

Board Member Training



**Social Media
Ethics/OIG
Sunshine Law
Public Records
Essentials**

**Kathy Mehaffey
January 14, 2025**

The background features a bright sun on the right side, with numerous rays of light extending across the frame. A dark, circular planet is positioned in the center-left, partially overlapping the sun's rays. The entire scene is set against a dark, star-filled space background. The text 'Florida Sunshine Law' is overlaid on the planet and sun area.

Florida Sunshine Law

Sunshine Law – Open Meetings

Public Observation and Input - Why does it matter?

“Every meeting . . . should be a marketplace of ideas, so that the governmental agency may have sufficient input from the citizens who are going to be affected by the subsequent action of the municipality.”

Town of Palm Beach v. Gradison, 296 So. 2d 473, 475 (Fla. 1974)

Sunshine Law – Open Meetings

Public Observation and Input - Why does it matter?

- Promotes confidence in government
- Prevents governmental abuses
- Helps the public understand and evaluate:
 - the decision-making process
 - how government decisions will impact their own lives and the community around them

Sunshine Law –

Section 286.011 Florida Statutes

- What is a “Meeting”?
 - Two or more members of the same commission, board or committee
 - Discussing *anything* that could *potentially* come before that commission, board or committee
 - Quorum not required

Sunshine Law – What is a “meeting”?

- Location and formality irrelevant:
 - Passing conversation on the street
 - Coffee in the kitchen
 - Inaudible discussion on the dais
- Can be in writing:
 - Email, Facebook, TEXTS
 - Never “Reply All”
- Can be indirect:
 - The public
 - Staff
- No polling allowed

Sunshine Law – Scope of subject matter for a “meeting”?

- Any matter which *foreseeably* could come before the board for consideration:
 - Anything related to revisions to City Charter
- Excludes personal discussions
- Can attend other meetings, even with more than 1 board member – but ...

Sunshine Law – What doesn't apply

- Conversations with City staff (unless delegated a policy-making function or part of a committee ranking or recommending an action)
- Not an individual Commissioner or Board Member, unless delegated authority to act
- Not private entities receiving public money, unless delegated governmental power

Sunshine Law – It's a meeting – what's required?

- **Notice** – Posting (Broward County – 48 hours or as soon as practicable)
- **Place** – open and reasonably accessible to the public
- **Minutes** required (recording optional)

Sunshine Law –

There are consequences! Even if accidental!

- Invalidation of the action taken
- Imprisonment
- Fines
- Removal from office by Governor
- Attorney's fees
- Civil actions
- Harsher penalties if it occurs out of City

Sunshine Law – Oops!

There are consequences!

Florida Citizens Alliance, Inc. v. Collier County School Board

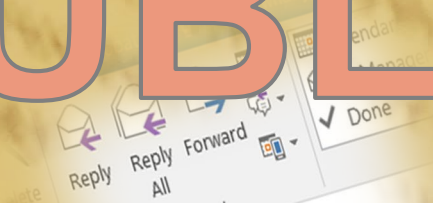
328 So.3d 22 (Fla. 2d DCA 2021)

Textbook committee met (without notice, minutes, or public access) and submitted textbook recommendation reports to the School Board. The School Board held two meetings to consider the reports and ultimately approved all books except one.

- The textbook committees' evaluation and ranking "helped to crystallize the decision" to be made by the School Board.
- The School Board failed to give reasonable notice for the textbook committee meetings.
- The two public School Board meetings did not cure the textbook committees' Sunshine Law violations.

Florida Sunshine Law Questions

PUBLIC RECORDS



2022 AM Hosky <clau@tech... ices for Sta...
webinar...
athryn
download pictures. To help protect your p... book p...

Webinar (Complimentary), Monday 5/3, CPE Credit
Discussion with State Technology Leaders

... acclimates to the new normal, buildings may
... week on Monday-Thursday at 2:00 pm ET for
... quality of digital citizen services. (Note: If the tim
... will receive a Training Certificate for 1 CPE Credit
... DC.



