

**FORT PIERCE YOUTH COUNCIL
AGENDA**

Fort Pierce Youth Council - Thursday, April 18, 2024 - 4:00 p.m.

City Hall - 2nd Floor Conference Room, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **APPROVAL OF MINUTES**

- a. Approval of Minutes from February 15, 2024 Meeting
- b. Approval of Minutes from February 29, 2024 Special Meeting
- c. Approval of Minutes from March 7, 2024 Special Meeting

4. **ADDITIONS OR DELETIONS TO THE AGENDA AND APPROVAL OF THE AGENDA**

5. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject on this Agenda may be heard at this time. Please limit your comments to no more than five (5) minutes, as this section of the Agenda is limited to thirty minutes. The Youth Advisory Committee will not be able to take any official action under "Comments from the Public" section.

6. **OLD BUSINESS**

- a. City of Fort Pierce Presentation
- b. Community Service Award Submission
- c. Youth Award Recognition Program

7. **NEW BUSINESS**

- a. Annual Open Government Training

b. EMPOWER YOUTH! Day of Giving Debrief

c. May Meeting

8. **COMMITTEE AND STAFF COMMENTS**

9. **ADJOURNMENT**

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

Youth Council Advisory Committee

3. a.

Meeting Date: 04/18/2024

Re: 2/15/24 Minutes

SUBJECT:

Approval of Minutes from February 15, 2024 Meeting

Attachments

2.15.24 Minutes

FORT PIERCE YOUTH COUNCIL MEETING MINUTES

Fort Pierce Youth Council - Thursday, February 15, 2024 - 4:00 p.m. City Hall - 2nd Floor Conference Room, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **APPROVAL OF MINUTES**

- a. Approval of Minutes from January 18, 2024 Meeting

Motion was made by Tenelia Garner, seconded by Vice Chair Tyanne Gore to approve the minutes of the January 18, 2024 meeting.

All members were in favor. Motion passed.

4. **ADDITIONS OR DELETIONS TO THE AGENDA AND APPROVAL OF THE AGENDA**

Motion was made by Vice Chair Tyanna Gore, seconded by Tenelia Garner to approve the agenda as set.

All members were in favor. Motion passed.

5. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject on this Agenda may be heard at this time. Please limit your comments to no more than five (5) minutes, as this section of the Agenda is limited to thirty minutes. The Youth Advisory Committee will not be able to take any official action under "Comments from the Public" section.

6. **OLD BUSINESS**

- a. Youth Award Recognition

Ms. Moore informed the members that two youths had been nominated for the Youth Award Recognition, both in the athletic category. She reminded the members that the nomination application deadline is March 31st and encouraged them to spread the word about the award program.

b. EMPOWER YOUTH Community Service Event

The members discussed the community service event, in which youth volunteers would clean up their community. Ms. Moore asked the members to register 100 youths for the clean up. The council currently has 10 members. She challenged each member to recruit ten volunteers for the cleanup. The members discussed how they could recruit volunteers.

Discussion followed on when they should hold the event. It was decided that the event should take place on Saturday, March 16th, just before spring break.

Ms. Moore encouraged the members to find their ten volunteers as soon as possible. Volunteers will need to sign up, as they did for last year's Empower Youth event.

In addition, members will need to meet every 2 weeks to finalize the event. The members discussed their availability for the additional meetings and decided on 2/29 and 3/7 at 4pm.

The members discussed the areas in the City that they wanted to clean up. Ms. Moore reminded them about the Great American Cleanup on March 9th and that they needed to select areas that had not been clean up.

Motion was made by Cody Ingram, seconded by Veronica Hypolite to approve the Youth Day of Giving clean up event on March 16, 2024.

All members were in favor. Motion passed.

c. Youth Council Survey

Ms. Moore stated that at the previous meeting, the council decided to conduct a survey to solicit feedback from community youth. As of now, eight people have responded. Ms. Moore urged council members to encourage more middle and high school students to participate in the survey in order to increase response rates. The members had discussed hosting a Shark Tank-style event, but that would require a significant amount of preparation and coordination, which they do not have enough time to plan for. The survey now includes a question about a Youth Day of Giving, which is a day of community service. Youth would spend the morning doing community service and the afternoon having fun at the Rec Center on 21st Street.

