

RESOLUTION NO. 2019-3

A RESOLUTION OF THE VILLAGE COUNCIL OF LAZY LAKE, FLORIDA PERTAINING TO THE SUBJECT OF GOVERNANCE; PROVIDING FINDINGS; AUTHORIZING A REQUEST TO THE FLORIDA ATTORNEY GENERAL FOR AN OPINION CONCERNING WHETHER THE PERSONS PRESENTLY SERVING AS ELECTED OFFICIALS MAY CONTINUE TO SERVE THE VILLAGE IN SUCH CAPACITY UNTIL THE CURRENT TERM FOR SUCH OFFICES EXPIRE; AUTHORIZING THE MAYOR TO PROVIDE TO THE OFFICE OF THE FLORIDA ATTORNEY GENERAL SUCH ADDITIONAL INFORMATION AS SUCH OFFICE MAY REQUEST IN ORDER TO OBTAIN SUCH OPINION; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, as a result of a continuing effort of the Village of Lazy Lake Florida to respond fully to concerns raised by the Broward County Office of Inspector General, the Village authorized the current law firm representing the City to review whether the persons currently serving the Village as elected officials may continue to do so for the remainder of the current term of their office; and,

WHEREAS, this review has resulted in correspondence from the law firm, a copy of which is attached hereto as Exhibit "A", which summarizes the Village's background information, the relevant history of the Village Charter and other law relating to the Village's elections cycle, evidence concerning how each of the present persons serving as elected officials of the Village came to serve in such capacity, and legal precedent which could support the continued service of such persons in their present capacities as *de facto* officers until their current term of office expires after the next Village general election in March of 2020; and,

WHEREAS, the Village desires an Opinion of the Attorney General of Florida concerning this matter because: (i) the Attorney General of Florida is the Executive Branch of State Government's Chief legal Officer and Opinions of the Attorney General of Florida constitute persuasive legal authority, (ii) the Exhibit "A" correspondence indicates there may be some degree of uncertainty concerning whether the *de facto officer* legal precedent would be applicable under the circumstances and the extent to which it may be applicable, and the Village must continue to function; and (iii) any opinion rendered by such law firm which concludes that the current officials may continue to serve may be perceived as "self serving" to the firm or the persons serving as the Village's elected officials as opposed to an Opinion from the Attorney General of Florida which is disinterested in this matter; and,

WHEREAS, seeking and Opinion from the Office of the Attorney General of Florida serves a necessary and important public purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA THAT:

SECTION 1: The Village authorizes a request to the Office of the Attorney General of the State of Florida for an Opinion concerning whether the persons presently serving as elected officials of the Village of Lazy Lake, Florida may continue to serve the Village in such capacity until the current term for such offices expires after the next Village general municipal election in March of 2020.

SECTION 2: The Village authorizes the Mayor to provide to the Office of the Florida Attorney General such additional information as such Office may request in Order to obtain such Opinion. This authorization shall include the Mayor directing the law firm presently serving the Village and the Village's consulting administrative services company to supply any necessary additional information, and includes such revisions as to the precise form of the Opinion requested as may be necessary.

SECTION 3: Should any section, paragraph, sentence, clause, phrase or other part of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Resolution as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 4: This Resolution shall become effective ten (10) days after passage by the Village Council and by signature by the Mayor.

PASSED AND ADOPTED by the Village Council this 21 day of May, 2019.

Council Member

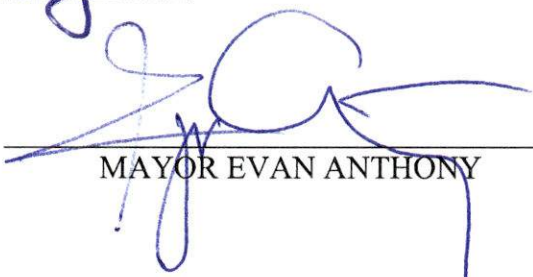
John Boisseau
Sally Boisseau
Patrick Kaufman
Carlton Kirby
Ray Nyhuis

Voice Vote

Yea X Nay ____
Yea X Nay ____
Yea X Nay ____
Yea X Nay ____
Yea X Nay ____

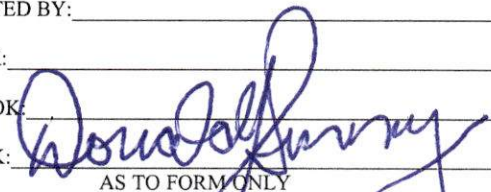
Absent

SIGNED by the Mayor this 21 day of May, 2019.


MAYOR EVAN ANTHONY

ATTEST:


VILLAGE ADMINISTRATIVE ASSISTANT

REQUESTED BY: _____ APPROVED _____ DATE _____
DEPT. OK: _____
ADMIN. OK:  _____
ATTY. OK: _____ AS TO FORM ONLY

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Resolution was received by the Village Administrative Assistant and entered into the Public Record this 21 day of may, 2019.


Village Administrative Assistant, Lisa Tayar

EXHIBIT "A"



Donald J. Lunny, Jr. | Partner
donald.lunny@brinkleymorgan.com

*Board Certified City, County
& Local Government Lawyer*

One Financial Plaza
100 SE 3rd Avenue, 23rd Floor
Fort Lauderdale, Florida 33394
(954) 522-2200
(954) 522-9123 Facsimile

2255 Glades Road, Suite 414E
Boca Raton, Florida 33431
(561) 241-3113
(561) 241-3226 Facsimile

501 North Federal Highway
Lake Park, Florida 33403
(561) 863-5400
(561) 863-3420 Facsimile

www.brinkleymorgan.com

Please reply to Fort Lauderdale

May 17, 2019

Mayor Anthony and Members
of the Village Council
Village of Lazy Lake
2250 Lazy Lane
Lazy Lake, FL 33305

Re: Recommendation to Seek an Opinion from the Florida Attorney General

Dear Mayor and Council:

I. Executive Summary

This correspondence sets forth the basis for the Firm's recommendation that the Village seek an Opinion from the Attorney General of Florida as to whether those individuals currently serving as the Mayor and Members of the City Council of Lazy Lake are authorized to continue in such capacity as *de facto* municipal officers until the next municipal general election in March of 2020. While our legal research of the relevant issues discloses some law which is discussed below and which would support the application of the doctrine of *de facto* officers to the present case, there is some degree of uncertainty concerning whether such law would be applicable under the circumstances and the extent to which it would be applicable. We recommend that the Village seek an Opinion from the Attorney General of Florida as to this matter. We are sensitive to the fact that the Firm represents the Village, and the Village acts through its officers, and are concerned that any Opinion the Firm might issue on this subject might be perceived as being influenced by bias or be perceived as being "self-serving" to the present persons serving as the Village's elected officials; whereas the Attorney General of Florida is the State Executive Branch's Chief Legal Officer and is disinterested in this matter. Importantly, Opinions of the Florida Attorney General enjoy a legal status of being persuasive legal authority, and thus constitute a form of legal precedent unless and until a Court were to rule otherwise, or until modified by a subsequent Opinion of the Florida Attorney General; whereas, opinions from a law firm representing the Village does not enjoy such special legal status.