Public Records Law – Chapter 119, Florida Statutes Whose Documents?

- All governmental officials
- All governmental employees
- Private entities may be covered

Public Records Law – Chapter 119, Florida Statutes

- Made or received in connection with official City business (***anything*** relating to City business).
- Intended to *communicate, perpetuate or formalize knowledge*.
 - Capacity as governmental official is key.
 - Location is irrelevant.
 - Grocery list in City computer.
 - Program recommendation from a neighbor sent to private email or home address.

Public Records Law – Which Documents?

All documents related to City business:

- Emails
- Texts
- Anonymous letters
- Calendars related to City business
- Anything meant to communicate, formalize or perpetuate knowledge
- ❖ Excludes aids to memory and notes that are not kept or circulated

Public Records Law – Which Documents?

- Products that are NOT INTENDED to perpetuate knowledge, such as your own notes and rough drafts (for your own use), are not public records. *Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc.*, 379 So.2d 633, 640 (Fla. 1980); *The J. Coalition v. The First Dist. Ct. of App. Jud. Nominating Commn.*, 823 So. 2d 185, 186 (Fla. 1st DCA 2002).
- If the document is circulated (internally or outside the City), it becomes a public record because it is now perpetuating, communicating, or formalizing knowledge. *Florida Sugar Cane League, Inc. v. Florida Department of Environmental Regulation*, No. 91-4218 (Fla. 2d Cir. Ct. June 5, 1992); AGO 05-23.

Public Records Law – How do we know it's a Public Record?

- **Content** and **Speaker** determine if a communication is a public record, not the device or platform that was used to create or send the message
- **Ownership** or **Control** of the device or platform matter, but are not decisive

Public Records Law – Exceptions to *disclosure*?

- Statutorily created
- Numerous - All public record requests should be forwarded to the City Clerk and City Attorney so the City can review and respond timely

Publicrecords@coconutcreek.net

Public Records Law – Consequences!

Personal

- Knowing violation:
 - ✓ Suspension, removal or impeachment
 - ✓ Criminal: Up to one year in prison and/or up to a \$1,000 fine).
- Non-knowing violation:
 - ✓ Up to \$500 fine.

City

- Attorney fees and costs.
- Must pay fees/costs even after record produced if they had to file suit to get it.

Public Records Law –

Lorenzo v. City of Venice

2009 WL 262694 (Fla.Cir.Ct.) (Trial Order)

- Request for emails, including private email accounts.
- Produced emails identified *unproduced* records.
- Court ordered seizure and forensic examination of personal home computers .
- Subpoena of records of internet service providers.
 - ✓ Refusal to turn over records.
 - ✓ Destruction of public records.
 - ✓ Use of secret code names to hide records.
 - ✓ Total legal fees paid by City for both sides - over \$1,000,000 plus interest.

Sunshine Law – Public Records

Scenario:

During a meeting, a board member points at papers on their desk, and asks a nearby board member a question about the papers being discussed.

Is their discussion subject to the Sunshine?

Is this a meeting?

If this is a meeting, is it legal?

Public records implications?



Sunshine Law – Public Records

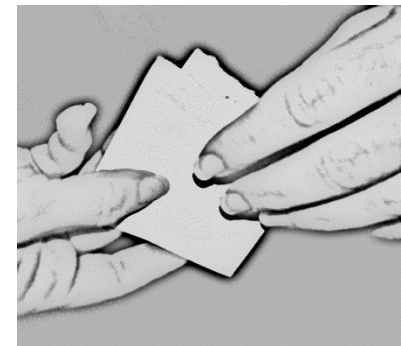
Scenario:

A board member passes a note to another board member during a meeting.

Is this a meeting?

Is the note a public record?

What about a text?