7. **NEW BUSINESS**

a. Commission Presentation - Florida League of Cities 2024 Youth Council Legislative Action Days Program

The members viewed the presentations created by Veronica Hypolite and Deonna Davis about the members' attendance at the Florida League of Cities Youth Council Legislative Action Days Program in Tallahassee. They discussed how they would make their presentation to the City Commission at the second meeting in March. Each member should introduce themselves to the Commission and the ones who didn't attend the conference could speak about the Council's other activities. Ms. Moore asked the members to finalize their presentations by 3/7 so they could have an opportunity to run through them. The presentations will be scheduled for the 3/18/24 Commission meeting.

b. Youth Council Summit Save the Date

The members were provided with a flyer for an upcoming conference in October for future planning.

c. 2024 Council2College Scholarship

Ms. Moore provided the members with information about this scholarship opportunity so that they would be aware of its availability.

8. **COMMITTEE AND STAFF COMMENTS**

9. **ADJOURNMENT**

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

Youth Council Advisory Committee

3. b.

Meeting Date: 04/18/2024

Re: 2/29/24 Minutes

SUBJECT:

Approval of Minutes from February 29, 2024 Special Meeting

Attachments

2.29.24 Minutes

FORT PIERCE YOUTH COUNCIL MEETING MINUTES

Fort Pierce Youth Council - Thursday, February 29, 2024 - 4:00 p.m. City Hall - 2nd Floor Conference Room, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject on this Agenda may be heard at this time. Please limit your comments to no more than five (5) minutes, as this section of the Agenda is limited to thirty minutes. The Youth Advisory Committee will not be able to take any official action under "Comments from the Public" section.

4. **Planning of the EMPOWER YOUTH! DAY OF GIVING**

Ms. Moore informed the members that today's work meeting will focus on this year's community service event, the Youth Day of Giving. At a previous meeting, the members agreed to recruit at least ten people from the community to volunteer for the event. Today, members must identify areas of the community that require improvement. The Public Works Department will assist with the event, and Ms. Moore is working with them to ensure its success.

The event involves a clean-up in specific locations targeting the community. Following the event, a fun day is planned at the Rec Center with bounce houses, water activities, and music to kick off spring break. Ms. Moore challenged Council members to recruit the most youth, with the winning member receiving recognition. A QR code-encoded flyer was distributed to all the members for registration for the event. So far, three people have registered.

Ms. Moore stated that today they will be assessing the members' commitment to recruiting youth for the upcoming community services event. If they are unable to meet the target, the event may be canceled due to its proximity to 3/16/24. We don't want to make commitments with vendors if we don't have enough youth. The goal is to have 100 youths, and each team member has agreed to recruit ten. Janessa Diaz, who is unable to attend due to illness, has confirmed that 17 people will be participating, and she has also contacted a school club to recruit 20 additional students. Janessa has currently recruited 36.

Ms. Moore asked each member to share their progress in recruiting youth for the event.

After each member provided an update on their recruitment progress, they discussed which areas of the community could benefit from some improvement. They discussed meeting at the Fort Pierce Rec Center after about 3 hours of volunteer service for lunch and fun in the park.

Commissioner Gaines said that he wanted the event to be a success and that he would commit 100 middle school and high school kids to participating in the event.

Commissioner Gaines also encouraged the members. He advised them that if the response they received was negative, it was their responsibility to turn it into a positive and explain why it was important. You are the future of our city. Someone from the Council could be the next person to sit down in my seat. You need to sell your program.

The members continued giving their recruitment progress reports. Unfortunately, there was no significant recruitment effort. Ms. Moore said that at this point they need to decide whether they were going to postpone the event to a later date. They decided that they did not want to postpone it and would increase their recruitment effort.

