

Ethics Continuing Education

Sponsored By: Ridge League of Cities, Inc.

*Chain of Lakes Complex
210 Cypress Gardens Blvd. SW
Winter Haven, FL 33880
February 7, 2015
12:30 p.m. - 5:15 p.m.*

Agenda

- 12:30 p.m. Check in with Ruthanne and Linda
Contact: rstonewall@polk.edu or 863-669-2328
- 12:45 p.m. Welcome
Deric Feacher, City Manager, Winter Haven

JP Powell, Commissioner, Winter Haven
Vice President, Ridge League of Cities

Introductions
Mark R. Sittig, Member Services Manager
Florida League of Cities
- 1:00 p.m. Florida's Ethics Laws
Wayne Rubinas, Attorney, Tallahassee
- 3:00 p.m. Break
- 3:15 p.m. Public Meetings (Sunshine Law) and Public Records
Wayne Rubinas, Attorney, Tallahassee
- 5:15 p.m. Adjournment

From: [Koos, Kelly](#)
To: bpartin@auburndalefl.com; jkerr@auburndalefl.com; slowrance@auburndalefl.com; dclark.clerks@cityofbartow.net; jpoole.clerks@cityofbartow.net; pnorthup@bowlinggreenfl.org; tackroyd@clermontfl.org; rcastillo@mydavenport.org; dware@townofdundee.com; cityclerk@eaglelake-fla.com; sadelt@cityoffrostproof.com; abrown@cityoffortmeade.com; fhilliard@cityoffortmeade.com; mnewman@cityoffortmeade.com; rhernandez@hainescity.com; mhammond@hainescity.com; clerk@highlandpark-fl.org; clerk@highlandpark-fl.org; townofhillcrestheights@netzero.com; lbourgeois@mylakealfred.com; sara@townoflakehamilton.com; margaret@townoflakehamilton.com; [Clara VanBlargan](mailto:ClaraVanBlargan); [Jennifer Nanek](mailto:Jennifer.Nanek); [Cason, Deborah](mailto:Cason,Deborah); [Koos, Kelly](mailto:Koos,Kelly); [Harris, Steven](mailto:Harris,Steven); slauther@cityofmulberryfl.com; kmiller@plantcitygov.com; patricia.jackson@mypolkcity.org; sheandolen.dunn@mypolkcity.org; kathyhaley@mysebring.com; bowen@mywinterhaven.com; vcastillo@mywinterhaven.com; loriedwards@polkelections.com; barbaraosthoff@polkelections.com; cathybridges@polkelections.com; christinegoding@polkelections.com; rachelharris@polkelections.com; pjeiva@polkelections.com; lyzettebryant@polkelections.com; gmichaelsen@verizon.net; lclark0077@gmail.com; lweldon1@tampabay.rr.com; mckenzie3208@aol.com; johnsondtl7@yahoo.com
Subject: Ethics Training for Elected Officials
Date: Friday, January 23, 2015 1:59:02 PM

Good Afternoon!

I saw this info in the City Manager's newsletter from Ken Small. I'm sure you will find it useful.

Kelly

Continuing Education in Ethics

Getting the training and continuing education you need has never been easier! You may be aware of the new state law requiring all elected municipal officers to receive four (4) hours of ethics-specific training. FLC University is offering the state-required Continuing Education in Ethics at NO COST to members. This law went into on effect January 1, 2015, and no prior training will be counted. Only training taken after January 1 and within the calendar year will count toward the requirement. FLC University will be providing both online and in-person courses to meet the requirement.

There will be no charge to attend if the individual is an elected official of an FLC-member municipality. The law specifies that the four hours be taught with these components:

- » Two hours of Florida Ethics Law (Chapter 112, Florida Statutes)
- » One hour of Open Meetings (Chapter 286, Florida Statutes)
- » One hour of Open Records (Chapter 119, Florida Statutes)

Every local league (and city if they are not in a local league) will have the opportunity to schedule a regional workshop that offers the hours of ethics-specific training now required for each city official under Chapter 112. 3142, Florida Statutes. The way that this will be documented is there will be, as of January 2016, a box on the municipal (Form 1) financial disclosure filing document that indicates the continuing education has been completed. It will be the responsibility of the municipal officer (includes elected clerks, police chiefs) to keep records on the completion of these courses.

