Town Council - New Councilor Orientation Workshop

November 16, 2026 at 6:00 PM

Howey-in the-Hills Town Hall
101 N. Palm Ave.,
Howey-in-the-Hills, FL 34737

Join Zoom Meeting: https://us06web.zoom.us/j/89018702036?pwd=B5a817RLGcbhlodsu5ji4iOmPa6abg.1
Meeting ID: 890 1870 2036 | **Passcode:** 308421

AGENDA

Call the Town Council Meeting to order
Invocation
Pledge of Allegiance to the Flag

ROLL CALL

Acknowledgement of Quorum Present and Proper Notice Given

CONSENT AGENDA

Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.

NEW BUSINESS

1. Discussion: **New Town Councilor Orientation**

PUBLIC QUESTION & COMMENT

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker. The general Public Question & Comment period will be limited to a maximum of thirty (30) minutes unless extended by the Presiding Officer.

ADJOURNMENT

To Comply with Title II of the Americans with Disabilities Act (ADA):

Qualified individuals may get assistance through the Florida Relay Service by dialing 7-1-1. Florida Relay is a service provided to residents in the State of Florida who are Deaf, Hard of Hearing, Deaf/Blind, or Speech Disabled that connects them to standard (voice) telephone users. They utilize a wide array of technologies, such as Text Telephone (TTYs) and ASCII, Voice Carry-Over (VCO), Speech to Speech (STS), Relay Conference Captioning (RCC), CapTel, Voice, Hearing Carry-Over (HCO), Video Assisted Speech to Speech (VA-STS) and Enhanced Speech to Speech.

Howey Town Hall is inviting you to a scheduled Zoom meeting.
Topic: **Town Council - New Councilor Orientation Workshop**
Time: **Nov 16, 2026 06:00 PM Eastern Time** (US and Canada)
Join Zoom Meeting
https://us06web.zoom.us/j/89018702036?pwd=B5a817RLGcbhlodsu5ji4iOmPa6abg.1
Meeting ID: 890 1870 2036
Passcode: 308421

One tap mobile

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+16469313860,,89018702036#,,,,*308421# US

Join instructions

https://us06web.zoom.us/meetings/89018702036/invitations?signature=rAQQKb8Y4xkTgkgO_PFFI3dOe15RkJL557Uf-NRSpBM

Please Note: In accordance with F.S. 286.0105: Any person who desires to appeal any decision or recommendation at this meeting will need a record of the proceedings, and that for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. The Town of Howey-in-the-Hills does not prepare or provide this verbatim record. Note: In accordance with the F.S. 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact Town Hall, 101 N. Palm Avenue, Howey-in-the-Hills, FL 34737, (352) 324-2290 at least 48 business hours in advance of the meeting.

New Town Councilor Orientation

Town of Howey-in-the-Hills, Florida

Monday, November 16, 2026

Presented by John Brock, Interim Town Manager / Town Clerk

Tonight's Agenda

PART 1

Town Planner

Zoning & Future Land Use Amendments

30–45 min

PART 2

Town Attorney

Sunshine Law, Public Records, Ethics & Sovereign Immunity

30–45 min

PART 3

Town Administration

Departments, projects, Rules of Order, key dates & resources

≤ 45 min

Questions are welcome at the end of each section.

PART 1 | TOWN PLANNER

Procedures for Zoning and Future Land Use Amendments



- Comprehensive Plan & Future Land Use Map
- Land Development Code & Official Zoning Map
- Evaluation & Appraisal Report (EAR) process
- Rezoning & FLUM amendment process (DRC → P&Z → Council)
- Key law changes: s. 166.033 time limits; s. 163.3202 design standards

PART 2 | TOWN ATTORNEY

Government in the Sunshine, Public Records & Ethics



- Heather Ramos, GrayRobinson
- Town Charter highlights
- Sunshine Law – s. 286.011, F.S.
- Public Records Law – Ch. 119, F.S.
- Code of Ethics, gifts & financial disclosure – Part III, Ch. 112, F.S.
- Sovereign immunity

PART 3 | TOWN ADMINISTRATION

How the Town Works Day to Day



- Putting tonight's legal & planning topics into practice
- Council–Manager government & working with staff
- Departments, functions & current projects
- Council Rules of Order highlights
- Budget cycle, boards, key dates & resources

Putting Tonight's Training into Practice

From the Town Planner

- Rezonings and FLUM amendments come to Council after DRC review and a P&Z Board recommendation
- Council holds two public hearings on these ordinances; quasi-judicial items are decided on the record
- State time limits (s. 166.033) mean staff schedules items promptly once an application is complete
- Avoid discussing pending development applications with applicants or residents outside the meeting

From the Town Attorney

- No Council-to-Council discussion of Town business outside a noticed meeting – including texts and email
- Your Town-related texts, emails and social posts are public records
- Forward any public records request to the Town Clerk (records custodian)
- Form 1 is due within 30 days of taking office; file Form 8B for any voting conflict
- Contact staff only through the Town Manager – currently John Brock, Interim (Charter, Art. 2, Sec. 3)

Council–Manager Form of Government

Residents

Elect the five-member Town Council

Town Council

Sets policy, adopts budget, appoints Mayor & Town Manager

Town Manager

Chief executive; implements policy and runs daily operations

Departments

Deliver services to the community

What the Council IS

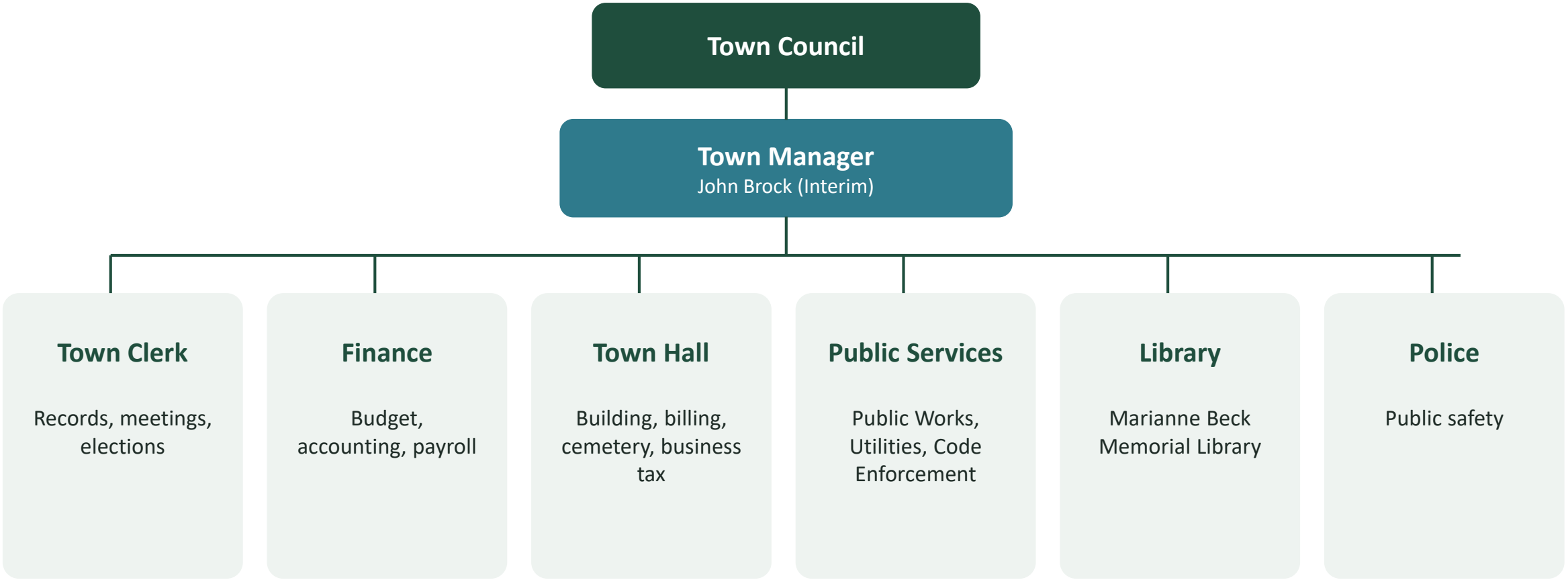
- A legislative, policy-setting body that acts as a board in a noticed meeting
- The Mayor presides and serves ceremonial functions; no powers beyond the Charter