Ms. Moore asked the members if they had ideas of where they wanted to start the community cleanup. She also mentioned that on March 9th there will be a quarterly clean up by Keep Fort Pierce Beautiful and they have identified sites in the community.

The Youth Council has taken the responsibility to recruit the youth for their clean up event and to identify the locations within the community. The members provided input on the areas to add to the list for clean up.

Veronica Hypolite pointed out a typo on the flyer and Ms. Moore addressed the QR code issue, ensuring it would be corrected and sent to everyone.

Ms. Moore requested each member to have six youth registered by March 7th, while the Chairperson Lyonee Allen emphasized the need for more cleanup location ideas.

Ms. Turner stated that this is an important event for the youth, and that all YOCO members must participate in its planning and execution. The goal is to reach out to the community's youth, and members should look for ways to interest their peers in the Youth Council's important topics. She advised the members to use the remainder of the meeting to finalize the event's action steps so that they could begin planning and carrying it out at the next meeting. Members must complete the planning stage today in order for the event to have an impact on their community.

The members discussed how to improve their recruitment efforts and the activities planned for fun in the park, the event to follow after the clean up,

5. **COMMITTEE AND STAFF COMMENTS**

6. **ADJOURNMENT**

Motion made by Bryanna Gore; seconded by Tenelia Garner to adjourn the meeting.

All members were in favor. Motion passed.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

Youth Council Advisory Committee

3. c.

Meeting Date: 04/18/2024

Re: 3/7/24 Minutes

SUBJECT:

Approval of Minutes from March 7, 2024 Special Meeting

Attachments

3.7.24 Minutes

FORT PIERCE YOUTH COUNCIL MEETING MINUTES

Fort Pierce Youth Council - Thursday, March 7, 2024 - 4:00 p.m. City Hall - 2nd Floor Conference Room, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject on this Agenda may be heard at this time. Please limit your comments to no more than five (5) minutes, as this section of the Agenda is limited to thirty minutes. The Youth Advisory Committee will not be able to take any official action under "Comments from the Public" section.

4. **EMPOWER YOUTH! Day of Giving**

Ms. Moore stated that the only topic of discussion today will be Empower Youth. There have been additional signups. Currently, 41 youth and five adults have signed up.

Today we need to identify and finalize the locations and fun in the park.

The members discussed the areas that they wanted to clean up, with everyone contributing to the conversation. Six locations were selected.

The conversation then turned to activities for fun in the park. Ms. Moore informed the members that they needed to find a DJ who could play music from 12 p.m. to 2 pm. She has reached out to a company that can provide several activities that include a water based 70 foot obstacle course, dunk tank, inflatable basketball, and dry slide.

The members began discussing a possible DJ to hire for fun in the park. Ms. Moore asked the members to provide her with the DJ's cost for his services.

The members discussed their ideas about the possibility of having popcorn and cotton candy, vendor tables, board games or an arts and crafts table at fun in the park.

The discussion turned to the lunch that will be provided to the clean-up volunteers. Lunch boxes containing turkey, ham, or veggie subs were chosen as the best option. Ms. Moore explained that this is why the volunteers must register so that we can provide them with lunch. They will also use color bands to ensure that everyone who signs up receives one to pick up their lunch box later.

A member inquired whether the volunteers would be given water. Ms. Moore said that water would definitely be provided to the volunteers, and that the rec center has ice. Both room temperature and ice cold water will be available.

The discussion moved onto the clothing and equipment for the clean up event. Keep Fort Pierce

Beautiful shirts will be provided to the volunteers. The volunteers will also receive fluorescent vests, gloves and pickers. On Saturday morning at 8am, everyone will check in at the Fort Pierce Rec Center and receive their gear. After checking in, the members will receive their assignments for each of the six projects.

One of the members volunteered to get a quote from a restaurant to provide a lunch box with sub, cookie and chips for 75 people.

Ms. Moore requested that members arrive at the rec center by 7:30am for the clean up event scheduled from 8am to 11:30am.