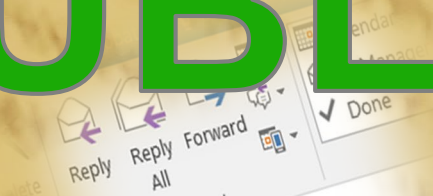
Public Records Law

Sunny Isles Beach v. Gatto,

338 So. 3d 1045 (3rd DCA 2022)

- City resident brought action against City and City Commissioner to enforce her request for text messages sent or received by a certain Commissioner during City Commission meetings.
- The Court determined that Commissioner's texts sent to resident, which discussed City business and procedures and also made unflattering remarks about a fellow Commissioner were subject to Florida's public records laws and must be provided, while texts to husband during meeting were not subject to public records laws and did not have to be provided.

PUBLIC RECORDS QUESTIONS



2022 AM
Claud Hosky <claud@ted...>
webinar
athryn
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... week on Monday-Thursday at 2:00 pm ET for...
... quality of digital citizen services. (Note: If the tim...
... will receive a Training Certificate for 1 CPE C...
... DC.



People You May Know



Shannon Scott
4 mutual friends
Add friend

Meredith Vegetard asked a question · STEF Mastery
This has been a work in progress / process...
Coast organization.
Those of you with appeal settings in your coast...
How do you organize / maximize space? · See More



SOCIAL MEDIA

DON'T PLAY THE GAME...

DUCK DUCK GO  



Social Media Can:

- Be an asset to the City
- Help build a positive City Brand
- Promote City programs
- Promote City events
- Provide direct communication to residents and customers

City of Coconut Creek Social Media Policy

First Amendment

Government has limited ability to impose restrictions:

1. Time
2. Place
3. Manner

- *Cornelius v. NAACP Legal Defense and Educational Fund*, 473 U.S. 788 (1985).

Social Media Legal Issues

- First Amendment
- Open meetings
- Public records
- Accessibility
- Copyright
- Bad behavior

First Amendment

General Legal Principles

- Regular citizens can block or delete anyone they want from social media
- First Amendment limits the ability of government officials “**acting under color of state law**” (versus acting in a personal capacity) from blocking or deleting people or messages
- People or messages may not be blocked or deleted based on **viewpoint** in a limited public forum

First Amendment

- What do the cases indicate?
 - No blocking in a government forum.
 - **Blocking will always be viewpoint based.**
 - No deleting messages, even if controversial or attacking.
 - Deleting an *off-topic* message (*IF* rules exist to delete off-topic messages) might be okay .
- Blocking people from social media is consistent with other court cases prohibiting government officials from banning citizens from a particular channel of speech (i.e. Public Meetings).

Davison v. Randall and Loudon County Board of Supervisors¹

- Randall had a “Chair Phyllis J. Randall” Facebook page
- Davison complained about School Board corruption on Randal’s Facebook page
- Randall banned Davison from her page – for 12 hours
- Key issue - was she acting under color of state law?

Davison v. Randall

- ❖ Factors in favor of ‘under color of state law’
 - The title of the page included Defendant’s title
 - The page categorized as that of a government official
 - The page contact information includes Defendant’s official County email address, telephone number and web address of County website
- ❖ Viewpoint discrimination here!

Davison v. Plowman¹

- Davison - now commenting on the District Attorney's Facebook page
- In response to the District Attorney's post about special prosecutors Davison posted about the failure of the school district to respond to a public records request
- District attorney deleted Davison's comment
- Loudon County District Attorney's office social media policy specifically stated off-topic comments could be deleted
- District Attorney's office ultimately blocked Davison from the Facebook page for routinely posting off-topic comments

Davison v. Plowman

Court gave the District Attorney qualified immunity for banning Davison

- Davison had no clearly established First Amendment right to continue posting *after repeatedly violating the rules*
- **Case would have been decided differently if the rules were not established and published on the page**

Social Media and the Sunshine Law

- Can't have two (2) or more board members posting about the same government business
- It's a meeting! It's a Sunshine violation!
- "Liking" a post about a government matter can be viewed as communication in violation of the Sunshine law
- Can inadvertently create "legislative history" by making statements against the government's interest
- Don't underestimate this issue!
- Public and colleagues use violations of open meetings/Sunshine laws to "get" others