What the Council is NOT

- Supervisors of staff – direction flows through the Town Manager
- Day-to-day administrators, the Town Attorney, or the Town Planner

Your point of contact: John Brock, Interim Town Manager / Town Clerk

Town Departments at a Glance



Contracted support: Town Attorney (GrayRobinson) • Town Planner • Town Engineer (Griffey Engineering)

Police Department

$1.2 Million
Annual department budget

12 Officers
8 full-time + 4 reserve

Serving Howey
Patrol, visibility & community involvement

Chief Lane's First 90 Days

Days 1–30: Community First

- Meet residents, businesses, schools, churches, HOAs & Town staff
- Attend community events; visible patrol
- Listen to what Howey wants from its PD

Days 30–60: Policies & Staffing

- Review all General Orders against federal, state & local laws
- Assess staffing, equipment & vehicles

Days 60–90: Plan & Build

- Submit grant applications
- Add community events to raise money for the PD
- Bring Council a priority plan & budget recommendations

Police Department: Funding & Partnership

Funding Beyond the Town Budget

- COPS Hiring Program
- Byrne Justice Assistance Grant (JAG)
- Bulletproof Vest Partnership
- COPS Technology Program
- Community fundraising events

How Council Can Help

- Support grant applications & local matches
- Share community priorities with the Chief
- Standing PD update at Council meetings
- The Chief's door is always open

Chief Richard A. Lane | 352-324-2030 | rlane@howey.org

Town Clerk's Office

Meetings & Agendas

Notices meetings; prepares agenda packets, minutes, ordinances & resolutions

Public Records

Records custodian under Ch. 119, F.S.; retention and request fulfillment

Elections

Qualifying, coordination with the Lake County Supervisor of Elections

Official Documents

Attests signatures, maintains the Town Seal, Code of Ordinances & contracts

Proclamations

Coordinates proclamations (7 days' notice) and resolutions (14 days)

Ethics Filings

Assists with Form 1 and Form 8B filings with the Commission on Ethics

Finance Department

Core Functions

- Annual budget preparation and adoption by resolution
- Accounting, general ledger and monthly financial reports to Council
- Accounts payable, purchasing and payroll
- Investments, cash management and debt administration
- Grant financial tracking and reporting
- Annual audit and Annual Financial Report

Oct 1 – Sep 30

Town fiscal year

3%

Debt cap on assessed value without a referendum (Charter, Art. 2, Sec. 6)

Town Hall Services

Building Services

- Building permit intake and issuance
- Inspection scheduling
- Contractor coordination

Utility Billing

- Water, wastewater & trash billing
- New accounts and transfers
- Online and in-person payments

Cemetery

- Town cemetery records
- Lot sales and interment coordination
- Maintenance coordination with Public Works

Business Tax

- Local business tax receipts
- Annual renewals
- Home-based business registration

Town Hall front desk: residents' first stop for billing, trash, permits and business tax questions.

Public Services Department

Public Works

- Streets, sidewalks & rights-of-way
- Parks, grounds & Town facilities
- Stormwater system maintenance
- Fleet & equipment

Public Utilities

- Water treatment & distribution
- Wastewater collection
- Meter reading & service connections
- Regulatory compliance & testing

Code Enforcement

- Property maintenance complaints
- Notices of violation & compliance
- Cases heard by the Special Magistrate
- Irrigation restriction enforcement

One department, three divisions – see the next slide for current capital projects.

Public Services: Ongoing Projects

Water Treatment Plant No. 3	New plant to support long-term water supply and system growth
12-Inch Water Main Replacement	Replacing aging main to improve reliability, pressure and fire flow
Water Treatment Plant No. 1 Modification	Upgrades to the existing plant to maintain capacity and compliance
Stormwater Projects	S. Dixie Drainage Improvement; Lakeside Stormwater Capture
Parks Projects	Pine Park & Peak Park conceptual plans; Town Trail & Sidewalk Plan

Your Professional Support Team

Town Engineer – Don Griffey, P.E.

- Griffey Engineering, Inc., Eustis
- Development Review Committee member; reviews site plans & subdivisions
- Town traffic engineer; represents the Town on the MPO Technical Advisory Committee
- Road design: N Citrus Ave, E Gardenia St, N Dixie Dr, Marilyn Ave
- Stormwater, sewer and parks/trail engineering

Town Planner

- Comprehensive Plan, LDC & development review
- Staff reports for P&Z and Council

Town Attorney

- Heather Ramos, GrayRobinson
- Legal advice to Council and staff; counsel on order and procedure

Marianne Beck Memorial Library

Books & Digital

Print collections, Lake County eBooks, digital tutoring & test prep

Technology

Public computers, free high-speed internet, printing & copying

Notary Service

Free document notarization for local residents

Youth Programs

Storytime (returns Jan. 2027), chess club & tabletop games

Adult Programs

Yoga, chair yoga, Zumba, Mahjong & Canasta

Coming Up

- Noon Year's Eve Stomp – Dec. 31
- Passport acceptance facility – 2027
- AARP free tax aid – Feb.–Apr. 2027
- Community Puzzle Swap
- Grants under consideration: Dollar General literacy & ALA rural grants

How to Make Requests

Council Requests

- Agenda items: to the Town Manager's office at least 7 days before the meeting
- Proclamations: at least 7 days before the meeting
- Resolutions: at least 14 days before the meeting
- If an item isn't placed, a Council majority can add it to a later agenda
- Questions for staff go through the Town Manager – John Brock, Interim Town Manager

Resident Service Requests

Roads, parks, stormwater	**Public Works**
Water / wastewater	**Public Utilities**
Trash & utility billing	**Town Hall front desk**
Code violations	**Code Enforcement**
Public safety	**Police Department**
Records requests	**Town Clerk**

Rules of Order: Meetings & Agendas

2nd & 4th
Mondays – regular meetings

3
Members for a quorum

2½ hrs
Target meeting length

- Robert's Rules of Order Newly Revised In Brief governs, except as the Rules provide
- Special meetings: called by the Town Manager or a Council majority with 72 hours' written notice; only the noticed purpose may be taken up
- Workshops: discussion and policy guidance only – no formal votes; straw polls allowed
- Agenda packets are generally delivered 4 days before a regular meeting (48 hours for special meetings)
- Adding items not on the agenda requires a supermajority; reconsidering an item voted on within 6 months requires 3 Councilors
- Remote participation: may discuss but vote only for extraordinary circumstances with a physical quorum present

Rules of Order: Motions, Public Input & Voting



Staff report

Includes a recommended motion



Discussion

Each Councilor shares their view



Public comment

3 minutes per speaker



Motion & second

Presiding Officer calls for a motion

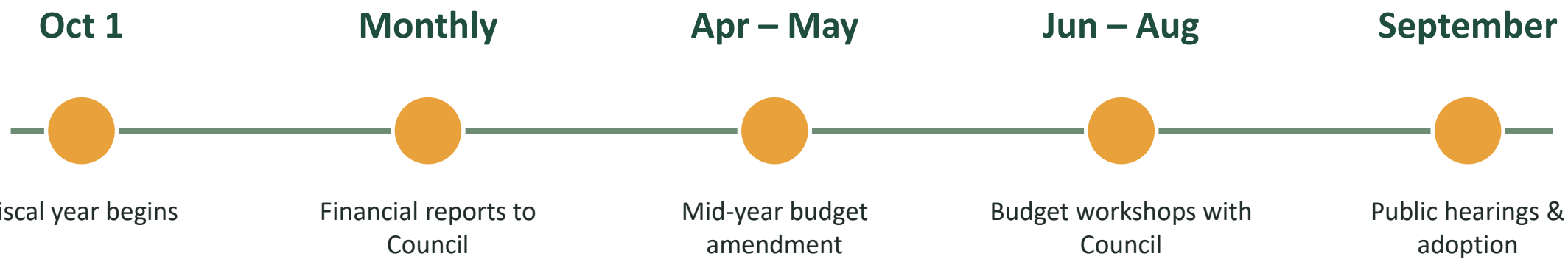


Roll call vote

Rotating order; Mayor votes last

- Hold motions until every Councilor has spoken and public input is heard; no motions on discussion-only items
- Public Question & Comment is capped at 30 minutes; Council does not debate the public or act on non-agenda items
- Roll call required for ordinances, resolutions, contracts, new positions and all financial matters
- You must vote unless you have a conflict – announce it, don't participate, and file Form 8B
- Keep comments to the question; don't impugn another member's motives