By consensus, the members agreed to be at the rec center by 7:45am. Due to a prior engagement, Ms. Turner will need to leave at 1pm.

The members agreed to set up at the rec center on Friday, the day before the event, at 10:30am due to school closure. They will be there on Saturday, the 16th, at 7:45am.

Ms. Moore said that registrations will be capped at 75.

Vice Chair Tyanna Gore gave a summary of the schedule of events for Friday and Saturday.

Ms. Moore said that she will send an email to the members with a summary of what was discussed at today's meeting.

5. **COMMITTEE AND STAFF COMMENTS**

6. **ADJOURNMENT**

Motion made by Deonna Davis, seconded by Cody Ingram to adjourn the meeting.

All members were in favor. Motion passed.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

Youth Council Advisory Committee

7. a.

Meeting Date: 04/18/2024

Re:

SUBJECT:

Annual Open Government Training

Attachments

Presentation

Florida's Open Government Laws

SARA HEDGES

CITY ATTORNEY

CITY OF FORT PIERCE

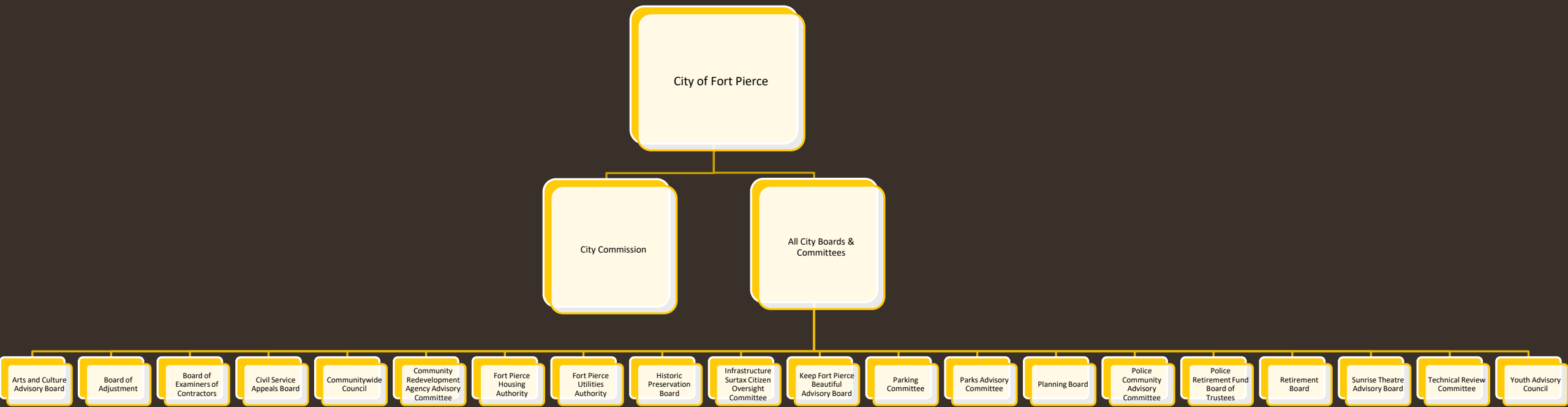
Florida's Open Government Laws

Florida's Government in the Sunshine Law

Florida's Public Records Act

Voting Conflicts of Interest

Who do these laws apply to?



Florida's Government in the Sunshine Law: Chapter 286, Florida Statutes

Provides for a right of access to governmental proceedings of any board or commission at both the state and local levels of government.

Applies to any gathering of two or more members of a board or commission to discuss any matter which will foreseeably come before them for action.

Applies to both elected and appointed boards or commissions.

Basic Requirements of Section 286.011, Florida Statutes

1. Meetings of public boards or commissions must be open to the public
2. Reasonable notice of such meetings must be given
3. Written minutes of the meetings must be taken, promptly recorded, and open to public inspection

Advisory Boards and Committees

Sunshine Law applies to advisory boards, even though their recommendations are not binding upon the agencies that created them.