It has been our experience that the Office of the Florida Attorney General would prefer that requests for an Opinion be accompanied by a Resolution which approves the Opinion being

solicited. To that end, we attach as Exhibit "1" a Resolution for this purpose, and recommend its adoption. Since it is foreseeable that the Opinion requested may need to be modified somewhat after the Office of the Florida Attorney General conducts its review of this matter, the Resolution authorizes the Mayor to seek such modification as the Office of Attorney General may determine reasonably necessary, and to furnish to said Office additional information as may be reasonably necessary for such Office to render such Opinion.

II. General Background about the Village

The Village of Lazy Lake, Florida was incorporated in 1953. The boundaries of the Village are coterminous with the Plat of Lazy Lake, according to the Plat thereof recorded in Broward County Plat Book 22 at Page 35 ("Plat"). A review of this Plat discloses that the municipal corporation's boundary is approximately 675 feet x 850 feet or approximately 13.17 acres in size. Further, the Plat discloses that a material portion of the 13.17 acres is submerged as "Lazy Lake". The Village of Lazy Lake is entirely surrounded by the City of Wilton Manors, Florida. According to the 2018-2019 Municipal Directory published by the Florida League of Cities, Lazy Lake's population reported as being 26; whereas, the City of Wilton Manors' population is reported as 12,622. In our review of the Village's files for the 2016 municipal general election, we found a Broward Supervisor of Elections printout dated November 19, 2015 which showed that at that time, the Village had only twenty-three (23) electors. A copy of this Voter list is attached as Exhibit "2."

While the Village enjoys the legal status of a Florida Municipal Corporation, its operations can best be described as being "bare bones" in nature. The Village has no employees. The people who are presently acting as the Mayor and Council Members receive no compensation. At the present time, no one occupies the Charter Office of Village Clerk; instead, the Village has an agreement with Prototype, Inc. to perform clerical type (i.e. non-managerial) administrative services. In addition, no one presently occupies the Charter Office of Village Attorney. Our Firm was approved by the Village Council to provide legal services to the Village on November 9, 2018. Our engagement correspondence indicated that we would perform only such work as was requested by the Mayor or by Resolution of the Village Council. It is my understanding that the Village has arrangements with Broward County under which the Village takes advantage of the County's Code Enforcement services, and similarly, has arrangements with the Broward County Sheriff for law enforcement. Further, the Village pays FPL for street light power costs, and pays Waste Management for solid waste collection.

Since the Village Council Meeting of November 9, 2018, the Village has not adopted any Ordinances which would be an exercise of the Village's legislative power. Furthermore, the Village has not approved any contracts. The Village has paid various bills that have been submitted for payment. Soon, however, the Village will need to commence the process of imposing its Ad Valorem Taxes for its upcoming fiscal year.

Most recently, the Village has renewed its efforts to explore a merger with Wilton Manors. It appears that the principal motivation for the merger is the realization that governance requirements are becoming ever more complicated and burdensome to such a small community.

It is generally believed that Lazy Lake is the State's smallest municipal corporation. Additionally, the Village has been attempting to consolidate and digitize its records, and adopt procedures to improve notice of its Meetings.

III. Conclusions Concerning Terms of Elective Office and Village Municipal Election Cycle:
Review of Charter, Local Elections Laws, and Ordinances

A summary of my research and of relevant enactments concerning the Village's election process is as follows:

1. The Village's original Charter was enacted by a Special Act of the Legislature in 1953 and is cited as Chapt. 29238, Laws of Florida (the "Charter"). This Act became effective without the Governor's approval and was filed in the Office of the Secretary of State on June 3, 1953. It appointed the first Village Mayor and Council to serve until April 1, 1954, and indicated that all Village elected offices would be filled at a general election occurring in March of 1954. The Charter indicates that all Village elected officials serve a term of two (2) years (Art. I, Section 9). After the Village's first election, the Charter indicates that subsequent general elections will be held every two (2) years thereafter. Thus, our review of the initial Charter indicates that municipal general elections for all Village elective officers shall be held bi-annually in even years (meaning terms are not "staggered" among elected offices), shall be held in March of even numbered years, and that terms of office for elected officials commence on April 1 following a general election. A copy of the Charter is attached as Exhibit "3."
2. Art. II, Section 3 of the Charter states if the Mayor or a Member of the Village Council vacates his or her position, the Village Council has the duty at the next regular meeting or as soon as possible *following* the declaration of such vacancy, to select a citizen to fill the vacancy until the next general election, and if a majority of the Council cannot agree after two (2) regular meetings are held, a special election shall be called. In Charter Art. I, Section 10, the Council has a duty to "declare" an elective office vacant if an elected official's office becomes vacant for the reasons cited therein (e.g. loss of status as an elector of the Village, conviction of a felony). If one reads were to read these provisions *in para materia*, he or she could reasonably conclude that as soon as a vacancy becomes known, a declaration should be made. Then, if the vacancy is not filled in the next two (2) ensuing meetings, a special election is required. If no declaration is made the first available meeting after a vacancy is known, it is our considered view that the vacancy must nevertheless be filled by appointment within the next two ensuing meetings, or a special election is required. Our review of the Village's records concerning its ordinances did not disclose any ordinances concerning how the Council "declares vacancies" or whether any particular form of notice to the electors is required for filling vacancies. The Council might wish to consider establishing some formal procedures in this regard.
3. Prior to the Municipal Home Rule Powers Act being adopted in 1973 and the Florida Constitution being changed in 1968, amendments to City Charters were accomplished

by an enactment of the Florida Legislature. Thus, in order to determine whether the Legislature had adopted any Special or Local Acts subsequent to the Village's 1953 Charter, it was necessary to review the Index to Special and Local Laws maintained by the State Library and Archives, (which is part of the Division of Library and Information Services of the Florida Department of State) for the period of 1845 – 1970¹ as well as the update thereto maintained by the State Library and Archives for the period of 1971 – 2018. Our review of this Archival Index material did not disclose any identified amendments to the Village's 1953 Charter as a result of any subsequent Special or Local Acts of the Florida Legislature.

