

# DRAFT



CITY OF FORT PIERCE  
**BOARD OF ADJUSTMENT**

---

## Board of Adjustment Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY BOARD OF ADJUSTMENT HELD ON THURSDAY, **MARCH 23, 2023**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Present: Darrell Drummond; James Crist; Charles Hayek; Jaimebeth Galinis, Madam Chair

Absent: KeAndrea Davis

Staff Present: Sara Hedges, Assistant City Attorney  
Alicia Rosenthal, Planning and Development Organizer

**4. CONSIDERATION OF ABSENCES**

Motion was made by Darrell Drummond, and seconded by James Crist to excuse Ms. Davis.

AYE: James Crist, Darrell Drummond, Charles Hayek, Madam Chair Jaimebeth Galinis  
Passed

**5. APPROVAL OF MINUTES**

a. Minutes from the January 26, 2023 meeting

Motion was made by Charles Hayek, and seconded by Darrell Drummond to approve the minutes from the January 26, 2023, meeting.

AYE: Charles Hayek, Darrell Drummond, James Crist, Madam Chair Jaimebeth Galinis  
Passed

## **6. DISCUSSION / OTHER BUSINESS**

### **a. Sunshine Presentation**

Sara Hedges, Assistant City Attorney, gave a presentation to the Board on Florida's open government laws, which included the Sunshine Law, Florida's Public Records Act and Voting Conflicts of Interest. Ms. Hedges explained who the law applies to and types of gathering and communications that constitute a meeting. Ms Hedges also spoke about the policies governing opportunity of the public to be heard at public meetings. Ms. Hedges noted the prohibited restrictions on meetings and the consequences of violating the Sunshine Law. Ms. Hedges highlighted the seriousness of the Sunshine Law, and she said the key is to avoid accidental meetings.

Mr. Hayek asked about reasonable notice for not attending a meeting. Ms. Hedges stated 24 to 48 hours, but that is not an exact time or a conclusive number, as it depends on the totality of the meeting and more time is always better.

After the Sunshine discussion Ms. Hedges spoke about public records. She stated the definition is extremely broad. Ms. Hedges explained personal communications, retention, requests, and penalties for noncompliance. She said that notes taken during the meeting become public record. Ms. Hedges suggested the Board use a different e-mail address for Board related matters or set up a specific Board folder in their e-mail for Board communications.

Ms. Hedges finished with an explanation of voting conflicts of interest. She said a Board member cannot abstain from voting because they don't want to vote. Ms. Hedges said a conflict of interest is a private gain or loss. Ms. Hedges stated the best practice is to disclose the conflict of interest prior to the meeting, fill out the form and remove yourself from the room during the agenda item. Ms. Hedges noted that a conflict of interest needs to be announced at the beginning of the meeting.

Ms. Hedges encouraged the Board members to call the City Attorney's office or the Commission on Ethics with any questions or issues.

## **7. COMMENTS FROM THE PUBLIC**

## **8. ADJOURNMENT**