Very limited exception applies to advisory committees established for fact-finding only. However, if the committee has any decision-making function (making recommendations to the governmental body) as part of their duties, the Sunshine Law applies.

“The principle to be followed is very simple: When in doubt, the members of any board, agency, authority or commission should follow the open-meeting policy of the State.”

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

Ex Officio Board Members

An ex officio board member is subject to the Sunshine Law, no matter whether serving in a voting or non-voting capacity.

Staff and Non-Board Members

Board members are not prohibited from discussing board business with City staff or non-board members.

Cannot, however, use such individuals as a liaison to communicate with members of your board.

Examples:

Member of the CRA Advisory Committee speaking to the City's Economic Development Manager regarding an item on the agenda for an upcoming meeting?

Member of the CRA Advisory Committee asking the Economic Development Manager to poll the remaining members of the committee to see how they will vote on the review of upcoming grant applications?

Types of Gatherings Considered a Meeting

Gathering does not have to be a formal meeting.

Sunshine Law applies to informal gatherings as well.

Types of Communication Constituting a Meeting

Sunshine Law is not limited to just verbal in person communication.

Applies to all communications.

Includes:

Telephone Conversations

Text Conversations

Emails

Public Social Media Posts

Private Social Media Communications

One Way Communications

May send documents to other commission or board members for their review.

But, once there is a response to the group or to one individual, that has triggered a meeting for which the Sunshine Law applies.

BEST PRACTICE: Do not send such communications. Do not reply to such communications.

Behavior by Members of the Public

The public must “be given a reasonable opportunity to be heard on a proposition before a board or commission,” subject to limited exceptions in the statute.

The board or commission is permitted to maintain “orderly conduct or proper decorum in a public meeting.”

May adopt rules or policies for the meetings.

Section 286.0114, Florida Statutes.

Rules or Policies Governing Opportunity of the Public to be Heard at Public Meetings

Section 286.0114, Florida Statutes limits the rules or policies to permit those that:

1. Provide guidelines regarding the amount of time an individual has to address the board or commission;
2. Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;
3. Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or
4. Designate a specified period of time for public comment.

Prohibited Restrictions on Meetings

Cannot ask certain members of the public to “voluntarily” leave a meeting.

Cannot ban videotaping, tape recording, or photography at public meetings when doing so is nondisruptive.

Cannot require those attending a public meeting to provide identification in order to attend.

Secret Ballots

Secret ballots violate the Sunshine Law.

Written ballots may be used so long as the votes are made openly at a public meeting. Ballot must include the name of the person voting and their selection. Ballot must be maintained and made available for public inspection.

Consequences of Violating the Sunshine Law

No resolution, rule, regulation, or formal action shall be considered binding except when taken or made at an open meeting.

Civil action can be brought for the violation.

Violations of the Sunshine Law result in those decisions being voided. They will have to be cured by reexamining the decision within the Sunshine.

Waste of time and resources of the City.

Penalties for Violating the Sunshine Law

Public officer who violates any provision is guilty of non-criminal infraction, punishable by a fine up to \$500.00.

Member of a board or commission who knowingly violates the provisions by attending a meeting not held in accordance with the Sunshine Law is guilty of a misdemeanor of the second degree, punishable by up to 60 days in the county jail, 6 months of probation, and/or a fine up to \$500.00.

Conduct occurring outside of the State of Florida which would be a knowing violation is a misdemeanor of the second degree, punishable by up to 60 days in the county jail, 6 months of probation, and/or a fine up to \$500.00.

May also be suspended or removed from your position

How Serious Should You Take the Sunshine Law?

Damien Gilliams, Pamela Parris, and Charles Mauti, formerly of the Sebastian City Council.

Accusation was that they held an illegal meeting outside of the Sunshine, where they voted to remove the Mayor and fire the City Manager, City Clerk, and City Attorney.

Mauti entered a plea to two civil infractions. Ordered to pay fines, court costs, cost of investigation, and attend and complete sunshine law training in the cases. Total ordered to be paid equaled \$1,886.00.