4. After the Municipal Home Rule Powers Act ("Act") became effective in 1973, the Act did not permit municipal corporations to amend their Charters to change election dates of their elected officials without approval of the voters by referendum. The Act was amended in 1995 when the Florida Legislature enacted Chapt. 95-178, Laws of Florida. This law amended Subsection 166.021(4), Florida Statutes, to allow municipalities to amend their Charters to select election dates and qualifying periods for candidates (and to change terms of office necessitated by such changes in election dates) without a voter-approved referendum.
5. For Broward County, the Florida Legislature enacted a series of Special Acts (Ch. 75-350, Laws of Florida, Chapt. 76-350, Laws of Florida, Chapt. 77-507, Laws of Florida, Chapt. 81-349, Laws of Florida) collectively governing municipal general elections and qualifying dates so as to make all of the County's municipal election qualifying periods and election dates uniform. After the 1995 Amendment to the Municipal Home Rule Powers Act, the Florida Legislature enacted two (2) additional Broward County-specific Special Acts (Chapt. 2004-443, Laws of Florida, and Chapt. 2012-253, Laws of Florida) which continue to provide uniform qualifying periods and election dates, depending on whether municipal corporations in Broward keep their original March general election dates, or move their general elections to November.
6. This Firm conducted an examination of the Village's records concerning its enacted Ordinances, some which dated back to the Village's early years, and this review did not disclose any ordinances proposing an amendment to the Village Charter concerning the Village's elected officials or their respective terms of Office (which did or did not contemplate a referendum of the Village's electorate). While we cannot conclude that the Village's records concerning its Ordinances are complete in every respect, one must assume that over the period of years of the Village's history, those Ordinances which were determined worthy of retention were retained.
7. The undersigned briefly interviewed the two (2) most recent attorneys who represented the Village prior to our Firm being engaged, and neither attorney had any recollection of any voter-approved changes to the Village's Charter during their respective periods

¹ This document was prepared by the Joint Legislative Management Committee Division of Statutory Revision and Indexing.

of service. Furthermore, none of the persons presently serving as elected officials of the Village have any recollection of any voter-approved changes to the Village's Charter concerning the Village's elected officials or their respective terms of Office.

Based on the foregoing, we have concluded that it is more likely than not that the Village's general election cycle remains in March of even years, and that unlike some other cities in Broward County who have "staggered terms" for their elected officials, the Village elects all its elected officials every two (2) years. The terms begin on April 1 of the year following a municipal general election, and end on March 31 of the year in which the next municipal general election is held.

IV. Relevant Factual History

Our Firm has been requested to assist the Village in its ongoing effort of complying with various requests from the Broward County Office of Inspector General ("OIG")². The information we were given upon our engagement, and a relevant chronology of pertinent matters as disclosed by our review since then, are set forth as follows:

1. On August 24, 2014, the OIG issued a Closing Memorandum for Case No. OIG 13-025 in which, among other things, such Office concluded that the Village's elected officials were in compliance with applicable ethics training and certification requirements. However, the OIG expressed concern over whether any of the Village's elected officials at that time had the legal authority to continue to govern. This is because the OIG's investigation caused it to conclude that no candidate had properly qualified in the previous election cycle. A copy of this Closing Memorandum is attached as Exhibit "4."
2. The first scheduled Village municipal general election cycle which took place after the Exhibit "4" OIG Closing Memorandum of August 24, 2014 was the March 2016 general election. My review of the Village files for this general election disclosed:
 - (a) A proof of publication in the Sun-Sentinel on December 5, 2015 and December 12, 2015, announcing an election being held on March 15, 2016, for all elected positions in the Village and qualification dates for such election commencing noon on Monday, January 4, 2016 and closing on noon, Friday, January 11, 2016. A copy of this Proof of Publication is attached as Exhibit "5."
 - (b) At the close of the Qualifying Period, an e-mail was sent to the Broward Supervisor of Elections which indicated that only four persons qualified for Office and were unopposed. The following persons elected to the following

² The Honorable John Scott is the Broward County Inspector General. Broward County operates under a Charter Form of government, and the Broward County Charter contains provisions which create the Office of the Inspector General and authorizes such Inspector General to perform certain functions.

positions without the need for a general election were identified in such e-mail as being:

Carolyn White, Mayor
Sally Boisseau, Councilperson
John Boisseau, Councilperson
Linda Catalano, Councilperson

The e-mail was from the Village Clerk and is dated January 11, 2016. A copy of this e-mail is attached as Exhibit "6."

- (c) The Village's 2016 election files include Oaths of Candidates for the foregoing individuals, Statements of Candidates for such individuals, Appointments of Campaign Treasurer, and Waivers of Campaign Reports. Moreover, the files contain Concluding Campaign Treasurer Report Summary for all of the foregoing candidates but Mayor White (which I assume is filed or stored in a different file). A copy of this material is attached as Composite Exhibit "7." Furthermore, there was evidence in the file which supported the conclusion that the Village had a person occupying the Charter Position of City Clerk at that time whose name was Mr. Joe Fodera. It would thus appear that while the Village's records may not be complete with respect to the conclusion of proper qualification, the then City Clerk determined that such individuals timely qualified, and thus, for purposes of this correspondence, we will assume that the general election processes and procedures in March 2016 were valid and that at the conclusion thereof, the Village had three (3) Members of the Council, to wit, Mr. Boisseau, Ms. Boisseau, and Ms. Catalano, and a Mayor who was Ms. White. All of these person's terms of Office would have commenced on April 1, 2016 and would have expired on March 31, 2018 (after the March 2018 general election).
3. The first Meeting of the Village Council after April 1, 2016 which was disclosed by our review was April 12, 2016. The next two ensuing Meetings were May 10, 2016 and June 28, 2016. At the June 28, 2016 Meeting, the Minutes disclose that Mr. Anthony was appointed as a Member of the City Council. The April 12, 2016 Meeting Minutes disclose that Mr. Kamm expressed an interest in filling a vacant Council seat, and the Minutes of May 10, 2016 reflect his appointment to the Council. The Minutes of July 12, 2016 disclose that Mr. Kamm had resigned, and reflect that Mr. Nyhuis was appointed to the City Council. The Minutes of May 9, 2017 reflect another appointment of Mr. Nyhuis to the Village Council. A copy of the foregoing Minutes are attached as Exhibit "8."
4. Our review of the Minutes for December 19, 2017 Village Meeting discloses that the person serving as Village Mayor was Ms. Caroline White, and the persons serving as Members of the Village Council were Mr. Evan Anthony, Mr. John Boisseau, Ms. Sally

Boisseau, Ms. Linda Catalano, and Mr. Ray Nyhuis. These same persons are listed as serving the Village in the same capacity in the January 16, 2018 Minutes.