Social Media and Open Communication

- Individual pronouncement of a position outside of a public hearing can invalidate a quasi-judicial decision
- Social media can put officials in contact with people they should not be in contact with
- Waive the attorney client privilege
 - Don't complain about your legal problems on line!
- If you decide to engage with a member of the public, review the comments to ensure another board member has not already engaged

Social Media and Public Records

- Some/all social media postings may be public records INCLUDING:
 - Twitter
 - Facebook
 - Instagram
 - Snapchat
 - TikTok

Social Media and Public Records

- Public records must be **retained** and **made available** to the public
- Local governments must know about, have access to, and actually search all city commission or board member social media pages if they get a public records request and responsive posts might be in social media

Social Media and Public Records

- Make sure that, if a public records request is made, you have the ability to produce those records.
- City Clerk has records retention information – how long each type of record must be maintained.
- Retention is based on content so not the same for all records in a specific medium.
- Public records laws have many exceptions.
- Some government information is protected by privacy statutes.
- Rather than guess, ask the City Attorney's Office.

Azure Development, LLC v. City of Boca

Raton 2019CA003513 (15th Fla.Cir.Ct.) 2024 (Trial Order) on appeal

- Development of a beachfront residence
- Public records request for text messages, emails and social media postings, including Facebook Messenger on Environmental Advisory Board member and council member devices and personal accounts
- Issues:
 - Officials had posted position statements
 - Delay in production
 - Some of the communications had been deleted
- Findings:
 - “Inadvertent” omission of responsive documents not acceptable
 - There are no “inadvertent” or “good faith” exceptions
 - Timely production of records is essential

Public Records Law –

Azure Development, LLC v. City of Boca Raton

2019CA003513 (15th Fla.Cir.Ct.) 2024 (Trial Order) on appeal

- Those with custody of public records must permit records “to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions.” Fla. Stat. § 119.07(1)(a). *Town of Manalapan v. Rechler*, 674 So.2d 789, 790 (Fla. 4th DCA 2014)
- ...“social networking sites can provide a ‘treasure trove’ of information in litigation” and city officials have only a limited privacy interest, if any, in materials posted on social networking sites. *Nucci v. Target Corp.*, 162 So. 3d 146 (Fla. 4th DCA 2015)
- “An unjustified delay in complying with a public records request amounts to an unlawful refusal under section 119.12(1) F.S. (*Office of the State Atty. For the Thirteenth Judicial Circuit v. Gonzalez*, 954 So.2d 759, 764 (Fla. 2d DCA 2007))

Social Media and Copyright

- Images, text, video, audio, etc. used on social media sites must comply with U.S. Copyright Law
- Copyright protects **original works** of authorship including literary, dramatic, musical, and artistic works, such as poetry, novels, movies, songs, computer software, and architecture
- Something may be copyrighted even if it doesn't say "copyrighted"
- No sovereign immunity cap for local governments for violations of copyright law

Copyright

➤ Common Pitfalls

- Unauthorized use of photos, videos, text without attribution
- Sharing content without linking to a source
- Assuming something is “fair use”

➤ What is fair use?

- Copying of copyrighted material done for a limited and “transformative” purpose, such as to comment upon, criticize, or parody a copyrighted work
- Fair use doesn’t require permission from the copyright holder
- Don’t just decide if ‘fair use’ applies, call the City Attorney’s office

Copyright and Social Media

FAIR USE OR MISUSE? SOCIAL MEDIA AND COPYRIGHT LAW

FEB 11 2015



By Rick Rapier

She claims she had their permission and thought they would be grateful for the exposure, but, according to Ultra Records, [fashion video blogger Michelle Phan](#) was sadly mistaken.

In fact for using copyrighted music in her informational YouTube fashion videos, Phan is facing \$150,000 in fines for each incident of misuse, with penalties adding into the millions. Such incidents of copyright violation are increasing, both by casual users and intentional abusers of copyrighted material – and by litigation instituted by wronged copyright holders.