Gilliams found guilty at trial of 3 counts of Violation of the Sunshine Law (affirmed on appeal) and 1 count of Perjury – Unofficial Proceeding (reversed on appeal).

Parris found guilty at trial of 1 count of Violation of the Sunshine Law (affirmed on appeal) and 2 counts of Perjury – Unofficial Proceeding (Count V reversed on appeal, Count VI affirmed on appeal).

Damien Gilliams Sentences

3120210065303 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 607, 9/16/2021 8:36 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119AXXXXX

STATE OF FLORIDA
VS
DAMIEN HERMAN GILLIAMS

Charge(s): CT(1)
VIOLATION OF THE SUNSHINE LAW

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 500 PD FEE \$ _____
COSTS \$ 243 PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ Reserved
COI \$ Reserved ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 45 days in the Indian River County Jail.
a. _____ as a condition of probation. as CTS concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
a. _____ hours of community service.
b. Restitution of \$ 26088.00 to City of Sebastian; Joint and several
c. Drivers License to be suspended for _____ Business Permit Yes No
d. _____ Attend the next victim impact panel.
e. _____ Attend DUI School and follow any recommendations.
f. _____ Days House Arrest.
g. _____ day car impounded / _____ Ignition Interlock
h. _____ days work program, minimum _____ days per week.
i. _____ Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
j. Report to CORE Probation within 72 hrs. of release from jail.
k. Pay In Full or Set Up Payment Plan Today or _____
l. Other No contact with [REDACTED]

3120210065304 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 609, 9/16/2021 8:36 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119AXXXXX

STATE OF FLORIDA
VS
DAMIEN HERMAN GILLIAMS

Charge(s): CT(2)
VIOLATION OF THE SUNSHINE LAW

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 500 + 25 PD FEE \$ _____
COSTS \$ _____ PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ _____
COI \$ _____ ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 45 days in the Indian River County Jail.
a. _____ as a condition of probation. as CTS concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
a. _____ hours of community service.
b. Restitution of \$ _____ to _____
c. Drivers License to be suspended for _____ Business Permit Yes No
d. _____ Attend the next victim impact panel.
e. _____ Attend DUI School and follow any recommendations.
f. _____ Days House Arrest.
g. _____ day car impounded / _____ Ignition Interlock
h. _____ days work program, minimum _____ days per week.
i. _____ Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
j. Report to CORE Probation within 72 hrs. of release from jail.
k. Pay In Full or Set Up Payment Plan Today or _____
l. Other _____

3120210065305 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 611, 9/16/2021 8:36 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119AXXXXX

STATE OF FLORIDA
VS
DAMIEN HERMAN GILLIAMS

Charge(s): CT(3)
VIOLATION OF THE SUNSHINE LAW

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 500 + 125 PD FEE \$ _____
COSTS \$ _____ PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ _____
COI \$ _____ ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 45 days in the Indian River County Jail.
a. _____ as a condition of probation. as CTS concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
a. _____ hours of community service.
b. Restitution of \$ _____ to _____
c. Drivers License to be suspended for _____ Business Permit Yes No
d. _____ Attend the next victim impact panel.
e. _____ Attend DUI School and follow any recommendations.
f. _____ Days House Arrest.
g. _____ day car impounded / _____ Ignition Interlock
h. _____ days work program, minimum _____ days per week.
i. _____ Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
j. Report to CORE Probation within 72 hrs. of release from jail.
k. Pay In Full or Set Up Payment Plan Today or _____
l. Other _____

Pamela Parris Sentences

3120210065296 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 574, 9/16/2021 8:30 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119BXXXXX