5. Our review of the Village records for the March 2018 general election do not disclose any document copies concerning qualifying for elective office in the relevant January 2018 timeframe, and in our conversations with them, none of the persons serving then and serving now have any recollection of executing any qualifying documentation. We did not find a proof of publication for a newspaper of general circulation which announced any qualifying periods. The qualifying period for the March 2018 municipal general election would have commenced noon, January 2, 2018 and expired at noon, January 9, 2018.
6. In the May 15, 2018 Meeting Minutes, the Minutes disclose a Motion to add an agenda item and to appoint John Boisseau and Sally Boisseau to the Council until the next general election of November 2018, followed by a vote to this effect. At the May 15, 2018 Meeting, the Council Members voting on this re-appointment were Ms. Linda Catalano, Mr. Nyhuis, and Mr. Anthony.³ A copy of these Minutes are attached as Exhibit "9."
7. At the Meeting of May 29, 2018, the Minutes reflect the Council adopting a Resolution appointing John Boisseau and Sally Boisseau to the Council. A copy of these Minutes are attached as Exhibit "10." It appears that Council Member Catalano was absent at the May 29, 2019 Meeting. If such is the case, and if an appointment was necessary that day, the Resolution cannot be the basis of the appointment of John Boisseau and Sally Boisseau to the Council because a majority of the remaining Council Members did not vote on the Resolution. However, the Motion of the prior Meeting is likely sufficient evidence of an appointment.
8. There is no evidence disclosed by our review that either Mr. Boisseau or Ms. Boisseau resigned prior to May 15, 2018. Furthermore, there were no documents disclosed by my review (other than that described in paragraph 10. below), which would explain why their term of Office was being treated differently than other Village elected terms, or why their appointment was reflected in the Minutes as being until the "*next general election of November 2018.*"
9. The OIG issued a follow-up letter dated July 9, 2018 to Mayor White, which among other things, requested information about (i) a description of the process or procedure for conducting Village elections, and (ii) the procedural or legal basis for re-appointing John Boisseau and Sally Boisseau to the Village Council on May 15, 2018. A copy of this correspondence is attached as Exhibit "11."

³ Though Mr. Anthony is initially listed as absent, he was present at the Meeting as he is mentioned under "Old Business."

10. At the July 17, 2018 Meeting, the Minutes reflect that Mayor Caroline White had resigned. Council Member Catalano offered to serve in an interim capacity, and the minutes reflect this was unanimously approved. These Minutes also reflect that Mr. Sherman (a lawyer in a Firm which briefly represented the City prior to our Firm being retained) indicated that he believed at the next election, there would be three (3) seats available; one (1) for Mayor, and two (2) for Council Members. A copy of these minutes is attached as Exhibit "12."
11. At the September 12, 2018 Meeting, the Minutes disclose that Mr. Carlton Kirby was appointed to fill a Council Seat vacated by Ms. Catalano "until the next general election." The Minutes reflect that the voice vote was unanimous. The Council Members shown as attending this Meeting are Mr. Anthony, Mr. Boisseau, Ms. Boisseau, and Mr. Nyhuis. The Minutes reflect as Agenda Item 5.b, a Resolution being adopted to this effect and an oath of Office being administered by Mr. Doody, a lawyer practicing in the Firm which represented the Village at that time. A copy of these Minutes is attached as Exhibit "13."
12. At the September 24, 2018 Meeting, the Minutes made and passed unanimously by the remaining Council Members to appoint Mr. Patrick Kaufman to the Council "until the next general election." A Resolution to this effect is reflected in the Minutes as Agenda Item 3.1. At this same Meeting, the Minutes reflect as Agenda Item 3.2 that Mr. Evan Anthony was appointed as Mayor, and reflect that the Motion to this affect was approved by a majority of the Members of the Village Council. The Minutes reflect that Mr. Doody administered the Oath of Office to Mr. Kaufman and Mr. Anthony. A copy of these Minutes is attached as Exhibit "14."
13. After the September 24, 2018 Village Council Meeting, the persons serving in the position as Mayor and Members of the Council are the same as those persons serving today. Mr. Anthony is serving as the Village Mayor, and the persons serving as Members of the Village Council are Mr. John Boisseau, Ms. Sally Boisseau, Mr. Ray Nyhuis, Mr. Patrick Kaufman, and Mr. Carlton Kirby.
14. On November 9, 2018, the Mayor wrote the OIG in response to that Office's July 9, 2019 correspondence which including the Minutes of May 15, 2018 wherein John Boisseau and Sally Boisseau were appointed members of the Village Council.
15. After our engagement, the OIG wrote to the Mayor on November 27, 2018 indicating his assumption that the Village did not have any procedural or legal basis for re-appointing any current sitting council members beyond the Village Council voting to appoint them. This correspondence did not specifically address whether or not any additional information was being sought concerning Mr. or Ms. Boisseau's appointment, and addressed other topics beyond the scope of this letter. The OIG stated that the Village could supply additional information by January 15, 2019. A copy of this letter is attached as Exhibit "15."

16. On December 19, 2018, Mr. Quentin Morgan wrote to the OIG. He advised the OIG that its November 27, 2018 letter was discussed with the Mayor on December 10, 2018, and discussed at the first Village Council Meeting subsequent to the Firm's engagement on December 19, 2018. Mr. Morgan requested additional time to address the issues raised. On December 20, 2018, the OIG General Counsel, Carol "Jodie" Breece, Esq. indicated that the OIG would proceed on or after March 1, 2019. A copy of Attorney Breece's letter is attached as Exhibit "16."
17. On February 27, 2019, Mr. Morgan wrote to the OIG, updating the OIG on the Village's efforts for starting to get election procedures determined for the upcoming March 2020 municipal election. On this last point, Mr. Morgan advised that he and the Mayor had reached out to Mr. John Way of the Broward Supervisor of Elections Office, and were requested to follow up after that Office had completed its March 2019 election cycle. Finally, Mr. Morgan's letter of February 27, 2019 indicated that Mr. Morgan would be leaving the Firm and that I would be the attorney in the Firm which would handle the Village's matters. A copy of Mr. Morgan's letter is attached as Exhibit "17."
18. The undersigned's first meeting of the Village Council occurred on March 19, 2019 at which time I was introduced to the Council, ostensibly for the purpose of ensuring that the Council would not object to my continuing to assist the Village on behalf of the Firm. Since then, a considerable effort has taken place to attempt to review relevant law and evidence to draw some conclusions about what has taken place insofar as the Village's relevant election history is concerned. The undersigned has also had some informal oral conversations with the OIG General Counsel concerning the Village's ongoing efforts to address the OIG's expressed concerns.
19. Last month, the undersigned spoke briefly to the Broward Supervisor of Elections Office ("SOE") with respect to whether such Office could reasonably conduct a special election for Lazy Lake before the next scheduled general election in March of 2020. The person which was contacted advised that the SOE was required to conduct a very significant amount of work necessary to get ready for the election cycle next year, and that part of this work included, among other things, an intensive review of voter information; as a result, the person expressed preliminary concern as to whether a special election could be held. A follow up request has been made recently to confirm this advice and ascertain whether anything has changed. All local municipal general elections must be coordinated with the Broward Supervisor of Elections.