Annual Budget Cycle



Capital Improvement Plan

- Reviewed annually with the budget
- Prioritized by funding, community needs and Council goals

Mid-Year Changes

- Supplemental appropriations and transfers by resolution
- Departments may request transfers for operational needs

Advisory Boards Appointed by Council

Planning & Zoning

- 7 members, 3-year terms
- Quorum of 4
- Recommends on rezonings, variances & plans

Parks & Recreation

- 5 members, 2-year terms
- Quorum of 3
- Recommends on parks, facilities & fees

Library Board

- 5 members, 2-year terms
- Quorum of 3
- Sets library policies, collection & hours

Police Pension

- 5 trustees, 2-year terms
- Quorum of 3
- Administers the police pension system

The Sunshine Law applies to all Town boards and committees.

Important Dates

Upcoming

Nov 19	P&Z Board; Code Enforcement Special Magistrate
Nov 23	Regular Town Council meeting
Nov 26–27	Town Hall closed – Thanksgiving
Dec 14	Regular Town Council meeting
Dec 24–25	Town Hall closed – Christmas
Dec 31	Library Noon Year's Eve Stomp
Within 30 days	File Form 1 (financial disclosure)

Town Events

- Easter Dash
- Founder's Day
- Memorial Day
- Halloween Bash
- Veterans Day
- Christmas Festival

Holidays

- New Year's Day
- MLK Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving & day after
- Christmas Eve & Day

Your Go-To Resource: howey.org



howey.org

Sign up for “Notify Me” to receive agendas, news and alerts

Agendas & Minutes

Meeting packets and approved minutes

Ordinances

Code of Ordinances and adopted legislation

Calendar

Meetings, hearings, events and closures

Government

Council, boards and departments

Forms & Online Payments

Applications, permits and utility payments

News

Town announcements and notices

NEXT STEPS

Questions & Closing Remarks

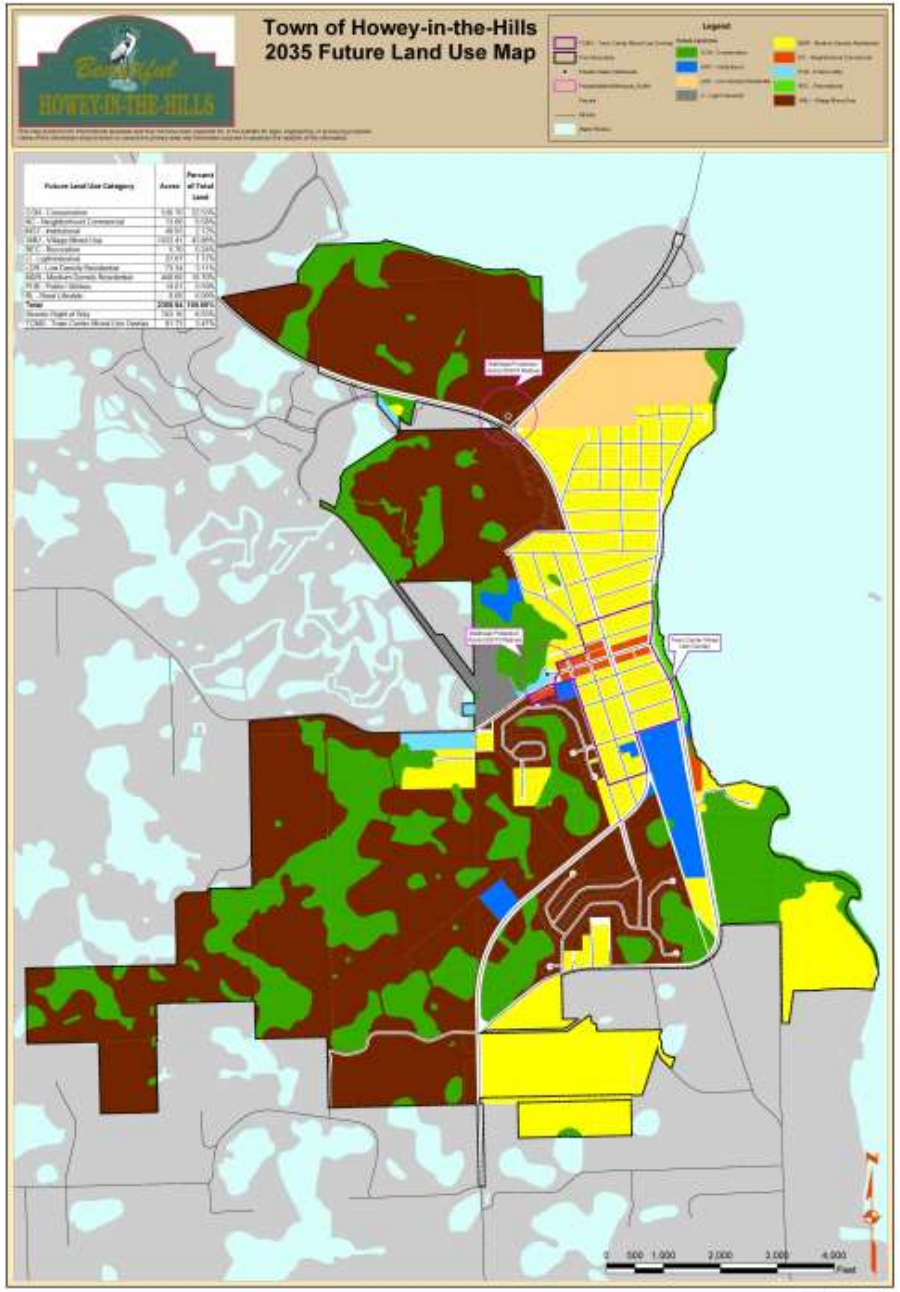
- File Form 1 with the Commission on Ethics within 30 days
- Use your Town email for all Town business
- Schedule a Town tour and recurring meetings with John Brock, Interim Town Manager
- Attend the Florida League of Cities Institute for Elected Municipal Officials (IEMO)
- Review the Rules of Order and Town Charter