STATE OF FLORIDA
VS
PAMELA RAPP PARRIS

Charge(s): CT(1)
VIOLATION OF THE SUNSHINE LAW

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 500 PD FEE \$ _____
COSTS \$ 243 PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ Reserved
COI \$ Reserved ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 30 days in the Indian River County Jail.
a. _____ as a condition of probation. CS CR5 Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
 - _____ hours of community service.
 - Restitution of \$ 2698.95 to City of Sebastian; Joint and Several
 - Drivers License to be suspended for _____ Business Permit Yes No
 - _____ Attend the next victim impact panel.
 - _____ Attend DUI School and follow any recommendations.
 - _____ Days House Arrest.
 - _____ day car impounded / _____ Ignition Interlock
 - _____ days work program, minimum _____ days per week.
 - Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
 - Report to CORE Probation within 72 hrs. of release from jail.
 - Pay In Full or Set Up Payment Plan Today or _____
 - Other No Contact with _____

3120210065300 RECORDED IN THE RECORDS OF JEFFREY R. SMITH, CLERK OF COURT
BK: 3464 PG: 601, 9/16/2021 8:30 AM

IN THE COUNTY COURT, OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY
STATE OF FLORIDA

CRIMINAL COURT

CASE: 312020MM001119BXXXXX

STATE OF FLORIDA
VS
PAMELA RAPP PARRIS

Charge(s): CT(6)
PERJURY - NOT IN OFFICIAL PROCEEDING

JUDGMENT AND SENTENCE

- The Defendant now being before the Court and having:
 pleaded guilty
 pleaded no contest
 been tried and found guilty
- The Court does hereby:
 Adjudge the Defendant to be Guilty
 Withhold Adjudication of Guilty
- The Court orders the Defendant to pay a fine, cost and assessments as follows:
FINE \$ 1000 + 50.00 PD FEE \$ _____
COSTS \$ _____ PD APP FEE \$ _____
TV AD \$ _____ C.O.P. \$ _____
COI \$ _____ ADDITIONAL COSTS \$ _____
- The Defendant is incarcerated for a period of 90 days in the Indian River County Jail.
a. _____ as a condition of probation. CS CR5 Concurrent
- The Defendant is placed on Supervised Probation for _____ months with these special conditions:
 - _____ hours of community service.
 - Restitution of \$ _____ to _____
 - Drivers License to be suspended for _____ Business Permit Yes No
 - _____ Attend the next victim impact panel.
 - _____ Attend DUI School and follow any recommendations.
 - _____ Days House Arrest.
 - _____ day car impounded / _____ Ignition Interlock
 - _____ days work program, minimum _____ days per week.
 - Attend and complete:
 26 week Batterer's Intervention Program
 12 week Living without Violence Program / Anger Mgt. Class
 ACF Mileposts Misd. Class
 Enroll within _____ Days.
 - Report to CORE Probation within 72 hrs. of release from jail.
 - Pay In Full or Set Up Payment Plan Today or _____
 - Other _____

One Last Thought on the Sunshine Law

“We note that the Sunshine Law was enacted in the public interest to protect the public from ‘closed door’ politics and, as such, the law must be broadly construed to effect its remedial and protective purpose.” Wood v. Marston, 442 So.2d 934 (Fla 1983).

Florida Public Records Act: Chapter 119, Florida Statutes

Florida's public records laws create a right of access to records of state and local governments and private entities acting on their behalf.

Material falling within the definition of a "public record" must be disclosed to the public absent a statutory exemption.

Be mindful, a public records exemption does not create a Sunshine Law exemption.

Definition of “Public Records”

“Public records’ means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Section 119.011(12), Florida Statutes

When “intended to perpetuate, communicate, or formalize knowledge of some type.” Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc., 379 So.2d 633 (Fla. 1980).

Personal Communications and “Public Records”

Personal notes are a public record if they are intended to communicate, perpetuate, or formalize knowledge of some type.

Emails to and from personal email, texts on personal cell phone, social media exchanges, etc. made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency or intended to communicate, perpetuate, or formalize knowledge of some type are public record.

Personal communications or documents stored on government equipment are not automatically public records, but they may be depending on the circumstances.

Retention of Public Records

All public records have a specific retention schedule approved by the Department of State.

Even exempt records must be retained.