V. Legal Authority Serving as a De Facto Officer.

There is legal authority in Florida which would support the proposition that an individual is authorized to continue service in an office after the term for such office expires, and which further supports the proposition that such person's actions are considered valid and unassailable. A representative discussion of some of this law is set forth below:

1. *Colbath v. Adams*, 184 So.2d 883 (Fla. 1966). In this case, Mr. Colbath sued Mr. Adams (in his Capacity as Florida Secretary of State) to compel an election for Public Defender in the 1966 General Election. The *Colbath* Court's Opinion discloses that Mr. Clayton Nance was appointed to serve as a Public Defender for an unexpired term of office which concluded on January 4, 1965. Mr. Nance qualified for the November 1964 general election for the Office of Public Defender's next ensuing four (4) year term which commenced January 5, 1965. However, Mr. Nance resigned on December 1, 1964, after the November 1964 General Election and before his new term was to take effect. Mr. Clyde Windham was appointed by the Governor on December 7, 1964 to fill the unexpired term, but the Commission issued for his appointment indicated that his service would conclude in January of 1969. The *Colbath* Court determined that there was no evidence that Mr. Nance resigned his ensuing four (4) year term of office commencing January 5, 1965; however, he did not appear in the case, he did not claim such term of office, and his right to claim such term of such office expired by statutory law sixty (60) days after the November 1964 Election. The Court determined that the only "vacancy" that the Governor could fill by the Governor's December 7, 1964 appointment was the unexpired first term of Mr. Nance's office (i.e. December 1, 1964 to January 4, 1965). The Court determined that to the extent the Governor's appointment extended into the subsequent four (4) year term, the appointment (and Commission issued therefor) were void.

While the *Colbath* Court concluded that notwithstanding his Commission, Mr. Windham was not lawfully appointed or elected as Public Defender for any portion of the term of Office commencing on January 5, 1965. The Court concluded that there was a "day to day vacancy" in such Office resulted on January 5, 1965. The Court determined that Mr. Windham was authorized to remain in Office after January 5, 1965 as a "holdover," and that his service would be "subject to the lawful qualification of a successor." In this latter regard, the Court referenced Section 114.04, Florida Statutes (which could be read to indicate that persons appointed to fill vacancies would serve until the vacancy was filled "by an election as provided by law"). A reasoned reading of the Opinion supports the conclusion that since the Governor's appointment for the next ensuing term would expire the first Tuesday after the first Monday in January of 1967, which would be the effective date resulting from the next ensuing general election in November of 1966, the Court determined that a general election for the Office in 1966 was required.

2. Op. Fla. Atty. Gen. 99-25 (1999). In this Opinion, the Attorney General of Florida opined that a municipal official whose term had ended was authorized to hold over until the successor was duly appointed to take office. This Opinion concerned a "Fifth Member" of a municipal police pension system Board of Trustees, which is an office filled by an appointment by vote of the other Members. In the relevant facts, the four other Trustees could not agree on who should serve as the Fifth Member. The Attorney General Opined that the Trustee whose term had expired was authorized to hold over until the selection and qualification of a successor as a de facto officer and that until

this occurred, title to the Office or the authority to act as a de facto officer could not be collaterally attacked.

3. Op. Atty. Gen. Fla. 78-107 (1978). In this Opinion, the Attorney General of Florida applied the legal concept of *de facto officers* to some Cedar Key Water and Sewer District elected officials who decided not to run for re-election. No one qualified to succeed them in office. A special election was called to fill the vacancies and no one qualified for the special election. The Attorney General opined that the incumbent commissioners whose terms have expired could continue to serve in office until their successors have by appointment or election qualified themselves to take office.
4. *Treasure, Inc. v. State Beverage Dept.*, 238 So.2d 580 (Fla. 1970). In this case, the Court was confronted with a situation where the State Beverage Director disqualified himself to hear and consider a beverage license suspension proceeding. The Governor wrote a letter which appointed a substitute to act in his stead. The gubernatorial appointment was flawed by no Commission being issued. The appointee did not take an oath of office. Before the Substitute Director could consider the matter, the owner of the affected license challenged the authority of the Substitute Director before he proceeded to hear the case and suspend the license. Upon review, the Court stated that while in general acts of de facto officers are valid as to third persons and the public until title to the office is adjudicated insufficient, and such officers authority cannot be questioned by third persons, the court held these principles do not apply when a party to be affected by an official's acts or decisions holds actual knowledge that the official might not in fact legally occupy the office, and when the party makes a timely and direct attack on the authority and jurisdiction of the person attempting to exercise the powers of the office, as "*there is no reliance by an innocent party and no reason to apply the rule.*" Id. at 585.

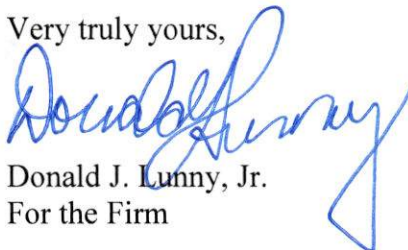
There is some degree of uncertainty concerning whether the legal authority concerning de facto officers is applicable under the circumstances and the extent to which it would be applicable. First, many of the persons presently serving in office are not the same persons in the same capacity who were "holdovers" as of April 1, 2018. While there are general statements in the above legal authority which would lead a person to conclude that a de facto officer may exercise all of the powers of the office he or she occupies, our research did not disclose any controlling case in which a power to appoint replacements to other de facto officials was specifically addressed. Our review of the Village's records leads us to conclude that the holdovers as of April 1, 2018 were Ms. Caroline White serving as Mayor, and the persons serving as Members of the Village Council were Mr. Evan Anthony, Mr. John Boisseau, Ms. Sally Boisseau, Ms. Linda Catalano, and Mr. Ray Nyhuis. At the present time, Mr. Anthony is serving as Mayor, and the persons serving as Members of the Village Council are Mr. John Boisseau, Ms. Sally Boisseau, Mr. Ray Nyhuis, Mr. Carlton Kirby and Mr. Patrick Kaufman. Second, our research did not disclose whether equitable considerations influence the application of the doctrine. In this latter regard, we note that the current elected officials are lay persons, and are serving without compensation. Moreover, even after the 2014 OIG Closing Memorandum was issued, and the 2016 election took place, there is evidence of confusion concerning whether the Village's elected officials enjoyed staggered terms

(for example Mr. and Ms. Boisseau's appointment in May of 2018 when they were holdovers at the time). The Village did not have a person serving in the Charter Office of Clerk in the relevant time periods for the March 2018 publication and qualifying period. The undersigned has been informed by some of the persons serving as elected officials that it is very difficult to get people to serve the Village as an elected official. This seems to be borne out by the 2016 General Election experience where even after the advertised notice, only four (4) people qualified for office. This also is reflected in the high degree of turnover in elected official personnel that the Village has experienced recently, notwithstanding the fact that the six (6) elected seats represent approximately twenty six percent (26%) of the total electors as of the end of 2015.

