

**MINUTES OF MEETING  
FALLSCHASE  
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Fallschase Community Development District's Board of Supervisors was held on **Wednesday, June 7, 2017, immediately following the Landowners' Meeting at 1:00 p.m., at 2810 Remington Green Circle, Tallahassee, Florida 32308.**

**Present at the meeting were:**

Richard Yates	Chair
Rick Singletary	Vice Chair
William Lamb	Assistant Secretary
Albert C. Penson	Assistant Secretary

**Also present were:**

Craig Wrathell	District Manager
Howard McGaffney	Wrathell, Hunt & Associates, LLC
Kenza van Assenderp	District Counsel
Edward N. Bass	District Engineer
Max Beverly	Landowner Representative

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Wrathell called the meeting to order at 1:24 p.m. At the Landowners' Election, held prior to this meeting, Mr. Lamb and Mr. Phipps each received 374 votes and would serve four-year terms, and Mr. Penson, Mr. Singletary and Mr. Yates each received 373 votes and would serve two-year terms.

- **Administration of Oath of Office to Newly Elected Supervisors (*the following to be provided in a separate package*)**

**\*\*\*This item, previously the Third Order of Business, was presented out of order.\*\*\***

Mr. Wrathell, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Yates, Mr. Lamb, Mr. Penson and Mr. Singletary. The Oath of Office would be administered to Mr. Jeff Phipps at another time. Mr. Wrathell briefly explained the following items:

- A. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**

- B. Membership, Obligations and Responsibilities**
- C. Q & A**
- D. Chapter 190, Florida Statutes**
- E. Financial Disclosure Forms**
  - i. Form 1: Statement of Financial Interests**
  - ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - iii. Form 1F: Final Statement of Financial Interests**
- F. Form 8B – Memorandum of Voting Conflict**

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Elected Supervisors *(the following will also be provided in a separate package)***

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Q & A**
- C. Membership, Obligations and Responsibilities**
- D. Chapter 190, Florida Statutes**
- E. Financial Disclosure Forms**
  - i. Form 1: Statement of Financial Interests**
  - ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - iii. Form 1F: Final Statement of Financial Interests**
- F. Form 8B: Memorandum of Voting Conflict**

This item was presented following the First Order of Business.

- **Acceptance of Resignations Submitted By Previous Board Members**

**\*\*\*This item was an addition to the agenda.**

Mr. Wrathell stated that Management was in possession of the resignations submitted by the previous Board Members. One seat was vacant.

**On MOTION by Mr. Yates and seconded by Mr. Singletary, with all in favor, the resignations of Mr. Brett Dubois, Mr. Tim Marston, Mr. Mike Taggert and Mr. Chuck Vavrus, were accepted.**

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-01, Canvassing and Certifying the Results of the Landowners' Election**

Mr. Wrathell presented Resolution 2017-01. At the Landowners' Election, Mr. Lamb and Mr. Phipps each received 374 votes and would serve four-year terms, in Seats 1 and 2, respectively, and Mr. Penson, Mr. Singletary and Mr. Yates each received 373 votes and would serve two-year terms, in Seats 3, 4 and 5, respectively.

**On MOTION by Mr. Penson and seconded by Mr. Yates, with all in favor, Resolution 2017-01, Canvassing and Certifying the Results of the Landowners' Election, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-02, Electing the Officers of the District**

Mr. Wrathell presented Resolution 2017-02. Mr. Yates nominated the following slate of officers:

- |                  |                     |
|------------------|---------------------|
| Richard Yates    | Chair               |
| Rick Singletary  | Vice Chair          |
| Craig Wrathell   | Secretary           |
| Craig Wrathell   | Treasurer           |
| Jeff Pinder      | Assistant Treasurer |
| William Lamb     | Assistant Secretary |
| Albert Penson    | Assistant Secretary |
| Jeff Phipps      | Assistant Secretary |
| Howard McGaffney | Assistant Secretary |

No other nominations were made.

**On MOTION by Mr. Penson and seconded by Mr. Singletary, with all in favor, Resolution 2017-02, Electing the Officers of the District, as nominated, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of the Following Organizational Matters:**

**A. Revised Agreement for Management Services: *Wrathell, Hunt & Associates, LLC***

Mr. Wrathell presented the revised Wrathell, Hunt & Associates, LLC, Agreement for Management Services. The Agreement detailed the scope of services and associated fees. The fees related to issuance of bonds would only be incurred when bonds are issued.