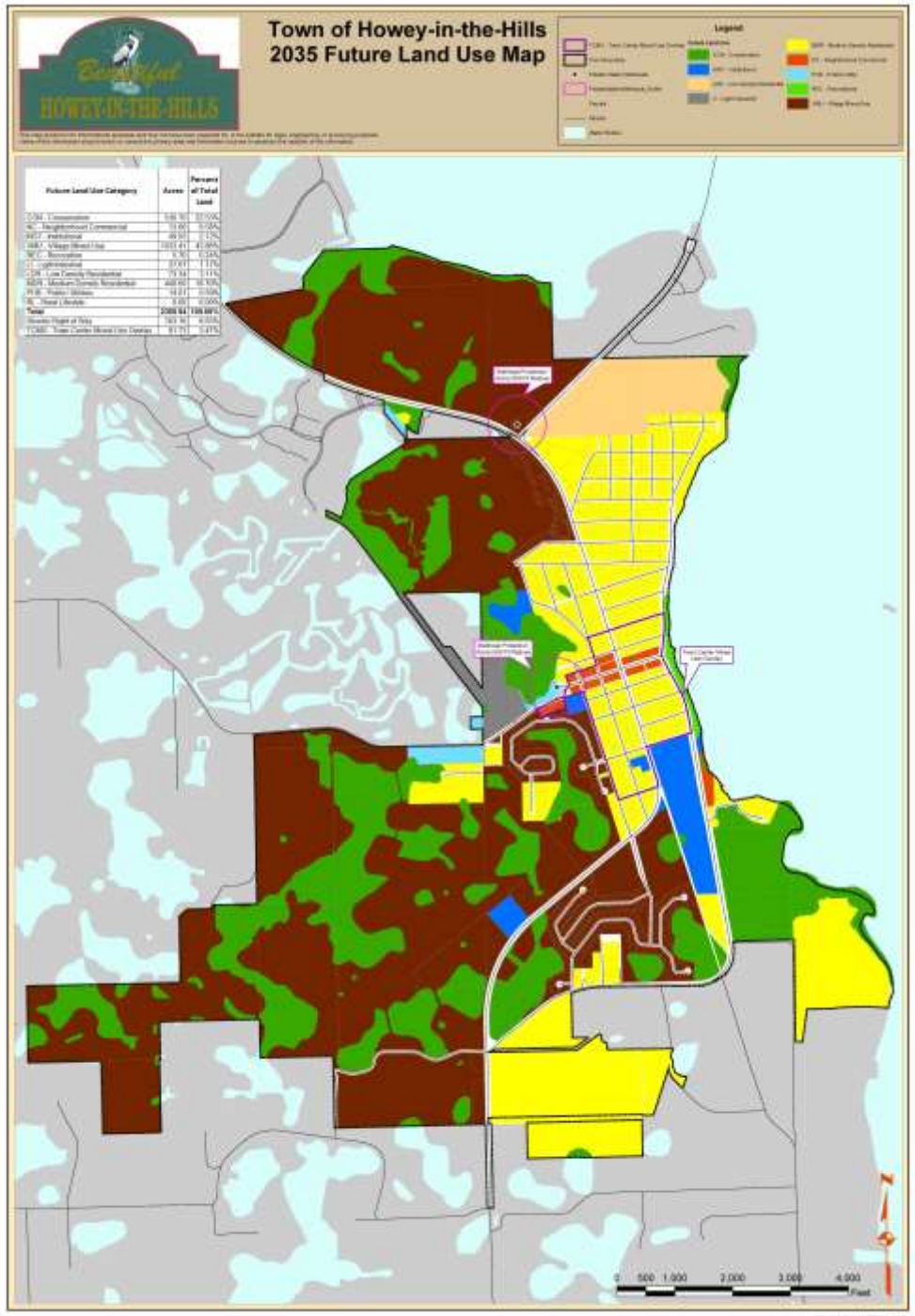
Procedures for Zoning and Future Land Use Amendments

HOWEY-IN-THE-HILLS TOWN COUNCIL

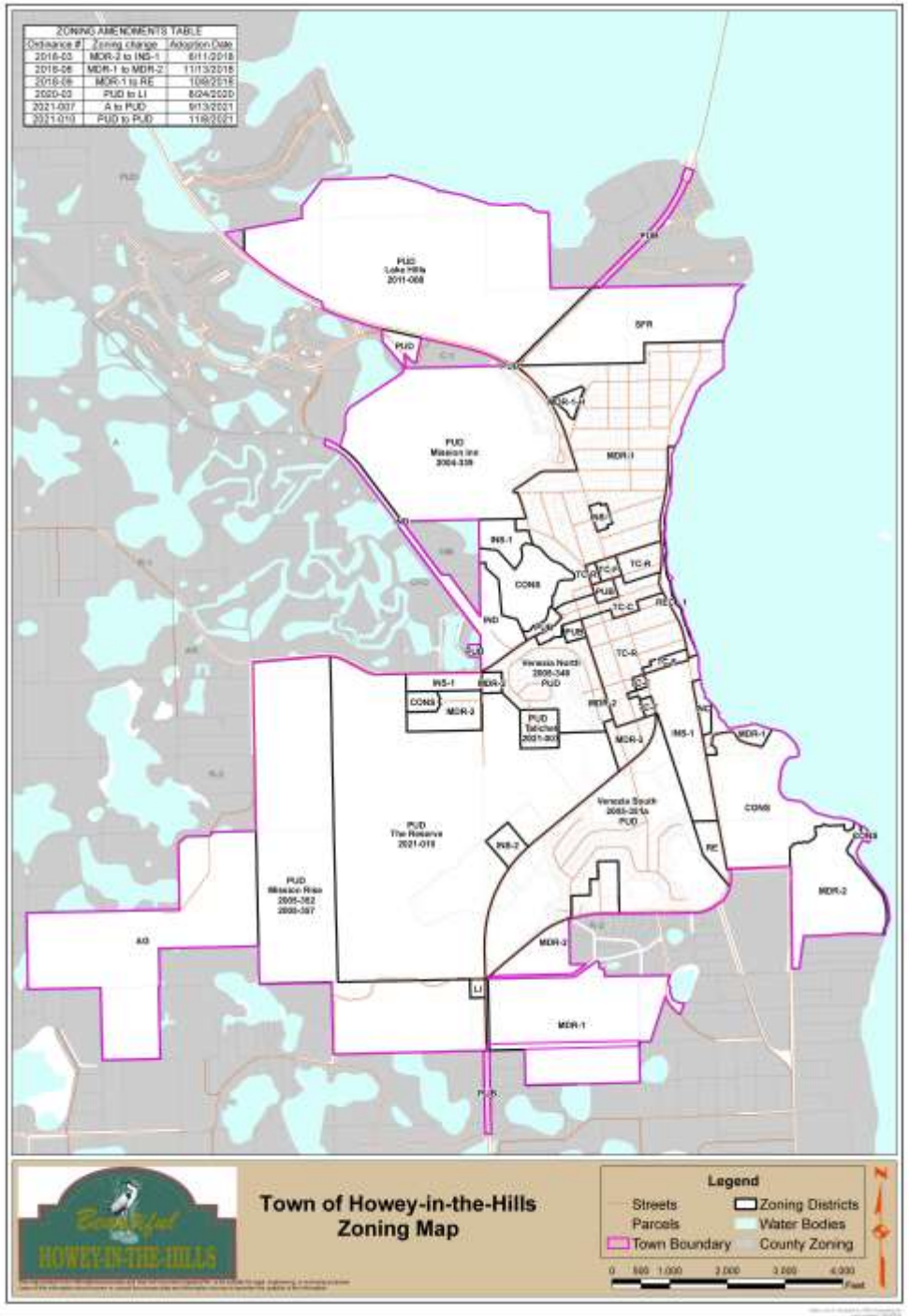
NOVEMBER 13, 2026

Land use decisions are controlled by the Town's Comprehensive Plan and Land Development Code





- The Future Land Use Map in the Comprehensive Plan establishes a Future Land Use designation for each property in the Town.



- The Official Zoning Map establishes a Zoning designation for each property in the Town which are defined in the Land Development Code.

Comprehensive Plan in Relationship to Zoning- Comprehensive Plan Governs

- Comprehensive Plan establishes land use and development policies that are enforced through the zoning ordinance (land development code)
- Comprehensive Plan establishes minimum/maximum densities or Floor Area Ratios (FAR) for land uses identified on the Future Land Use Map for which zoning districts must be developed consistently
- Comprehensive Plan establishes policies for conservation, open space, transportation, and infrastructure which may be implemented in a zoning ordinance
- Both are to be about meeting "public health, safety, and welfare"

The Evaluation and Appraisal Report Process (EAR)

Legislation has changed the process by reducing the State oversight of the EAR process. An EAR is no longer required to be sent to the State for review and acceptance. The Town can conduct the EAR internally and transmit the amendments to the State.