In light of the above, it would be the Firm's recommendation that the Village of Lazy Lake seek an Opinion from the Attorney General of Florida as to whether the persons presently serving as elected officials of Lazy Lake, Florida may continue their service as de facto officers until the end of their present term of office, which will conclude on March 31, 2020 after the March 2020 municipal general election. In the event the Attorney General of Florida were to conclude that the persons presently serving as elected officials could not continue to serve as de facto officers, and the Broward Supervisor of Elections is unable to conduct a municipal general election for the Village, the Village might ask the Attorney General whether it would be possible for the Village to conduct some form of alternate procedure to vest some of its electors with the authority to conduct the Village's affairs, given the fact that so very few electors' actions are necessary for the requisite majority consent to be governed.

We have endeavored in this correspondence to set forth the basis for what we believe constitutes the relevant chronology and events that bear on the legal issues at hand. However, our review of the Village's records was not exhaustive in nature, and because of expense considerations, we have relied on some documentary evidence to reflect historical events assuming that they accurately reflect the relevant history. By way of example, we did not undertake to listen to recordings of Meetings, and relied on the Minutes (signed or unsigned) as contained in the Exhibits. Additionally, we undertake no independent review of the Village's electronic records. Further, we did not undertake extended interviews with all potential witnesses concerning all potentially relevant matters, again, because of expense considerations. Finally, we have mentioned that we can not conclude that all of the Village's records are entirely complete in every respect over its history. Thus, while we have no reason to believe that the relevant chronology and history of events and legal conclusions as set forth herein is in any way materially inaccurate, there may be facts and circumstances or other evidence that may exist which might warrant different conclusions about relevant matters, and we believe that this qualification is important to express.

Very truly yours,



Donald J. Lunny, Jr.
For the Firm

Exhibit “1”

RESOLUTION NO. _____

A RESOLUTION OF THE VILLAGE COUNCIL OF LAZY LAKE, FLORIDA PERTAINING TO THE SUBJECT OF GOVERNANCE; PROVIDING FINDINGS; AUTHORIZING A REQUEST TO THE FLORIDA ATTORNEY GENERAL FOR AN OPINION CONCERNING WHETHER THE PERSONS PRESENTLY SERVING AS ELECTED OFFICIALS MAY CONTINUE TO SERVE THE VILLAGE IN SUCH CAPACITY UNTIL THE CURRENT TERM FOR SUCH OFFICES EXPIRE; AUTHORIZING THE MAYOR TO PROVIDE TO THE OFFICE OF THE FLORIDA ATTORNEY GENERAL SUCH ADDITIONAL INFORMATION AS SUCH OFFICE MAY REQUEST IN ORDER TO OBTAIN SUCH OPINION; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, as a result of a continuing effort of the Village of Lazy Lake Florida to respond fully to concerns raised by the Broward County Office of Inspector General, the Village authorized the current law firm representing the City to review whether the persons currently serving the Village as elected officials may continue to do so for the remainder of the current term of their office; and,

WHEREAS, this review has resulted in correspondence from the law firm, a copy of which is attached hereto as Exhibit "A", which summarizes the Village's background information, the relevant history of the Village Charter and other law relating to the Village's elections cycle, evidence concerning how each of the present persons serving as elected officials of the Village came to serve in such capacity, and legal precedent which could support the continued service of such persons in their present capacities as *de facto* officers until their current term of office expires after the next Village general election in March of 2020; and,

WHEREAS, the Village desires an Opinion of the Attorney General of Florida concerning this matter because: (i) the Attorney General of Florida is the Executive Branch of State Government's Chief legal Officer and Opinions of the Attorney General of Florida constitute persuasive legal authority, (ii) the Exhibit "A" correspondence indicates there may be some degree of uncertainty concerning whether the *de facto officer* legal precedent would be applicable under the circumstances and the extent to which it may be applicable, and the Village must continue to function; and (iii) any opinion rendered by such law firm which concludes that the current officials may continue to serve may be perceived as "self serving" to the firm or the persons serving as the Village's elected officials as opposed to an Opinion from the Attorney General of Florida which is disinterested in this matter; and,

WHEREAS, seeking and Opinion from the Office of the Attorney General of Florida serves a necessary and important public purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA THAT:

SECTION 1: The Village authorizes a request to the Office of the Attorney General of the State of Florida for an Opinion concerning whether the persons presently serving as elected officials of the Village of Lazy Lake, Florida may continue to serve the Village in such capacity until the current term for such offices expires after the next Village general municipal election in March of 2020.

SECTION 2: The Village authorizes the Mayor to provide to the Office of the Florida Attorney General such additional information as such Office may request in Order to obtain such Opinion. This authorization shall include the Mayor directing the law firm presently serving the Village and the Village's consulting administrative services company to supply any necessary additional information, and includes such revisions as to the precise form of the Opinion requested as may be necessary.

SECTION 3: Should any section, paragraph, sentence, clause, phrase or other part of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Resolution as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 4: This Resolution shall become effective ten (10) days after passage by the Village Council and by signature by the Mayor.

PASSED AND ADOPTED by the Village Council this _____ day of _____, 2019.

<u>Council Member</u>	<u>Voice Vote</u>	<u>Absent</u>
John Boisseau	Yea _____ Nay _____	_____
Sally Boisseau	Yea _____ Nay _____	_____
Patrick Kaufman	Yea _____ Nay _____	_____
Carlton Kirby	Yea _____ Nay _____	_____
Ray Nyhuis	Yea _____ Nay _____	_____

SIGNED by the Mayor this _____ day of _____, 2019.

MAYOR EVAN ANTHONY

ATTEST:

VILLAGE ADMINISTRATIVE ASSISTANT

	APPROVED	DATE
REQUESTED BY:	_____	_____
DEPT. OK:	_____	_____
ADMIN. OK:	_____	_____
ATTY. OK:	_____	_____

AS TO FORM ONLY

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Resolution was received by the Village Administrative Assistant and entered into the Public Record this _____ day of _____, 2019.