From: <https://www.ncu.edu/blog/fair-use-or-misuse-social-media-and-copyright-law>

Accessibility

Title II of the Americans with Disabilities Act¹:

“A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.”

“Public Entity” applies to local governments.

Department of Justice (DOJ) takes the enforcement position local government websites must be accessible in Guidance issued on March 18, 2022.

Is your social media page accessible?

¹28 CFR Part 35

Bad Behavior

- Legal issues:
 - Sexual harassment
 - Defamation/libel/slander
- Court of public opinion

Bad Behavior



This message went viral, garnering more than 1,000 retweets and 1,000 likes, and spawned an internal controversy about the approach being taken by the district's Web experience coordinator, Katie Nash. The district ultimately decided to fire Nash.

Social Media – It's My Personal Account (Maybe)

- Ownership and Control
- Used for government business
- Fact specific evaluation – ask yourself questions like...
 - Are individuals allowed to ask for government services?
 - Are there links through the account to a public office address, email or phone number?
 - Are any government symbols displayed?
 - Is information about government services or meetings shared?
 - Is input about government policies or how government business should be conducted encouraged or sought?

Social Media

– It's My Personal Account

- “If this is not something you’re comfortable saying on the front page of tomorrow’s newspaper (or blog), as a public official, you probably shouldn’t post it on a social media outlet.” - Mark Weaver, Columbus-based Republican political consultant and public official social media trainer.

Social Media

– Best Practices

- Do not conduct or discuss city business or activities on your personal accounts.
- Understand and use privacy settings to manage your personal accounts – set your privacy settings to reflect your personal audience (such as “friends only”).
- Be prepared – plan how you will handle city business related comments or questions on your personal pages – know how you will forward to the appropriate City location (especially for records retention).
- Do not write posts on personal accounts that would fit within the scope of your official position.

Social Media – Best Practices

- Establish a clear set of rules for your personal accounts – and follow them
- Do not discuss your private accounts at public meetings or with members of the “public” who are not personal friends
- Do not use City devices to maintain your private accounts
- Do not link your private accounts from a public account

Portions of this social media presentation were adapted in part from a presentation entitled, “Legal Issues with Social Media for Elected Officials” by Lisa Soronen, State and Legal Center, National League of Cities (2018).

SOCIAL MEDIA

QUESTIONS...



CITY ATTORNEY'S OFFICE

Ethics

State and Broward County

Office of the Inspector General

Right? Should I do?????

Why???

concerned?

Board member = City Representative

- Work for the benefit of City residents
- Receive no personal economic or financial benefit
- Must always act in a manner that:
 - promotes public trust
 - builds confidence in government
 - is transparent and honest
 - avoids the appearance or perception of impropriety

Misuse of Position/Resources

A public officer (or spouse or minor child) may not:

- Corruptly use or attempt to use his or her official position, or any property or resource in his or her trust, or perform his or her official duties to secure a special privilege, benefit or exemption for himself, herself, or others. - § 112.313(6), Fla. Stat.

“Corruptly” - means with a wrongful intent and for the purpose of obtaining or receiving compensation for any benefit resulting from an act or omission which is inconsistent with the proper performance of official duty. - § 112.312(9), Fla. Stat.

Misuse of Position/Resources

Examples:

- Using office to secure gifts (this is separate from gift prohibitions)
- Obtaining a disproportionate benefit (better seats, earlier access, free or discounted rate, price on a good, service, membership, event, etc.)

Ask yourself:

- Could any member of the public call and get exactly what I have gotten?
- But for my position, would I be receiving this or be able to do this?

Misuse of Position/Resources

Office of Inspector General Example:

- Commissioner hosts a graduation party and, in passing, asks the police chief to have her guys spend a little more time in the neighborhood to provide a little extra security that night

Ask yourself:

- Can ANYONE make the same request?
- *Would someone else's request be honored in the same way?*

Misuse of Position/Resources

Office of Inspector General Example:

- Can I get some sand bags dropped at my house?
- Can you please send sand bags to my 95 year old neighbor's house?