Every 7 years review comprehensive plan for needed updates

Send letter to the State as to whether updates will be made

Have one year to make updates and send to the State for review

Following State review process, adopt and incorporate updates

Comprehensive Plan Fact Sheet

- Largely pertains to the pattern of land use, guiding the development of the community.
- Physical, covering the entire community
- Long-term- typical time horizon of 10-20 years
- Required by the state of Florida- Florida Statutes Chapter 163
- To change a Future Land Use designation, must be done through the amendment process established by Florida Statutes Chapter 163 and as defined in the Land Development Code- Chapter 4

Land Development Code Fact Sheet

- Establishes regulations for uses of land within zoning districts and development standards such as setbacks, lot size, and subdivision requirements.
- Physical, covering the entire community
- Living document- modified by ordinance when Town decides
- Must be consistent with Comprehensive Plan
- Town has authority under Florida Statutes Chapter 166 to control the Land Development Code through the police powers
- To change a zoning designation, must be done through the rezoning process established by the Town in the Land Development Code- Chapter 4

Future Land Use Amendment

Uses

- when a requested use is inconsistent with the Future Land Use Map designation applicant must file for a map amendment
- an example-if applicant wants to develop commercial on a property with a residential Future Land Use designation

Density

- if an applicant seeks to develop residential at a density higher than what the Future Land Use designation allows
- an example- if applicant wants to develop residential at 3 dwelling units per acre but only 2 dwelling units per acre are allowed

Comprehensive Plan Consistency

- Town must evaluate and determine whether requested amendment is consistent with the Comprehensive Plan
- an example- if an applicant requests a commercial Future Land Use designation that would be surrounded by residential designation, it should not be approved unless there are clear policies in the Comprehensive Plan consistent with the request

Zoning Map Amendment (Rezoning)

Uses

- when a requested use is inconsistent with the list of permitted uses in the Land Development Code, applicant must file for a Zoning Map amendment
- an example-if applicant wants to develop a retail shop on a property where only single family residential use is allowed

Comprehensive Plan Consistency

- Town must evaluate and determine whether requested rezoning is consistent with the Comprehensive Plan, if not then a Future Land Use Map amendment must be considered first.
- An example- if an applicant requests a commercial Future Land Use designation that only allows residential

Future Land Use Map Amendment and Rezoning Process

A rezoning request must be consistent with the property's Future Land Use designation. If it is not then a consistent Future Land Use Map designation application is required and must be considered the Town before the rezoning application may be.

Applicant submits Rezoning or Future Land Use Map amendment with Rezoning applications to Town

Applications reviewed by the staff Development Review Committee (DRC) and recommendation report prepared for Planning and Zoning Board public hearing

Applications scheduled for Planning and Zoning Board public hearing with public notice provided as required by Florida Statutes and the Town Land Development Code

Applications heard by the Planning and Zoning Board in one required public hearing and their formal recommendation made to Town Council

Applications heard by Town Council in two public hearings and adopted following required public notice requirements*

If a Future Land Use Map amendment is required and is greater than 50 acres, it requires two Public hearings and must be reviewed by the State Florida Commerce agency before it can be adopted by Town Council. All Future Land Use Map amendments do not become effective until 31 days after the adoption date to allow for appeal.

Very Important Law Change- Florida Statutes Ch. 166.033 Action Time Limits

166.033 Development permits and orders-

(1) A municipality shall specify in writing the minimum information that must be submitted for an application for a zoning approval, rezoning approval, subdivision approval, certification, special exception, or variance. A municipality shall make the minimum information available for inspection and copying at the location where the municipality receives applications for development permits and orders, provide the information to the applicant at a preapplication meeting, or post the information on the municipality's website.

(2) Within 5 business days after receiving an application for approval of a development permit or development order, a municipality shall confirm receipt of the application using contact information provided by the applicant. Within 30 days after receiving an application for approval of a development permit or development order, a municipality must review the application for completeness and issue a written notification to the applicant indicating that all required information is submitted or specify in writing with particularity any areas that are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information. For applications that do not require final action through a quasi-judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a development permit or development order within 120 days after the municipality has deemed the application complete. For applications that require final action through a quasi-judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a development permit or development order within 180 days after the municipality has deemed the application complete.

Very Important Law Change- Florida Statutes Ch. 163.3202 Building Design and Architectural Elevations

163.3202(5)(a) and (b) Land development regulations-

(5)(a) Land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling unless:

1. The dwelling is listed in the National Register of Historic Places, as defined in s. 267.021(5); is located in a National Register Historic District; or is designated as a historic property or located in a historic district, under the terms of a local preservation ordinance;
2. The regulations are adopted in order to implement the National Flood Insurance Program;
3. The regulations are adopted pursuant to and in compliance with chapter 553;
4. The dwelling is located in a community redevelopment area, as defined in s. 163.340(10);
5. The regulations are required to ensure protection of coastal wildlife in compliance with s. 161.052, s. 161.053, s. 161.0531, s. 161.085, s. 161.163, or chapter 373;
6. The dwelling is located in a planned unit development or master planned community created pursuant to a local ordinance, resolution, or other final action approved by the local governing body before July 1, 2023; or
7. The dwelling is located within the jurisdiction of a local government that has a design review board or an architectural review board created before January 1, 2020.

(b) For purposes of this subsection, the term:

1. "Building design elements" means the external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms. The term does not include the height, bulk, orientation, or location of a dwelling on a zoning lot; or the use of buffering or screening to minimize potential adverse physical or visual impacts or to protect the privacy of neighbors.

GOVERNMENT IN THE SUNSHINE: PUBLIC RECORDS ETHICS

HOWEY-IN-THE-HILLS

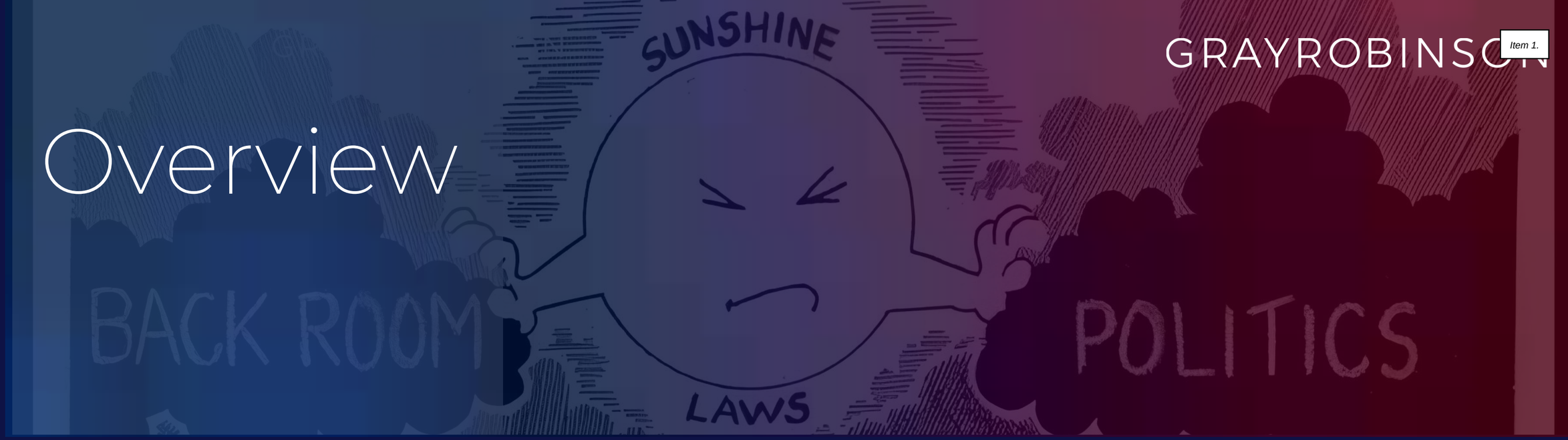
HEATHER RAMOS
heather.ramos@gray-robinson.com
407.244.5670

GRAYROBINSON

NOVEMBER 16, 2026

GRAYROBINSON

Overview



- Town Charter
- Government in the Sunshine Law – Section 286.011, Fla. Stat.
- Public Records Law – Chapter 119, Fla. Stat.
- Code of Ethics – Part III, Ch. 112, Fla. Stat.
- Sovereign Immunity

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Town Charter



- The Town operates under a council–manager form of government: a five-member elected Council sets policy, and an appointed Town Manager runs day-to-day operations. [Art. 2, Secs. 1 and 8.]
- The Town Manager and staff under his or her direction implement the policies set by the Council.
- Council Members must deal with Town officers and employees solely through the Town Manager and may not give orders to any officer or employee, publicly or privately. [Art. 2, Sec. 3.]

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Town Charter



- No former Council Member may hold compensated Town office or employment until one year after their term expires. [Art. 2, Sec. 3.]
- A Council Member may join a meeting remotely but may not vote unless present, subject to a narrow exception for extraordinary circumstances (e.g., illness) when a quorum is physically present. [Art. 2, Sec. 4.]
- The Mayor is appointed by majority vote of the Council from among its members for a two-year term, not elected at large. [Art. 2, Sec. 5.]