Village Administrative Assistant, Lisa Tayar

018862-18001(3417688)

Exhibit “2”

Dr. Brenda C. Snipes

supervisor of elections

Broward County, FL

Date 11/19/2015

Time 01:32 PM

Voter List (Residence Address)

Voter id	Voter name	Address	Zip code	D.o.b	Reg dt	S	R	Pty	Prc
101239198	Aldinger, Christopher L	20 NE 24th St Lazy Lake	33305-1022	7/21/49	2/11/72	M	5	Npa	P004.1
101493576	Boisseau JR, John E	2260 Lazy Ln Lazy Lake	33305-1034	1/16/48	8/11/88	M	5	Npa	P004.1
101420691	Catalano, Linda A	2249 Lazy Ln Lazy Lake	33305-1033	7/9/48	10/1/84	F	5	Npa	P004.1
101842449	Christoff, Svelana	2200 Lazy Ln Lazy Lake	33305-1034	4/17/57	8/16/96	F	5	Dem	P004.1
122414734	Crocker, Levi S	2230 LAZY Ln Lazy Lake	33305-1034	10/29/85	3/31/15	M	5	Dem	P004.1
101556638	Elliott, Roger H	24 NE 24th St Lazy Lake	33305-1022	8/7/54	8/28/90	M	5	Dem	P004.1
101565439	Fodera, Joseph M	2249 Lazy Ln Lazy Lake	33305-1033	3/24/47	2/5/91	M	5	Npa	P004.1
102257620	Gould, Michelle D	2200 Lazy LN Lazy Lake	33305	9/17/68	9/9/02	F	1	Npa	P004.1
114357309	Hernandez, Daniel J	2220 Lazy Ln Lazy Lake	33305	2/27/86	6/2/06	M	4	Npa	P004.1
101394068	Hill, Michael C	40 NE 24th St Lazy Lake	33305-1022	8/31/65	4/10/84	M	5	Dem	P004.1
115132870	Howarth, Randall C	40 NE 24th St Lazy Lake	33305-1022	1/28/52	4/14/07	M	5	Rep	P004.1
119935446	Kamm, Oliver E	2210 LAZY LN Lazy Lake	33305-1034	9/14/72	7/20/12	M	5	Dem	P004.1
101966342	Karpowicz, Paul N	40 NE 24TH St Lazy Lake	33305	7/5/66	8/17/98	M	5	Npa	P004.1
102408378	Low, Leslie K	40 NE 24Th St Lazy Lake	33305-1022	9/16/57	7/12/04	M	5	Npa	P004.1
101581377	Mahon, Kevin J	2230 Lazy Ln Lazy Lake	33305-1034	9/21/61	2/7/92	M	5	Dem	P004.1
101493575	Matluk Boisseau, Sally E	2260 Lazy Ln Lazy Lake	33305-1034	2/6/50	8/11/88	F	5	Npa	P004.1
114904758	Mc Hugh, Peter M	6 NE 24th St Lazy Lake	33305-1022	7/31/57	1/3/07	M	5	Dem	P004.1
119187705	Niblett, Natasha G	40 NE 24Th St Lazy Lake	33305-1022	12/1/76	10/18/11	F	5	Npa	P004.1
102408037	Ortega-Knight, Tobias E	6 NE 24th St Lazy Lake	33305-1022	9/13/81	7/29/04	M	4	Rep	P004.1
101418230	Quadara, Daniel	2200 LAZY LN Lazy Lake	33305-1034	1/19/65	5/3/85	M	5	Npa	P004.1
115675007	Roach, Charles A	2220 Lazy Ln Lazy Lake	33305-1034	11/27/61	12/14/07	M	5	Dem	P004.1
101260080	White, Caroline	2154 LAZY LN Lazy Lake	33305-1032	4/13/55	7/18/74	F	5	Dem	P004.1
120844620	Willard, Richard K	2240 Lazy Ln Lazy Lake	33305-1034	9/1/48	4/17/13	M	5	Rep	P004.1

Total voters listed 23

Exhibit “3”

(SENATE BILL NO. 873)

AN ACT TO PROVIDE FOR THE CREATION OF A MUNICIPAL CORPORATION TO BE KNOWN AS VILLAGE OF LAZY LAKE, IN BROWARD COUNTY, FLORIDA; TO FIX AND DETERMINE THE TERRITORIAL LIMITS, JURISDICTION, POWERS AND PRIVILEGES OF SAID VILLAGE AND THE JURISDICTION, POWERS AND PRIVILEGES OF ITS OFFICERS

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

ARTICLE I

GENERAL PROVISIONS

SECTION 1. A MUNICIPALITY TO BE KNOWN AND DESIGNATED AS THE VILLAGE OF LAZY LAKE IS HEREBY ESTABLISHED, ORGANIZED AND CONSTITUTED IN THE COUNTY OF BROWARD, STATE OF FLORIDA, AND THE INHABITANTS OF THE VILLAGE OF LAZY LAKE, FLORIDA, WITHIN THE BOUNDARIES HEREINAFTER DESCRIBED AND DESIGNATED, OR WITHIN SUCH BOUNDARIES AS MAY HEREAFTER BE ESTABLISHED, IS HEREBY CREATED, ORGANIZED AND ESTABLISHED, AND SHALL CONTINUE TO BE A BODY POLITIC AND CORPORATE UNDER THE NAME OF THE VILLAGE OF LAZY LAKE, AND AS SUCH SHALL HAVE PERPETUAL SUCCESSION, MAY USE A COMMON SEAL, MAY CONTRACT AND BE CONTRACTED WITH, AND MAY SUE AND BE SUED, PLEAD AND BE IMPEADED IN ALL COURTS OF THIS STATE AND IN ALL MATTERS WHATSOEVER.

SECTION 2. THAT THE BOUNDARIES OF THE VILLAGE OF LAZY LAKE AND THE LANDS EMBRACED IN AND BY THE VILLAGE OF LAZY LAKE SHALL BE AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION 27, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA;

THENCE NORTHERLY ALONG THE QUARTER SECTION LINE, ON A BEARING OF N-00°-02'-56"-W A DISTANCE OF 1239.41 FEET; THENCE SOUTHWESTERLY ON A BEARING OF S-62°-44'-44"-W A DISTANCE OF 35.88 FEET; THENCE NORTHERLY ON A BEARING OF N-00°-49'-44"-E A DISTANCE OF 56.68 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ON THE BEARING OF N-00°-49'-44"-E A DISTANCE OF 773.11 FEET; THENCE EASTERLY ON A BEARING OF N-89°-39'-14"-E A DISTANCE OF 675.00 FEET; THENCE SOUTHERLY ON A BEARING OF S-00°-49'-44"-W A DISTANCE OF 850.00 FEET; THENCE WESTERLY ON A BEARING OF S-89°-39'-14"-W A DISTANCE OF 456.15 FEET; THENCE NORTHWESTERLY ON A BEARING OF N-44°-13'-36"-W A DISTANCE OF 95.55 FEET; THENCE NORTHWESTERLY ON A BEARING OF N-74°-26'-56"-W A DISTANCE OF 111.10 FEET; THENCE SOUTHWESTERLY ON A BEARING OF S-62°-44'-44"-W A DISTANCE OF 49.56 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. THE AFORESAID DESCRIPTION BEING THE SAME PIECE OF PROPERTY SHOWN ON THE PLAT OF LAZY LAKE, ACCORD-

ING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 22, PAGE 35, OF THE
PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND BOUNDED AS FOLLOWS:
ON THE WEST BY THE EASTERLY RIGHT-OF-WAY LINE OF NORTH ANDREWS
AVENUE; ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF N. E. 24TH
STREET; ON THE EAST BY THE WESTERLY RIGHT-OF-WAY LINE OF N. E. 1ST
AVENUE; AND ON THE SOUTH BY THE NORTHERLY RIGHT-OF-WAY LINE OF N. E.
21ST COURT, AS SAID AVENUES, STREETS AND COURTS ARE SHOWN ON SAID
PLAT OF LAZY LAKE.