Bottom Line: Do **NOT** destroy, delete, or alter a public record. If you are unsure whether something is a public record, **KEEP IT**.

Public Records Requests

Cannot be withheld at the request of the sender.

No legitimate purpose or noncommercial interest must be established by the requestor, motivation is irrelevant.

Cannot deny a request because it is overbroad.

Unless a statute authorizes such, requestor cannot be required to identify themselves or make the request in writing.

Cannot delay production of the records requested further than reasonable amount of time to retrieve and redact the records (according to the law).

Penalties for Noncompliance with Public Records Laws

Civil Actions

Civil action to enforce compliance with chapter 119 requires an immediate hearing and takes priority over other matters.

Attorney's fees shall be awarded if agency is found to have unlawfully withheld public records.

Civil Penalties

An unintentional violation is a non-criminal infraction punishable by up to a \$500.00 fine.

Criminal Penalties

Knowing and intentional violation is a first degree misdemeanor, punishable by up to 1 year in the county jail, 1 year of probation, and/or up to a \$1,000.00 fine.

May also be suspended or removed from your position

Voting Conflicts of Interest: Section 286.012, Florida Statutes

As a general rule, cannot abstain from voting.

Members must vote unless there is, or appears to be, a possible conflict of interest under Florida Statutes (112.311, 112.313, 112.3143, and 112.326).

If the only conflict or possible conflict is one arising from the additional or more stringent standards adopted pursuant to s. 112.326, the member shall comply with any disclosure requirements adopted pursuant to s. 112.326.

If the official decision, ruling, or act occurs in the context of a quasi-judicial proceeding, a member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.

Voting Conflicts of Interest: Section 112.3143, Florida Statutes

A voting conflict of interest exists when voting on any matter that would inure to the special private gain or loss of the person voting, their relative, their business associate, or a principal by whom they are retained.

Relative: father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

Business associate: any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, co-owner of property, or corporate shareholder.

Principal by whom retained: individual or entity, other than an agency as defined in s. 112.312(2), that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one's client, employer, or the parent, subsidiary, or sibling organization of one's client or employer.

Voting Conflicts of Interest: Section 112.3143, Florida Statutes

Special private gain or loss: an economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class that includes the officer, his or her relative, business associate, or principal, in which case, at least the following factors must be considered when determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.
2. The nature of the interests involved.
3. The degree to which the interests of all members of the class are affected by the vote.
4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.

The degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or harm to the public officer, his or her relative, business associate, or principal and, if so, the nature or degree of the economic benefit or harm must also be considered.

Additional Conflicts of Interest Statutes

Section 112.311, Florida Statutes: Legislative Intent and Declaration of Policy.

Excerpt of subsection (5): “It is hereby declared to be the policy of the state that no officer or employee of a state agency or of a county, city, or other political subdivision of the state, and no member of the Legislature or legislative employee, shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his or her duties in the public interest.”

Section 112.313, Florida Statutes: Standards of Conduct for Public Officers, Employees of Agencies, and Local Government Attorneys.

Topics addressed include accepting gifts, doing business with own agency, misuse of public position, etc.

Voting Conflicts of Interest: Section 112.3143, Florida Statutes

If you have a voting conflict:

Must: Announce the nature of the conflict, abstain from voting, and file a Memorandum of Voting Conflict (Commission on Ethics Form 8B).

May: Participate (attempt to influence the decision orally or in writing by self or at your direction) if follow specifically outlined steps in the statute based on when you decide to participate.

Best Practice: Disclose the conflict prior to the meeting and remove oneself from the room during that agenda item.

Questions about Sunshine Law, Public Records Laws, Ethical Concerns, Etc.

May contact the City Attorney's Office

- Remember, we represent the City and will take a position that best protects the City
- We will advise you to stay "1,000 feet" away from the line
 - Example: voting conflicts of interest
- You should always follow up with:
 - The Commission on Ethics
 - Your own private, personal attorney

Resources Available:

- Sunshine Manual
- Attorney General's Office
- Florida Statutes