**On MOTION by Mr. Penson and seconded by Mr. Lamb, with all in favor, the revised Wrathell, Hunt & Associates, LLC, Agreement for Management Services, was approved.**

**B. Agreement for District Counsel Services: *VanAssenderp Law***

Mr. Wrathell presented van Assenderp Law’s Agreement for District Counsel Services.

**On MOTION by Mr. Penson and seconded by Mr. Singletary, with all in favor, the van Assenderp Law Agreement for District Counsel Services, was approved.**

**C. Engagement of Moore Bass Consulting, Inc., as Interim District Engineer**

Mr. Wrathell presented the engagement letter from Moore Bass Consulting, Inc. (MBC), for Interim District Engineering Services. As Mr. Penson periodically represents MBC, he would abstain from voting. Mr. Penson completed Form 8B, Memorandum of Voting Conflict.

**On MOTION by Mr. Yates and seconded by Mr. Singletary, with Mr. Yates, Mr. Singletary and Mr. Lamb in favor and Mr. Penson abstaining, engagement of Moore Bass Consulting, Inc., as Interim District Engineer, was approved.**

**D. Authorization of RFQ for District Engineering Services**

Mr. Wrathell stated that the District was required to go through the Request for Qualifications (RFQ) process for District Engineering Services.

**On MOTION by Mr. Yates and seconded by Mr. Singletary, with all in favor, authorization for Staff to advertise a Request for Qualifications for District Engineering Services, was approved.**

**E. Resolution 2017-03, Appointing Registered Agent; Designating the Office or Location of the Registered Office; and Designating the Office or Location as the Office of Record**

Mr. Wrathell presented Resolution 2017-03. The resolution would be revised to designate Mr. Al Penson as the Registered Agent, the offices of the Penson Law Firm, P.A., as the Registered Office and the offices of the Penson Law Firm, P.A., as the Office of Record.

**On MOTION by Mr. Yates and seconded by Mr. Lamb, with all in favor, Resolution 2017-03, as amended, Designating Mr. Al Penson as the Registered Agent, the offices of the Penson Law Firm, P.A., as the Registered Office and Office of Record, was adopted.**

**F. Consideration of Resolution 2017-04, Designating the Location of the Local Records Office**

Mr. Wrathell presented Resolution 2017-04. The resolution would designate the offices of the Penson Law Firm, P.A., 2810 Remington Green Circle, Tallahassee, Florida 32308, as the Local Records Office.

**On MOTION by Mr. Singletary and seconded by Mr. Lamb, with all in favor, Resolution 2017-04, as amended, Designating the Penson Law Firm, P.A., 2810 Remington Green Circle, Tallahassee, Florida 32308, as the Local Records Office, was adopted.**

**G. Consideration of Resolution 2017-05, Granting the Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization**

Mr. Wrathell presented Resolution 2017-05. This would authorize the Chair to take appropriate actions, between Board meetings, during development.

**On MOTION by Mr. Singletary and seconded by Mr. Penson, with all in favor, Resolution 2017-05, Granting the Chair the Authority to Execute Real and Personal Property Conveyance and Dedication Documents, Plats and Other Documents Related to the Development of the District’s Improvements; Approving the Scope and Terms of Such Authorization, was adopted.**

**H. Adopting the Annual Meeting Schedule for Remainder of Fiscal Year 2016/2017**

Discussion ensued regarding adopting an annual meeting schedule. Mr. Wrathell stated that the July meeting would probably not be necessary.

**On MOTION by Mr. Penson and seconded by Mr. Singletary, with all in favor, setting the first Wednesday, each month, at 1:00 p.m., at this location, as the Annual Meeting Schedule for the remainder of Fiscal Year 2016/2017, was approved.**

**SEVENTH ORDER OF BUSINESS**

**Consideration of the Following Budgetary Matters:**

**A. Resolution 2017-06, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017 and Approving a Proposed Budget for Fiscal Year 2017/2018 and Setting a Public Hearing Thereon Pursuant to Florida Law; and Providing an Effective Date**

Mr. Wrathell presented Resolution 2017-06. This resolution included amending the Fiscal Year 2017 budget because expenditures exceeded budget and approving the proposed Fiscal Year 2018 budget and setting the Public Hearing. The Fiscal Year 2017 assessments were off roll; however, with the amended Fiscal Year 2017 budget, the remainder of the Fiscal 2017 expenses would be funded through Developer contributions, as needed. The Fiscal Year 2018

budget would be funded through Developer contributions, as expenses are incurred. Mr. Wrathell reviewed and explained the proposed Fiscal Year 2018 budget line items, the amounts budgeted and the reasons for increases over Fiscal Year 2017.