If a person is elected for the first time in the first months of the year, they have until 2016 to complete the continuing education. The FLC is not the only provider of this training, but we do want to make sure that all our members have the opportunity to receive this information free of charge either locally or at the annual and legislative conferences.

We are planning on holding as many of these courses throughout the state as requested. We are partnering with the Local and Regional Leagues to provide the events at no cost to members, and are also planning to make this training available via webinars in March.

Upcoming Regional Workshops (click on location desired)

January 23 - Daytona/Volusia Airport

February 7 - Winter Haven

February 11 - Port St. Lucie

February 26 - Crestview

March 13 - Lake County

March 16 - Tallahassee

April 23 - Panama City Beach

April 29 - Vero Beach

May 21 - Winter Park

June 17 - Lake Worth

In conjunction with the John Scott Dailey Institute of Government, the League also offers online continuing education in ethics for local elected officials throughout the year.

For more information about continuing education in ethics, contact Carol Westmoreland at cwestmoreland@flcities.com or (850) 701-3608.

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primarily benefit low- and moderate-income families. This section of the bill was drafted in cooperation with the DEO and was a League priority. Other provisions of the bill rebrand what are currently known as “rural areas of critical economic concern” as “rural areas of opportunity.” The bill also revise the administration of all loan programs administered under the DEO to increase accountability. The loan programs would include the Rural Community Development Revolving Loan Program, Economic Gardening Business Loan Pilot Program and the Black Businesses Loan Program.

In addition, the substance of **CS/CS/SB 1480** (see page 23), creating the Florida Microfinance Act, was added to the bill. This language, a League priority, provides entrepreneurs and small businesses in Florida access to business loans through the creation of two programs: a loan program and a guarantee program. Under the loan program, the DEO will competitively award funds for up to three eligible loan administrators who will in-turn provide a 1:1 match to make short-term, microloans of up to \$50,000 to entrepreneurs and small businesses. Under the guarantee program, Enterprise Florida, Inc., will utilize state funds to guarantee loans made by private lenders to entrepreneurs and small businesses in Florida.

Unfortunately, **CS/HB 7023** also extends the expiration of permits issued by the Department of Environmental Protection, water management districts, local building permits and local government development orders for two years. The permit extension granted by this bill may not exceed four years in total and is in addition to any existing permit extension granted by similar legislation in 2010, 2011, 2012 and 2013. The holder of a valid permit or other authorization that is eligible for the two-year extension must notify the authorizing agency in writing by December 31, 2014, identifying the specific authorization for which the holder intends to use the extension and the anticipated timeframe for acting on the authorization. Effective July 1, 2014. Chapter No. 2014-218. (Cruz)

Special Districts

CS/CS/CS/SB 1632 (Stargel) increases the accountability and transparency of special districts by authorizing the governor to suspend members of the governing body of special districts. The bill prohibits an inactive special district from collecting taxes, fees or assessments. The bill also requires all special districts to create and maintain a website by October 1, 2015. Dependent special districts may use the website of the local government that created them. Effective July 1, 2014. Chapter No. 2014-22. (Cruz)

TRANSPORTATION & INTERGOVERNMENTAL RELATIONS

Automated License Plate Readers

CS/CS/SB 226 (Brandes) creates a public records exemption for images obtained through the use of an automated license plate recognition system and the personal identifying images associated with such images. Effective July 1, 2014. Chapter No. 2014-170. (Padgett)

Department of Transportation — Outdoor Advertising

CS/CS/HB 1161 (Goodson) is the Florida Department of Transportation’s (DOT) comprehensive outdoor advertising bill. Of interest to municipalities, the bill retains existing language prohibiting local governments from regulating public information systems (billboards) on water management district property. The bill also removes a requirement that the DOT conduct a survey of property owners affected by the construction of a noise-attenuation barrier regarding the proposed barrier’s impact on existing outdoor advertising signs. Effective July 1, 2014. Chapter No. 2014-215. (Padgett)

Ethics

CS/CS/CS/SB 846 (Latvala) relates to various aspects of governmental ethics.