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Town Charter



- The Council appoints and may remove the Town Manager (with or without cause) by majority vote of all members. [Art. 2, Sec. 8.]
- The Town Manager is the chief executive, responsible for administration, personnel, operations, and budget implementation, subject to Council oversight. [Art. 2, Sec. 8.]
- The Council must formally evaluate the Town Manager’s performance each year and ensure accountability. [Art. 2, Sec. 8.]

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Town Charter



- The Town's fiscal year runs October 1 to September 30; the budget is adopted by resolution. [Art. 2, Sec. 7.]
- Town debt may not exceed 3% of assessed property value unless approved by referendum. [Art. 2, Sec. 6.]
- The Council may make supplemental appropriations, reduce appropriations to avoid a deficit, and transfer appropriations by resolution. [Art. 2, Sec. 7.]

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Sunshine Law



- Meetings must be open to the public.
- Meetings must be noticed.
- Written minutes must be taken.

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Sunshine Law

A "meeting" occurs when...

A meeting, conversation, phone call, emails, text messages.

Between two or more members of the Council...or two or more members of the same committee.

And the topic might be the subject of a future vote.

Sunshine Law

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Applies to:

Howey-in-the-Hills Town Council

Town Committees

Sunshine Law

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THINGS TO REMEMBER:

- If two or more Council (or committee) Members need to discuss Howey related business, a meeting must be officially noticed.
- Do not call, text, or e-mail each other on Howey related business – all discussions must be in an open, noticed meeting.
- You cannot have a person act as a “go-between.”
- Whispering and passing notes at a noticed meeting could be considered an unnoticed meeting if discussing business of the Town of Howey-in-the-Hills.
- Before, during, or once a meeting is adjourned, don’t talk about Howey business.
- Members of the public must be provided an opportunity to address the Council during the decision-making process, and before a decision is made.

Sunshine Law

GRAYROBINSON

MEETINGS DO *NOT* INCLUDE YOUR DISCUSSIONS WITH:

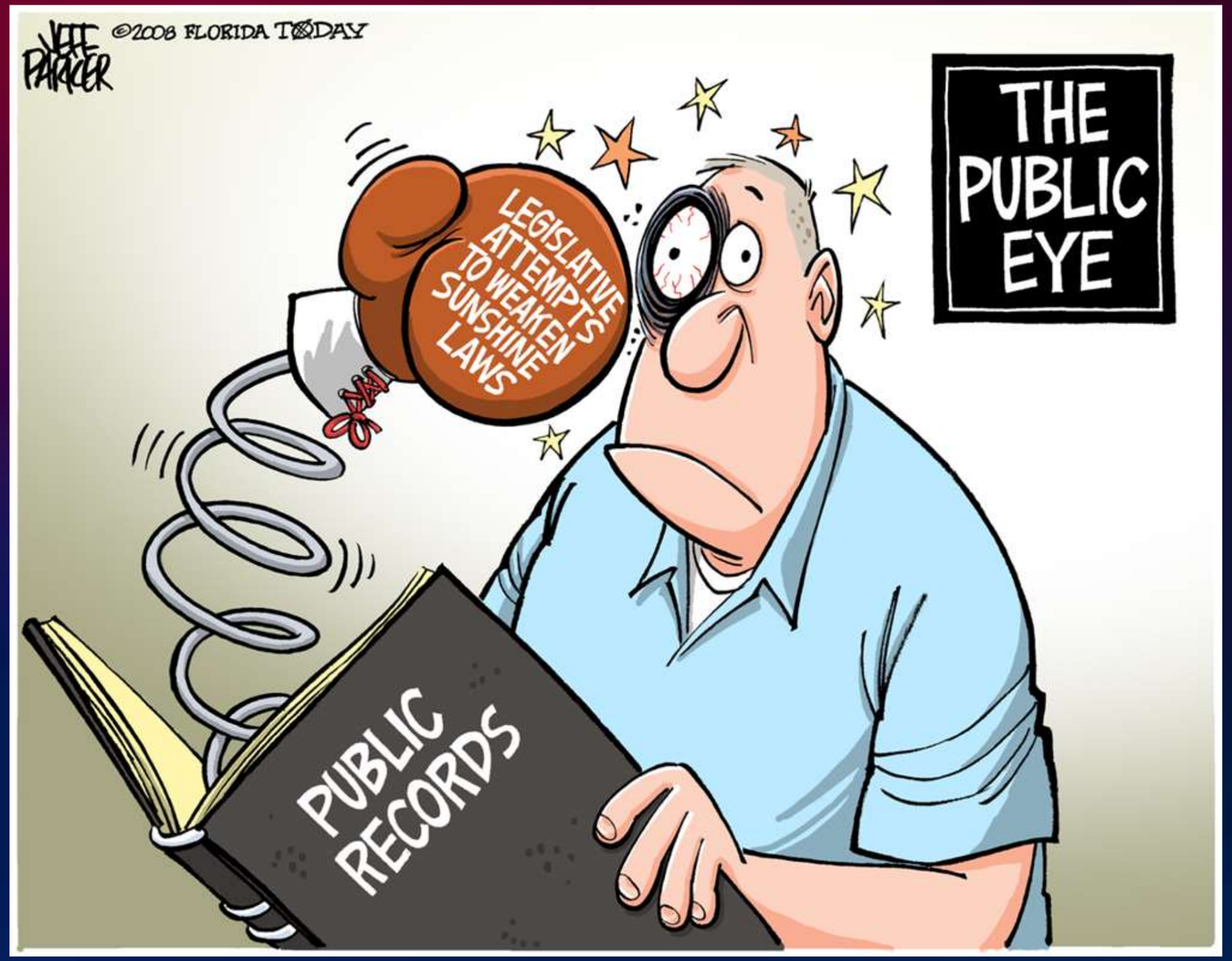
- A county or city commissioner
- A state legislator
- Howey staff
- Another Council Member on a topic that will never be the subject of a Town Council vote

Sunshine Law

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Questions?

Public Records Law



Public Records Law

GRAYROBINSON

IMPORTANT THINGS TO KNOW:

- The Town must permit inspection and copying of its records.
- Every Town record is a public record.
- NOT limited to traditional written documents.
- “Public records” include…
  - Emails, letters, memos, notes, calendars
  - Documents, reports, drafts, computer programs
  - Data, financials, budgets, audits, expense records
  - Texts, social-media posts, metadata
- IF made or received in connection with Town business.



Public Records Law

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HELPFUL THINGS TO KNOW:

- If you know Town management has the original or a copy of a record, you can pitch your copy – you are not the custodian and need not keep it.
  - Example: Council agendas and backup.

- If you have the original or the only copy of a Town record, send it to the Town Clerk – you are then no longer the record custodian.

- If you get a request/demand for Town records, notify John Brock, the Town's public records custodian and let staff respond for you.

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Sunshine and Public Records Law

FOR VIOLATIONS OF THE LAW…

- The State Attorney or a Grand Jury can be involved
- Private parties can sue
- Penalties can include:
  - Jail time - 1 year (for a knowing violation)
  - Fines - $500 (for an unintentional violation)
  - Attorneys' fees
  - Trial
  - Nasty press coverage

Public Records Law

Questions?



Code of Ethics



Ethics

BASIC PRINCIPLE OF ETHICS IN FLORIDA

- *Legislative Intent – Part III of Chapter 112:*
  - "It is declared to be the policy of the state that public officers and employees, state and local, are agents of the people and hold their positions for the benefit of the public. . . . promoting the public interest and maintaining the respect of the people in their government must be of foremost concern."