**On MOTION by Mr. Penson and seconded by Mr. Singletary, with all in favor, Resolution 2017-06, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017 and Approving a Proposed Budget for Fiscal Year 2017/2018 and Setting a Public Hearing Thereon Pursuant to Florida Law for September 6, 2017, at 1:00 p.m., at this location; and Providing an Effective Date, as amended, was adopted.**

*\*\*\*Mr. Lamb stepped out of the meeting and did not vote on the previous motion.\*\*\**

**B. Landowners’ Funding Agreement for Fiscal Year 2017/2018**

Mr. Wrathell presented the Fiscal Year 2017/2018 Funding Agreement. Operations would be Developer-funded, through funding requests. The following changes were made:

Page 1: Delete:

“CPP FALLSCHASE II LLC hereinafter referred to as “Landowner”;  
and  
FALLSCHASE COMMERCIAL PROPERTY OWNERS  
ASSOCIATIONS INC., hereinafter referred to as “Landowner”;

Page 4: Delete the “CPP FALLSCHASE II LLC AND FALLSCHASE COMMERCIAL PROPERTY OWNERS ASSOCIATION INC” signature blocks

*\*\*\*Mr. Lamb returned to the meeting.\*\*\**

**On MOTION by Mr. Penson and seconded by Mr. Singletary, with all in favor, the Landowners’ Funding Agreement for Fiscal Year 2017/2018, as amended, was approved.**

**C. Board Members Compensation: 190.006 (8), Florida Statutes**

Mr. Wrathell stated that Board Members were eligible to receive compensation of \$200 per meeting.

**On MOTION by Mr. Penson and seconded by Mr. Singletary, with all in favor, Board Member compensation of \$200 per meeting, was approved.**

**D. Resolution 2017-07, Adopting Prompt Payment Policies and Procedures**

Mr. Wrathell presented Resolution 2017-07. This resolution confirmed that the District would follow the Prompt Payment Policies and Procedures set forth in the Florida Statutes.

**On MOTION by Mr. Penson and seconded by Mr. Lamb, with all in favor, Resolution 2017-07, Adopting Prompt Payment Policies and Procedures, was adopted.**

**E. Confirmation of District’s Qualified Public Depository: Centennial Bank**

Mr. Wrathell stated that Centennial Bank was the District’s bank. For convenience, Management typically works with SunTrust.

**On MOTION by Mr. Penson and seconded by Mr. Lamb, with all in favor, Designating SunTrust Bank as the District’s Qualified Public Depository, was approved.**

**F. Resolution 2017-08, Designating the Authorized Signatories for the District’s Operating Bank Account(s)**

Mr. Wrathell presented Resolution 2017-08. The Chair, Vice Chair, Treasurer and Assistant Treasurer would be designated as authorized signatories on the District’s operating account and Mr. Wrathell must countersign all warrants and checks.

**On MOTION by Mr. Penson and seconded by Mr. Singletary, with all in favor, Resolution 2017-08, Designating the Authorized Signatories for the District’s Operating Bank Account(s), was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2016, Prepared by Grau & Associates**



Mr. Wrathell presented the Audited Financial Report for the fiscal year ended September 30, 2016. "Financial Highlights", on Page 3, reflected that the assets of the District exceeded its liabilities at the close of Fiscal Year 2016, resulting in a net position balance of \$8,372. The "Change in net position", on Page 7, reflected a decrease of \$18,596, compared to Fiscal Year 2015. The "Independent Auditor's Report On Internal Control Over Financial Reporting and on Compliance and Other Matter", on Pages 17 and 18, the "Independent Auditor's Report on Compliance with the Requirements of Section 218.415, Florida Statutes", on Page 19, the "Management Letter", on Page 20, and the "Report to Management", on Page 21, revealed no finding or instances of noncompliance. It was a clean audit.