Ask yourself:

- Can ANYONE make the same request?
- Would I be able to give this benefit to this person, but for my office?

Misuse of Position/Resources

Could be accidental or unintentional

“You have those post hole diggers which would make it so easy to install the swing set in my yard!”

- The speaker and the listener may have a different understanding of the statement
 - Is it simple observation?
 - Is the person being asked to bring over/lend the equipment?
- Board member at risk (interference/misuse)
- Employee at double risk (fear of job loss/special favor)
- DON'T USE THE CITY'S EQUIPMENT OR STAFF
- Think about how you say things and who you say them to!

Voting Conflicts of Interest

Section 112.3143, Florida Statutes

- Cannot vote if it would inure to *your* special private gain or loss, or which you know would inure to the special private gain/loss of:
 - Any principal by whom you've been retained or to the parent/subsidiary organization of a corporate principal by whom you've been retained
 - A relative, i.e. father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law
 - A business associate

Voting Conflicts of Interest

Hmmm, I wonder – CALL!

- Consult with the City Attorney
- If there is a conflict:
 - publicly announce the
 - nature of the interest *prior* to
 - participating in the item
 - file a memorandum of voting conflict with the Clerk (Form 8B) within 15 days
- Consult with City Attorney for guidance- preferably *in advance of the meeting*



WHAT IS A VOTING CONFLICT

Section 112.3143, Florida Statutes Break it Down ... and CALL

“Special Private Gain or Loss”

- A special ***Economic***
- Benefit or harm
- That would be gained or lost to
- An official or his or her employer, organization, principal, business associate, or relative
- As a direct outcome of the vote.

Nepotism

Section 112.3135, Florida Statutes

- May not seek City appointment, employment, promotion or advancement for a relative (broadly defined)

Ethics – Florida Statutes

- May not corruptly use or attempt to use your position to obtain a special privilege for you or for another - § 112.313(6), Fla. Stat.
- May not solicit an honorarium related to your official duties - § 112.3149, Fla. Stat.
- May not accept an honorarium from a lobbyist or vendor – can accept reimbursement of expenses if reported and disclosed - § 112.3149, Fla. Stat.

Doing Business with the City

Section 112.313(3), Florida Statutes

Acting in official capacity, you may NOT

- directly or indirectly purchase, rent, or lease
- for or on behalf of City
- from a business where you, your spouse, or your child is officer/partner/director/proprietor or holds material interest

Acting in private capacity, you may NOT

- rent, lease, or sell to City

There are a few exemptions ... so ...

Call the City Attorney's Office!

Conflicting Employment

- May not hold office and be employed by City
 - § 112.313(10), Florida Statutes and City Charter § 304a

- May not have employment or contract with an entity doing business with or regulated by the City
 - § 112.313(7), Florida Statutes

- May not have employment or contractual relationship that will pose a frequently recurring conflict between private interest and public duty, or which will impede the full and faithful discharge of public duties
 - § 112.313(7), Florida Statutes

There are a few exemptions ... so
... call the City Attorney...

Lobbying

“Lobby” or “Lobbying”:

- Any form of communication
- From lobbyist
- To a “covered individual” (certain government decision makers)
- That seeks to *influence, convince or persuade*
- Support or opposition for
- An item foreseeably to be decided

B.C.C. § § 1-19(b)(2) and (b)(7)

Lobbying

“**Lobbyist**” means any natural person who, for compensation, seeks, or sought during the preceding 12 months, to influence the governmental decisionmaking of a reporting individual or procurement employee or his or her agency or seeks, or sought during the preceding 12 months, to encourage the passage, defeat, or modification of any proposal or recommendation by the reporting individual or procurement employee or his or her agency.

§ 112.3148, Fla. Stat.