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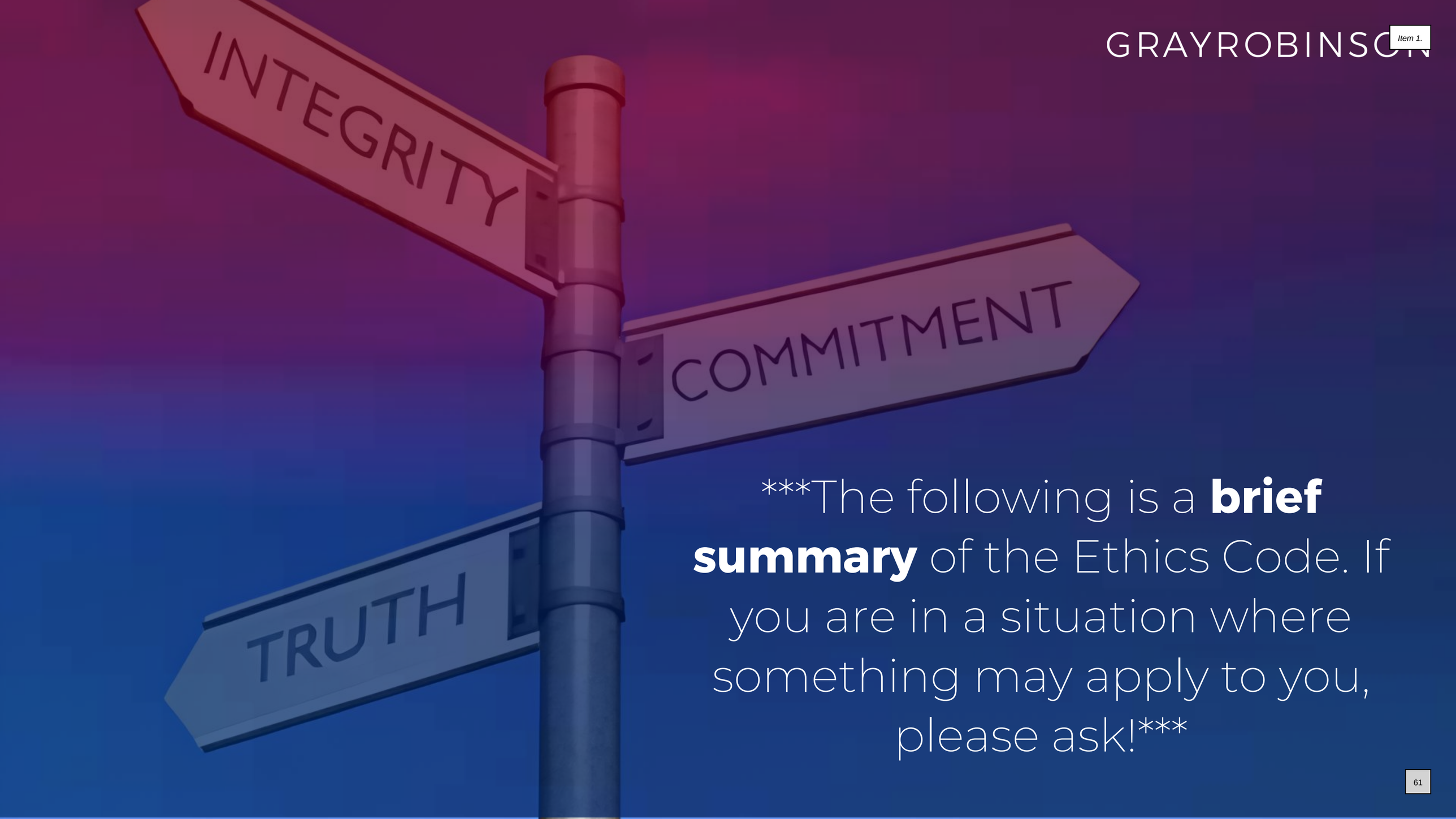
Ethics

Applies to:

Howey-in-the-Hills Town Council Members

Certain employees

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The following is a **brief summary** of the Ethics Code. If you are in a situation where something may apply to you, please ask!

Ethics

What to remember:

Do not use your position with the Town of – Howey-in-the-Hills to secure anything special for yourself, your family, friends, or anyone else.

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Ethics

CAUTION AREAS

- Doing business with the Town of Howey-in-the-Hills
  - You or your family should not do business with the Town.
  - You or your family should not do business with a business or agency doing business with the Town. [Sec. 112.313(3), Fla. Stat.]
- Secondary employment – there cannot be any conflict with your Town Council position. You cannot take a job with a company doing business with Howey. [Sec. 112.313(7), Fla. Stat.]
- Using information – Don't use information (now or in the future) which you learned from your Town Council position to gain a special advantage for you or your family or anyone else. [Sec. 112.313(8), Fla. Stat.]

Ethics

CAUTION AREAS

- Honoraria – you cannot accept a payment to speak or write for an organization. Reasonable expenses can be paid. [Sec. 112.3149, Fla. Stat.]
- Nepotism – you cannot hire, promote, or advocate for your relatives to get a job with Howey. [Sec. 112.3135, Fla. Stat.]



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Ethics

GENERAL RULES ABOUT VOTING

- You must vote on all Town issues.
- Unless you have a “conflict of interest” or there appears to be a “possible conflict of interest.” [Sec. 286.012, Fla. Stat.]
- “Abstentions” are not allowed.

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Ethics

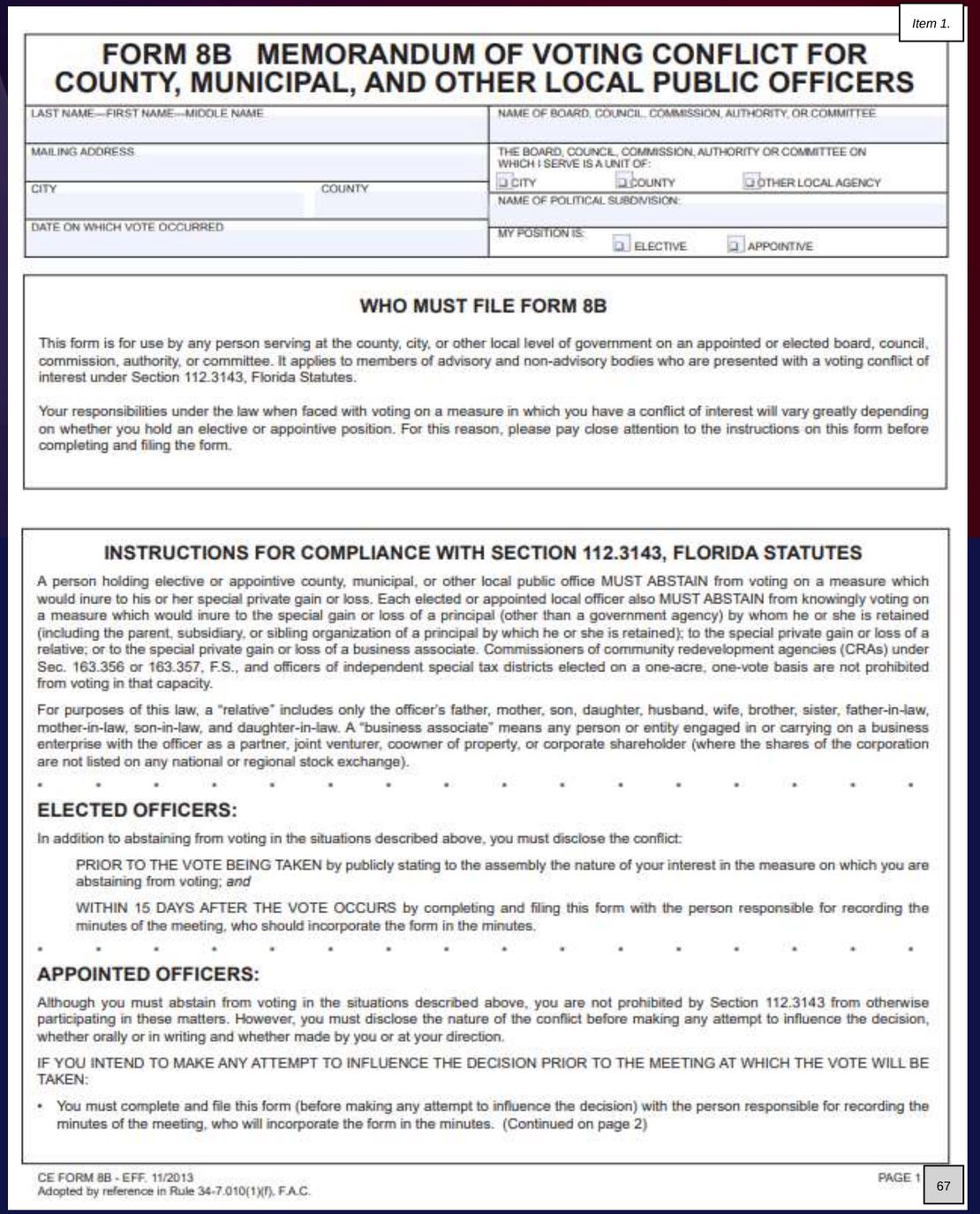
VOTING CONFLICTS

- Must disclose if, on *any* issue, the Council's vote would benefit…or hurt…
  - You
  - Your relative
  - Your business partner
  - Your employer
  - Your client/customer
  - The parent company, subsidiary company, or sister company of…
    - Your employer
    - Your client

Ethics

VOTING CONFLICTS

- MUST abstain:
  - Conflict of interest.
- MAY abstain:
  - Appearance of a conflict of interest.
- If you abstain for either reason, file Form 8B.