**NINTH ORDER OF BUSINESS**

**Consideration of Resolution 2017-09, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2016**

Mr. Wrathell presented Resolution 2017-09.

**On MOTION by Mr. Lamb and seconded by Mr. Penson, with all in favor, Resolution 2017-09, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2016, was adopted.**

**TENTH ORDER OF BUSINESS**

**Authorization of RFP for Annual Audit Services**

Mr. van Assenderp recommended that the District advertise a Request for Proposals (RFP) for Annual Audit Services. The following change was made:

Paragraph 1, Line 6: Change "Collier" to "Leon"

**On MOTION by Mr. Singletary and seconded by Mr. Penson, with all in favor, authorizing Staff to advertise the Request for Proposals for Annual Audit Services, as amended, was approved.**

**ELEVENTH ORDER OF BUSINESS**

**Confirmation of the Following Previously Adopted Administrative Matters**

- A. Resolution 2009-1, Adopting Rules of Procedure**
- B. Resolution 2010-3, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy**
- C. Resolution 2014-4, Adopting Policies and Procedures Relating to the Public’s Opportunity to be Heard; Designating Public Comment Periods; Designating a Procedure to Identify Individuals Seeking to be Heard; Addressing Public Decorum; Addressing Exceptions; Providing for Conflicts, Providing for Severability and Providing an Effective Date**

Mr. Wrathell and Mr. van Assenderp reviewed and explained the previously adopted administrative items. No further action was necessary, at this time.

**TWELFTH ORDER OF BUSINESS**

**Consideration of the Following Bond Financing Related Matters:**

- A. Bond Financing Timeline and Checklist (*for informational purposes*)**

Mr. Wrathell stated that the timeline reflected the steps in the bond financing process.

- B. Bond Financing Team Funding Agreement**

Mr. Wrathell presented the Bond Financing Team Funding Agreement. The following changes were made:

Page 1 and throughout: Delete all references to “CPP FALLSCHASE II LLC” and “FALLSCHASE COMMERCIAL PROPERTY OWNERS ASSOCIATIONS INC.”

Page 5: Delete the “CPP FALLSCHASE II LLC AND FALLSCHASE COMMERCIAL PROPERTY OWNERS ASSOCIATION INC” signature blocks

**On MOTION by Mr. Penson and seconded by Mr. Lamb, with all in favor, the Bond Financing Team Funding Agreement, in substantial form, as amended, pending District Counsel and Staff revisions, and authorizing the Chair to execute, were approved.**

**C. Engagement of Bond Financing Professionals**

**i. Underwriters: *MBS Capital Markets***

Mr. Wrathell presented the Engagement Letter from MBS Capital Markets for Underwriter Services.

**On MOTION by Mr. Penson and seconded by Mr. Lamb, with all in favor, the MBS Capital Markets Engagement Letter, for Underwriter Services, was approved.**

**ii. Bond Counsel:**

Mr. Wrathell stated that Bond Counsel fees are approximately \$45,000 or more.

**On MOTION by Mr. Penson and seconded by Mr. Lamb, with all in favor, engagement of Mr. Fred Harris, of Greenburg Traurig, as Bond Counsel, pending receipt of engagement letter, and authorizing the Chair to negotiate and execute the engagement letter, were approved.**

**D. Consideration of Fee Schedule for Trustee, Paying Agent and Registrar Services**

This item was deferred.

**E. Engineer's Report**

Mr. Wrathell stated that the Engineer's Report would be presented at a future meeting.

**F. Special Assessment Methodology Report**

Mr. Wrathell stated that the Special Assessment Methodology Report would be presented at a future meeting.

**G. Resolution 2017-10, Expressing the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District's Jurisdictional Boundaries that May or Shall be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability and Invalid Provisions; Providing for Conflict and Providing for an Effective Date**

This item was deferred.

- H. Resolution 2017-11, Declaring Special Assessments Relating to the Proposed Issuance of Special Assessment Bonds, Series 2017; Indicating the Location, Nature and Estimated Total Cost of Those Improvements Whose Cost is to be Defrayed by the Special Assessments; Providing the Portion of the Estimated Total Cost of the Improvements to be Defrayed by the Special Assessments; Providing the Manner in Which Such Special Assessments Shall be Made; Providing When Such Special Assessments Shall be Made; Designating Lands Upon Which the Special Assessments Shall be Levied; Providing for an Assessment Plat; Adopting a Preliminary Assessment Roll; Providing for Publication of this Resolution; and Providing for an Effective Date**

This item was deferred.

