.

18. MAYOR'S REPORT

Announced her office is working on the following issues:

Read a portion of President Obama's address to the Mayors of America, stating his objectives are also the objectives of her office and, she believes the Commission, regarding the transparency of government and its accountability to the taxpayers

A meeting was held with Manatee County today regarding 17th Street

Will meet this week with the Palmetto Elementary group of interested parties

Received news that at the state level, the City's MPO projects were deemed not fundable by federal funds; other avenues of funding are being sought. The state identifies Haben Blvd. as a local residential collector street, thus it does not meet federal criteria. Mr. Tusing stated he has conversed with FDOT concerning the street and FDOT will try to reassess the street, as the City is of the opinion it is a bypass street, especially when events occur on I75. Mayor Bryant intends to forward an article concerning the North River Fire District's action during the traffic crisis that resulted from the explosion on I75.

The Grants Coordinator is exploring the stimulus package for additional funding projects.

Conversation has occurred with Tropic Isles representatives regarding issues at that location. Information will be provided Commission.

Conversation has occurred with the association's presidents and vice presidents of Riviera Dunes regarding the barricades preventing westbound turns into the 7-11. Mr. Tusing stated they were placed because the turn lane was temporarily granted to Bel Mare during construction. The lane was barricaded after a serious accident. Tim Vinings has indicated action will begin to repair the median once he receives the City's requirements for the construction of the closure.

An individual has contacted the Mayor regarding the property the county has deeded to the City. The individual is interested in obtaining the property for the location of a church.

Manasota League of Cities will meet Thursday, March 12, at the Sarasota Chambers beginning 9:30 am and Commissioner Zirkelbach will be unable to attend.

Negotiations have been taking place with Mr. Wade regarding an access into City Hall off 7th Avenue. Mr. Wade is willing to work with the City and will bring a plan to Commission at a future meeting.

Manatee County representative Cherie Corea will present upgrades planned for Lincoln Park at the March 23, 2009 workshop meeting.

The CRA compliance audit will be presented at the first meeting of the CRA Advisory Board.

#### 19. COMMISSIONERS' COMMENTS

##### Ms. Varnadore

Requested a status report for reclaimed water. Mr. Tusing stated he is preparing a plan for distribution during low flow times. She commented on the wells Southwest Florida Water Management approved for Sanctuary Cove and suggested that Commission may need to look at allowing home wells. She stated she would support a plan

The check register showed payment for fencing at 17th Street Park. Mr. Tusing stated that for the safety of the children, the fence between the park and lake has been replaced.

Requested that the Police Department monitor the tennis courts as individuals are playing soccer at the location rather than at the soccer field.

Requested a brief summary of the issues that were discussed with the Riviera Dunes associations and Tropic Isles.

Mayor Bryant stated she will have Mrs. Roberts work on the mobile home park visit schedule.

Reported the Police Department building is being cleaned and painted.

##### Mr. Williams

Reported an abundance of weeds in the Estuary Park playground area.

Reported a resident has requested that the bandstand used during the July 4th festival be moved because of excessive noise. Mr. Tusing reported the Special Function Permit for the festival is being prepared; the area will be scaled back this year, the bandstand will be moved closer to the boat ramp and Riverside Drive will be closed only to 9th Avenue.

Thanked the department heads and attorney for the services they have provided and congratulated them on their appointments.

##### Mr. Zirkelbach

Thanked the department heads and stated that a unanimous approval for four years should carry a lot of weight of them.

Stated his comments about the term of the attorney were made in "good competition", they have nothing to do with Mr. Barnebey's lack of knowledge or integrity.

Thanked John Brown, a candidate for city attorney, recognizing his attendance at Commission meetings, and requested that he be considered should any conflict of interest with Attorney Barnebey arise. Mayor Bryant stated she has discussed that with Mr. Brown.

Stated people using the tennis courts on 10th Street in a manner that may be destructive are policed by his office during business hours.

Stated he looks forward to a plan concerning the City Planner's position. Mayor Bryant stated that overdue issues are being addressed by Mr. McCollum, who she commended on the job he has performed. Mr. Zirkelbach agreed with the Mayor, stating he hoped she would keep that in mind.

##### Ms. Cornwell

Stated she would also like to receive a summary of the meetings and would like notice of when meetings will occur so she can attend if possible to hear the discussions. Attorney Barnebey stated if the meetings are noticed Commission can attend. Mayor Bryant stated she will be speaking at Palmetto Elementary on Tuesday during their staff meeting. She stated one issue



the county is working with us is on salvaging the pool. Mayor Bryant stated Commission should advise her of the issues for which they want to be noticed.

Inquired if staff will be attending the SWFWMD meetings.

Staff was asked to contact the appropriate personnel to determine the policy for candy/beads being thrown at the Children's Parade.

Requested that Mr. Hayes be contacted to see if he is interested in serving on another board.