- ▶ Beginning January 1, 2015, elected municipal officers must obtain four hours of ethics and sunshine law training on an annual basis (this is a current requirement for state- and county-level elected officials). For all elected officials subject to the training requirement, if the elected official assumes office or a new term of office on or before March 31, the official must fulfill the training requirement before the following December 31. Those assuming office after March 31 are not required to complete the training for the calendar year in which the term of office began.
- ▶ Beginning January 1, 2015, elected officials required to participate in annual ethics and Sunshine Law training must certify their participation on their full and public disclosure of financial interest forms. Failure to certify completion of the annual ethics and Sunshine Law training on a disclosure form does not constitute an immaterial, inconsequential or de minimus error or omission.
- ▶ The bill expands the circumstances under which a member of a board, commission or agency may abstain from voting if there is, or may be, a conflict

of interest under more stringent local standards of conduct and allows for disclosure of the conflict. The bill also allows for abstention when a member is participating in a quasi-judicial proceeding and the abstention is to assure a fair proceeding.

- ▶ The Commission on Ethics is authorized to initiate an investigation and hold a public hearing without a complaint having been filed if an individual fails to file the disclosure of financial interest for any year and the maximum automatic fine has been imposed upon the individual.
- ▶ Citizen support and direct-support organizations are required to adopt a minimum code of ethics and post the ethics code on the organization's website.
- ▶ A person is prohibited from lobbying a water management district until the person registers as a lobbyist. The bill provides various registration and reporting requirements.
- ▶ Members and employees of various entities, including the Florida Clerks of Court Operations Corporation, Enterprise Florida, Inc., Citizens Property Insurance Corporation, and the Florida Development Finance Corporation, are made subject to specified provisions of the code of ethics.
- ▶ For an expressway authority in Miami-Dade County, a lobbyist is prohibited from serving as a member of the expressway authority; lobbying restrictions are applicable to members and the executive director of the authority; the authority's general counsel is made the authority's ethics officer; lobbying restrictions are imposed for authority board members, employees and consultants; and various disclosures and reporting are required. Additionally, the authority must update its code of ethics, and the authority must provide ethics training.
- ▶ The bill does NOT prohibit an elected municipal, county or school board officer from registering as a lobbyist for purposes of lobbying either the Legislature or state agencies on behalf of a person or entity other than his or her political subdivision.

Effective: July 1, 2014. Chapter No. 2014-183. (Conn)

Municipal Governing Body Meetings

CS/CS/SB 730 (Galvano) authorizes the governing body of a municipality to hold joint meetings with the governing body of the county in which the municipality is located when there are matters of mutual interest. In addition, a municipality is permitted to meet in another municipality to discuss matters of mutual interest. The time and place of the meetings must be prescribed by ordinance or

resolution. Effective July 1, 2014. Chapter No. 2014-14. (Padgett)

Security of Confidential Personal Information

CS/CS/SB 1524 (Thrasher) creates the "Florida Information Protection Act of 2014." The bill requires governmental entities, including municipalities, to give notice to affected customers and the Department of Legal Affairs (DLA) when a breach of security of personal information occurs. The bill requires such notice to be given within 30 days of the discovery of the breach or belief that a breach occurred, unless delayed at the request of law enforcement for investigative purposes or for other good cause shown. The bill provides enforcement authority to the DLA under the Florida Deceptive and Unfair Trade Practices Act to civilly prosecute violations. Violators may also be subject to civil penalties, similar to current law, if breach notification is not provided timely. Governmental entities, including local governments, are required to provide notification of security breaches to the DLA, but are not liable for civil penalties for failure to timely report the security breaches. The bill provides exceptions for those entities that comply with breach notifications as required by the appropriate federal regulator. The bill also requires the DLA to submit an annual report to the Legislature, by February 1 of each year, detailing any reported breaches of security by governmental entities or their third-party agents for the preceding year, along with any recommendations for security improvement. The report must also identify any governmental entity that has violated the breach notification provisions. Effective July 1, 2014. Chapter No. 2014-189. (Padgett)

Transportation

CS/CS/CS/SB 218 (Grimsley) permits the Florida Department of Transportation (DOT) to pay the cost of relocating municipally owned utilities under limited circumstances. The bill also exempts from the permitting process local tourist-oriented development signs, temporary harvest season signs, acknowledgement signs on public school property and certain signs on sports facilities. **CS/CS/CS/SB 218** includes League-supported language that allows municipalities in certain rural areas to compete for funding under the DOT Small County Outreach Program. Effective July 1, 2014. Chapter No. 2014-169. (Padgett)

Transportation

HB 7175 (House Economic Affairs Committee) combines provisions from several other transportation bills. The