- I. Resolution 2017-12, Setting a Public Hearing for the Purpose of Hearing Public Comment on Assessing, Imposing and Levying Non Ad Valorem Assessments (Relating to Special Assessment Bonds, Series 2017 Bonds) on Certain Property Within the District Generally Described as the Fallschase Community Development District in Accordance With Chapters 170, 190 And 197, Florida Statutes Providing that Such District Non Ad Valorem Assessments (Including Benefit Special Assessments, Maintenance Special Assessments and Special Assessments Authorized By Chapter 190 and Also By Chapter 170, Florida Statutes) Constitute a Lien on the Property From the Date of Imposition Until Paid Coequal With the Lien of State, County, Municipal and School Board Taxes; and Providing for an Effective Date**

This item was deferred.

- J. Resolution 2017-13, Authorizing the Issuance of Special Assessment Revenue Bonds, in One or More Series, for the Purpose of Financing the Construction and/or Acquisition By the District of the Public Improvements and Community Facilities Permitted By the Provisions of Chapter 190, Florida Statutes and the Ordinance Reestablishing the District on the Property, Upon Petition as Requested of the Predecessor Special District by the County Pursuant to Section 190.005(3), Florida Statutes; Approving a Form of a Master Trust Indenture; Approving and Appointing a Trustee; Authorizing the Commencement of Validation Proceedings Relating to the Foregoing Bonds; Authorizing and Approving Other Matters Relating to the Foregoing Bonds; and Providing an Effective Date**

This item was deferred.

**THIRTEENTH ORDER OF BUSINESS                      Approval of Unaudited Financial Statements as of April 30, 2017**

Mr. Wrathell presented the Unaudited Financial Statements as of April 30, 2017.

**On MOTION by Mr. Penson and seconded by Mr. Singletary, with all in favor, the Unaudited Financial Statements as of April 30, 2017, were approved.**

**FOURTEENTH ORDER OF BUSINESS                      Approval of Minutes**

- A.     September 27, 2016 Public Hearing and Regular Meeting**
- B.     November 1, 2016 Landowners’ Meeting**

**On MOTION by Mr. Penson and seconded by Mr. Lamb, with all in favor, the September 27, 2016 Public Hearing and Regular Meeting and November 1, 2016 Landowners’ Meeting Minutes, as presented, were approved.**

**FIFTEENTH ORDER OF BUSINESS                      Other Business**

There being no other business, the next item followed.

**SIXTEENTH ORDER OF BUSINESS                      Staff Reports**

**A.     Attorney**

At the next meeting, Mr. van Assenderp would explain the purpose of the District and the Board’s responsibilities and requested that this item be included on the next agenda. Mr. van Assenderp noted that, in addition to District Counsel, he would serve as Issuance Counsel and his fees for services related to the bond issuance would be paid from the bond proceeds.

**B.     Engineer**

There being no report, the next item followed.

**C.     Manager**

- i.     0 Registered Voters in District as of April 15, 2017**

There were zero registered voters residing within the boundaries of the District as of April 15, 2017.

**SEVENTEENTH ORDER OF BUSINESS**

**Audience  
Requests**

**Comments/Supervisors**

There being no audience comments or Supervisors' requests, the next item followed.

**EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Mr. Penson and seconded by Mr. Lamb, with all in favor, the meeting adjourned at 3:05 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



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Secretary/Assistant Secretary



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Chair/Vice Chair

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

LAST NAME—FIRST NAME—MIDDLE NAME <b>PENSON ALBERT CRAIG</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>FALLOEMASE CDD</b>	
MAILING ADDRESS <b>2810 Remington Green Circle</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <b>Tallahassee</b>	COUNTY <b>Leon</b>	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <b>6/7/17</b>		NAME OF POLITICAL SUBDIVISION: <b>FALLOEMASE CDD</b>	
		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 to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

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

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

\* \* \* \* \*

### ELECTED OFFICERS:

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

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

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

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)



**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, Albert C. Penson, hereby disclose that on June 7, 20 17

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

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of MOORE BASS CONSULTING, by whom I am retained <sup>FROM TIME TO TIME</sup> or \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

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

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

6/7/17  
Date Filed

Albert C. Penson  
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.