Chamber of Commerce requested information for new, small businesses for recognition and a possible award. Mrs. Lukowiak will research to determine if there are any in the City that qualify.

Mrs. Lancaster

Commented on her belief all City business is made public.

Stated that when a person is given the floor, the individual should be allowed to finish speaking.

Thanked the Police Department for the fabulous job being performed in the targeted area.

She read into the record a statement concerning her opinion of the action taken by Commission at the last meeting and the lack of public meetings concerning the topic.

Meeting adjourned at 10:00 pm.

Minutes approved: March 23, 2009

  
James R. Freeman  
City Clerk

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

LAST NAME—FIRST NAME—MIDDLE NAME Cornwell Tamara Kate	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Palmetto City Commission
MAILING ADDRESS 1732 17 <sup>th</sup> St. W.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Palmetto	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY Manatee	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 3-9-09	MY POSITION IS:
	<input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

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

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

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

\* \* \* \* \*

### ELECTED OFFICERS:

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

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

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

\* \* \* \* \*

### APPOINTED OFFICERS:

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

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

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

**APPOINTED OFFICERS (continued)**

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

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

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

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Tamara K. Cornwell, hereby disclose that on March 9, 20 09:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, husband \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

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

My husband has been placed on the City of Palmetto Charter Review Committee. The City attorney "Mark Barney", suggested it would be best for me to abstain from the vote although, there is no financial gain. Due to his recommendation, I abstained.

3-10-09  
Date Filed

Tamara K. Cornwell  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Varnadore, Tambara G</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>City of Palmetto Commission</i>
MAILING ADDRESS <i>1900-7th St. W.</i>	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      COUNTY <i>Palmetto, FL      Manatee</i>	NAME OF POLITICAL SUBDIVISION: 
DATE ON WHICH VOTE OCCURRED <i>3-9-09</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

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

\* \* \* \* \*

### ELECTED OFFICERS:

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

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

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

\* \* \* \* \*

### APPOINTED OFFICERS:

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

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

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

**APPOINTED OFFICERS (continued)**

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

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

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

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Tambra G. Varnadore, hereby disclose that on March 9, 20 09:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, mother-in-law \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

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

Beverly Varnadore, my mother-in-law, was on the original Charter Review Committee before I was elected to Commission. I have no financial gain by this action, but was advised by City Attorney to abstain from the vote.

3-10-09

Date Filed

Tambra G. Varnadore  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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

LAST NAME—FIRST, NAME—MIDDLE NAME <i>Cornwell Tamara Kate</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>City of Palmetto City Commission</i>
MAILING ADDRESS: <i>1732 17<sup>th</sup> St. W.</i>	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 <i>Palmetto</i>	COUNTY <i>Manatee</i>
DATE ON WHICH VOTE OCCURRED <i>3-9-09</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

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

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

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

\* \* \* \* \*

### ELECTED OFFICERS:

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

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

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

\* \* \* \* \*

### APPOINTED OFFICERS:

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

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

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

**APPOINTED OFFICERS (continued)**

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

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

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

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Tamara K. Cornwell, hereby disclose that on March 9, 20 09:

(a) A measure came or will come before my agency which (check one)

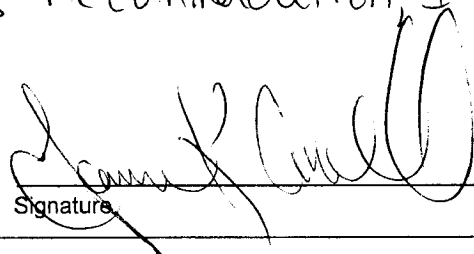
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, husband \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

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

My husband has been placed on the City of Palmetto Charter Review Committee. The City attorney "Mark Barney", suggested it would be best for me to abstain from the vote although, there is no financial gain. Due to his recommendation, I abstained.

3-10-09

Date Filed



Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Varnadore, Tamara G</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>City of Palmetto Commission</i>
MAILING ADDRESS <i>1900 - 7th St. W.</i>	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      COUNTY <i>Palmetto, FL      Manatee</i>	NAME OF POLITICAL SUBDIVISION: _____
DATE ON WHICH VOTE OCCURRED <i>3-9-09</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

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

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

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

\* \* \* \* \*

### ELECTED OFFICERS:

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

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

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

\* \* \* \* \*

### APPOINTED OFFICERS:

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

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

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



**APPOINTED OFFICERS (continued)**

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

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- You must disclose orally the nature of your conflict in the measure before participating.
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**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Tambra G. Varnadore, hereby disclose that on March 9, 20 09:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, mother-in-law \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

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

Beverly Varnadore, my mother-in-law, was on the original Charter Review Committee before I was elected to Commission. I have no financial gain by this action, but was advised by City Attorney to abstain from the vote.

3-10-09

Date Filed

Tambra G. Varnadore  
Signature

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