Lobbyist

IS

- Person retained with or without compensation to lobby
- Person who is principally employed to lobby on behalf of his or her employer

B.C.C. §§ 1-19(b)(8)

IS NOT

- Public official or employee communicating in an official capacity
- Individual communicating on his or her own behalf
- Someone communicating on behalf of his or her employer (unless principally employed to lobby)
- Homeowner's association member representing the HOA
Non-profit public interest member representing the non-profit

B.C.C. §§ 1-19(b)(8)

Lobbyist Registration

- Lobbyist Registration Ordinance adopted by the Coconut Creek City Commission
- All Lobbyists must register and pay a \$50 fee

Lobbyists
Register



On Line

Penalties for Public Officers Under State Code of Ethics

Violations of the State Code of Ethics (gifts, conflicts, misuse of position, etc.) are subject to the following penalties:

- Impeachment, suspension or removal from office.
- Public censure and reprimand
- Forfeiture of 1/3 of monthly salary for up to 12 months
- Civil penalty not to exceed \$10,000
- Restitution of pecuniary benefit received
- Attorney's Fees

§ Section 112.317, Fla. Stat.

Broward County Office of the Inspector General (OIG) - Jurisdiction

- All Elected and Appointed Officials (City Commission and Advisory Board Members)
- All Broward County Employees
- All Municipal Employees in Broward County
- All Entities and Persons that provide goods or services to the County or any Municipality under Contract for Compensation

Broward County OIG Investigation

Investigates, on own initiative or signed, verified complaint, allegations of:

- **Misconduct** - any violation of the State or Federal Constitution, any State or Federal Statute or Code, any County or Municipal Ordinance or code, or conduct involving Fraud, Corruption, or Abuse
- **Gross Mismanagement** - material waste or significant mismanagement of public resources

Broward County OIG

Hearing Officer – Authority

- Find violation was unintentional and de minimis
- Find misconduct:
 - Referral to Office of State Attorney, Florida Commission on Ethics, Florida Elections Commission, etc. as appropriate
 - Fines \$250.00 - \$5,000.00
 - Restitution
 - Disgorgement
 - Public reprimand/censure

Violations

- An action which violates Broward County Ethics Code **AND** State Law may be investigated by both the Broward County OIG **AND** the State Ethics Commission
- Any violation may also subject the violator to **civil** lawsuit and/or **criminal** charges

Appearances Matter

- Always innocent until proven guilty
- The *appearance* or *allegation* of impropriety can destroy a reputation long before one has the opportunity to prove innocence
- Analyze conflicts and actions thoroughly and cautiously, and ask for legal guidance when necessary
- Err on the side of caution to avoid even the appearance of conflict or any misuse of position



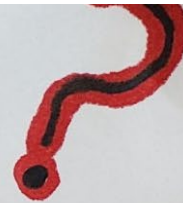
Questions on Ethics

WRONG

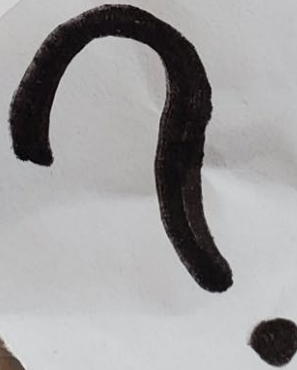


STRAIGHT
FACE
TEST-
FAIL

WRONG



What
would
MOM
say



RIGHT

ESSENTIALS



Safety First and PPP (Positive Public Perception)

- ✓ NO table talk once the meeting has started
- ✓ One person at a time
- ✓ Keep discussion to the item on the agenda
- ✓ Motion, Second, Discussion, Vote:
 - ✓ Motion to Amend
 - ✓ Second
 - ✓ Discussion on amendment
 - ✓ Vote on amendment
 - ✓ Back to motion (as amended)
 - ❖ Maker of a motion, or second, is not obligated to vote for or against the motion or any amendment
- ✓ Decisions are a function of the Board as a whole
- ✓ Maintain and demonstrate respect for fellow board members, staff, the public, and the City as a whole





Questions?

Legal Department – 954-973-6797

Terrill Pyburn, City Attorney

Kathy Mehaffey, Deputy City Attorney

Cassandra Harvey, Assistant City Attorney

Jeannette Camacho, Public Safety Legal Advisor

Kathleen Hittle, Paralegal