Item 1.

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

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY COUNTY	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED	MY POSITION IS: ☐ ELECTIVE ☐ 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)

CE FORM 8B - EFF. 11/2013
Adopted by reference in Rule 34-7.010(1)(f), F.A.C.

PAGE 1



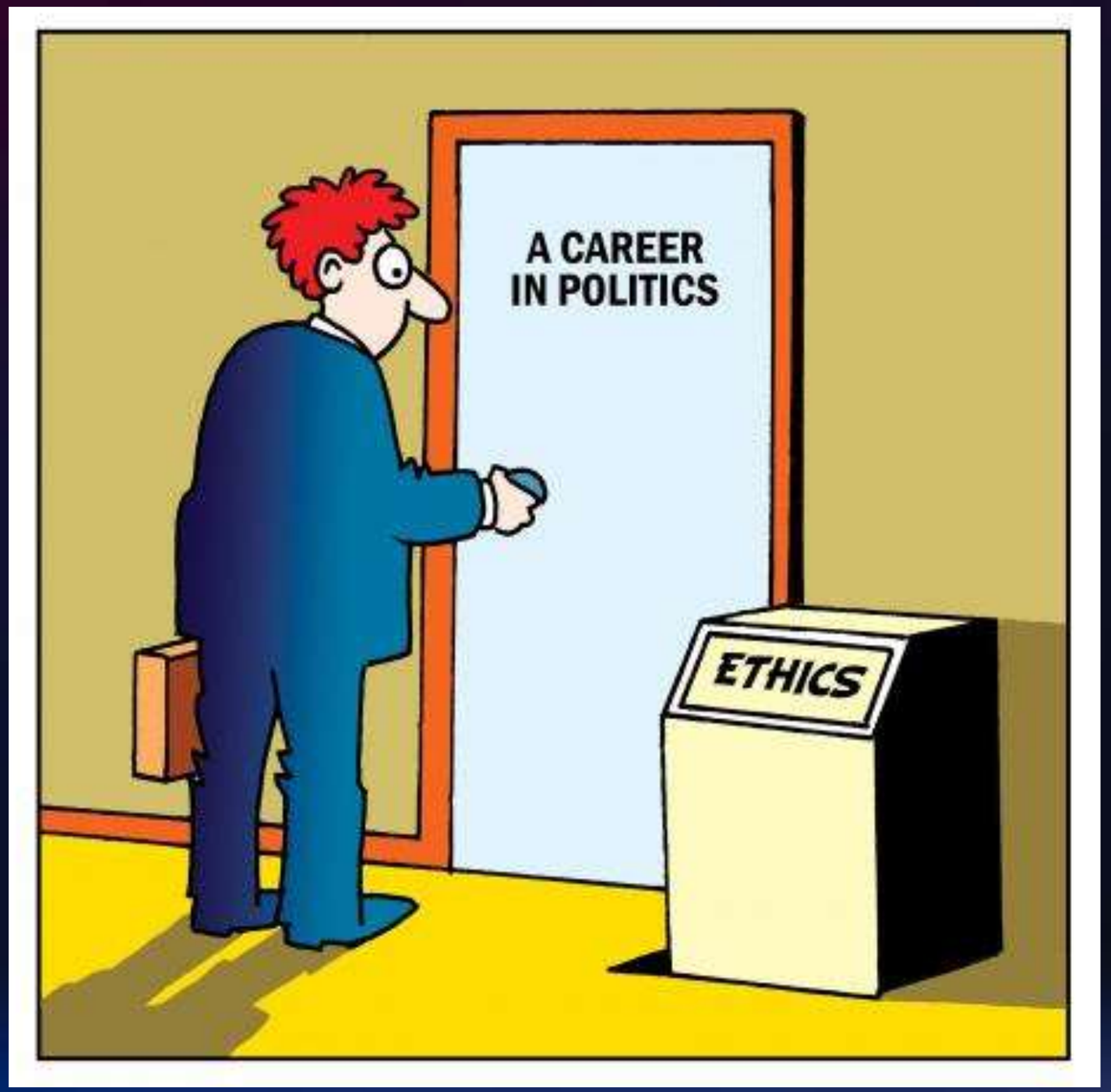
Ethics

PENALTIES (EMPLOYEES, OFFICERS, CANDIDATES)

- Impeachment, removal from office or employment, suspension, public censure, reprimand, demotion, reduction in salary level, forfeiture of one-third salary per month for twelve months, a civil penalty up to $10,000, restitution of any pecuniary benefits received, and triple the value of a gift from a political committee.

Code of Ethics

Questions?



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Gifts



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Gifts

WHAT IS A GIFT?

- Money
- Real estate
- Use of real estate
- Tangible personal property
- Intangible personal property
- Use of personal property
- Food or beverages
- Membership dues
- Transportation
- Plants and flowers
- Admission tickets (sports, concerts, cruises, theme parks, etc.)
- Forgiveness of debt
- A preferential rate or price on:
  - A debt, loan, goods or services
  - Any other thing having value
  - Any other service having value

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Gifts

CAUTION AREAS

- Beware of lobbyists and vendors bearing gifts.
- Accepting gifts – value cannot exceed $100 [Sec. 112.3148. Fla. Stat.]
- Asking for gifts – don’t ask people working with or associated with Town business for anything – lobbyist, vendor, customer, or anyone doing business with Howey. [Sec. 112.313(2), Fla. Stat.]

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Gifts

DISCLOSURE OF GIFTS BY YOU

- Any gift worth over $100
- Quarterly disclosure
- Exceptions:
  - Gifts from relatives
  - Prohibited gifts (i.e., from lobbyists and vendors)

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Gifts

GIFTS DISCLOSED BY LOBBYISTS AND VENDORS

- All gifts given to you worth over $25.
- Disclosed quarterly… by the lobbyist or vendor, not you.

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Financial Disclosure



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Financial Disclosure

WHAT IS DISCLOSED AND WHERE?

- Form 1: Certain assets and liabilities, sources of income, and certain other information. *For new Council members – must file within 30 days of the date of appointment.*
- Form 1F: no later than 60 days after leaving the Town Council.
- Form 2: all clients represented before a state agency by your firm or you for a fee during the previous calendar quarter.
- You should receive the form by mail.
- All forms filed with the Commission on Ethics.

Sec. 112.3144, Fla. Stat.

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Financial Disclosure

CAUTION

- Fail to file by July 1: Delinquency notice
- Fail to file, then, by September 1: $25-per-day fine
- Max fine: $1,500

Note: The Commission on Ethics must send Form 1 to Council Members no later than June 1 of each year.

Sec. 112.3144(8), Fla. Stat.

Florida Commission on Ethics

"A Public Office is a Public Trust"

Available for advice: ethics / gifts / financial disclosure

- 850.488.7864
- www.ethics.state.fl.us

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Protecting Council Members



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Sovereign Immunity

- Public officers are generally immune from personal liability for good-faith acts within their authority.
- Immunity can be lost when a member acts outside their official capacity – exposing them to personal liability for damages.
- Act within the Town of Howey-in-the-Hills mission and purpose – acting within this scope is central to preserving immunity.

THANK YOU!

Questions?

HEATHER RAMOS
heather.ramos@gray-robinson.com
407.244.5670

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NOVEMBER 16, 2026