SECTION 3. THAT THERE IS NO BONDED DEBT, OR OTHER DEBT OR LIABILITY
AGAINST THE SAID LANDS EMBRACED IN THE VILLAGE OF LAZY LAKE FOR WHICH THE VILLAGE
OF LAZY LAKE IS LIABLE, BUT NOTHING IN THIS ACT SHALL BE CONSTRUED OR TAKEN SO
AS TO IMPAIR ANY OBLIGATIONS TO WHICH THE LANDS EMBRACED IN THE VILLAGE OF LAZY
LAKE MAY BE SUBJECT BY REASON OF ANY (IF ANY) BONDED DEBT OF BROWARD COUNTY,
FLORIDA, THE STATE OF FLORIDA, OR OF ANY POLITICAL SUBDIVISION OF BROWARD COUNTY,
FLORIDA, OR OF THE STATE OF FLORIDA.

SECTION 4. THE VILLAGE OF LAZY LAKE SHALL HAVE POWER:

(1). TO RAISE ANNUALLY BY TAXES, ASSESSMENTS, UPON THE LANDS EMBRACED
WITHIN THE VILLAGE, AND BY LICENSE AND TAX UPON PRIVILEGES, BUSINESSES, OCCUPA-
TIONS AND PROFESSIONS WHATSOEVER CARRIED ON AND ENGAGED IN WITHIN THE CORPORATE
LIMITS OF THE VILLAGE SUCH SUMS OF MONEY AS THE VILLAGE COUNCIL, HEREINAFTER
PROVIDED FOR, SHALL DEEM NECESSARY FOR THE PURPOSES AND NEEDS OF SAID VILLAGE,
AND IN SUCH MANNER AS SHALL BE PROVIDED BY ORDINANCES OF THE SAID VILLAGE COUNCIL.

(2). TO REGULATE, CONTROL, TAX AND FRANCHISE ANY AND ALL BUSINESSES, OCCU-
PATIONS, PROFESSIONS AND PRIVILEGES, INCLUDING ALL AND ANY PUBLIC UTILITIES IN
ACCORD WITH AND NOT INCONSISTANT WITH THE LAWS OF THE STATE OF FLORIDA.

(3). TO FURNISH ANY AND ALL LOCAL PUBLIC SERVICE IN SUCH MANNER AS THE
ORDINANCES OF THE VILLAGE COUNCIL SHALL HEREAFTER PROVIDE.

(4). TO ACQUIRE BY PURCHASE, GIFT, DEVISE, CONDEMNATION, OR OTHERWISE,
PROPERTY, REAL OR PERSONAL, OR ANY ESTATE THEREIN, WITHIN OR WITHOUT THE VILLAGE,
TO BE USED FOR ANY PURPOSE NECESSARY OR TO MEET THE NEEDS OF THE VILLAGE; AND TO
OPERATE, MAINTAIN, REPAIR, IMPROVE, ANY AND ALL PROPERTIES, REAL OR PERSONAL,
STREETS, SIDEWALKS AND THE LIKE BY THE EXPENDITURE OF THE MONEY OF THE VILLAGE
FOR ALL LAWFUL PURPOSES.

(5). THAT THE VILLAGE SHALL HAVE ALL POWERS AND PRIVILEGES GRANTED GENER-
ALLY BY THE LAWS OF THE STATE OF FLORIDA, THE SAME AS IF SAID POWERS AND PRIVI-
LEGES WERE HEREIN STATED VERBATIM.

SECTION 5. NO SUIT SHALL BE MAINTAINED AGAINST THE VILLAGE OF LAZY

LAKE FOR DAMAGE ARISING OUT OF A FAILURE TO KEEP IN PROPER CONDITION ANY SIDE-WALK, PAVEMENT, VIADUCT, BRIDGE, STREET, WATER OR WATERWAY, LAKE OR CANAL, OR OTHER PUBLIC PLACE, OR BY REASON OF ANY IMPUTED NEGLIGENCE OF SAID VILLAGE, IN ANY CASE, UNLESS IT SHALL BE MADE TO APPEAR THAT THE DAMAGE ALLEGED IS ATTRIBUTABLE TO THE NEGLIGENCE OF THE VILLAGE, AND THAT WRITTEN NOTICE OF SUCH DAMAGE WAS, WITHIN THIRTY DAYS AFTER THE RECEIVING OF THE INJURY ALLEGED, GIVEN TO THE VILLAGE COUNCIL WITH SUCH REASONABLE SPECIFICATIONS AS TO TIME AND PLACE AND WITNESSES AS WOULD ENABLE THE VILLAGE OFFICIALS TO INVESTIGATE THE MATTER.

SECTION 6. ALL PROPERTY, REAL OR PERSONAL, TANGIBLE AND INTANGIBLE, OWNED OR HEREAFTER ACQUIRED AND HELD BY THE VILLAGE, SHALL BE EXEMPT FROM ALL TAXATION LEVIED AND ASSESSED PURSUANT TO THE CONSTITUTION AND LAWS OF THE STATE OF FLORIDA, BY ANY TAXING UNIT.

SECTION 7. NO JUDGMENT OR DECREE, NO WRIT OF EXECUTION OR ANY OTHER WRIT ISSUED OR RENDERED AGAINST THE VILLAGE SHALL BE A LIEN UPON THE REAL OR PERSONAL PROPERTY NOW OWNED OR HEREAFTER ACQUIRED AND HELD BY THE VILLAGE. ALL PROPERTY, BOTH REAL AND PERSONAL, TANGIBLE AND INTANGIBLE, NOW OWNED OR HEREAFTER ACQUIRED AND HELD BY THE VILLAGE SHALL BE EXEMPT FROM SALE UNDER WRIT OF EXECUTION AND OTHER JUDICIAL SALE.

SECTION 8. THE OWNERS OF LANDS WITHIN THE LIMITS OF THE VILLAGE SHALL NOT SUDDIVIDE OR LAY OUT IN LOTS OR GROUNDS ANY OF THE LANDS WITHIN THE LIMITS OF THE VILLAGE, WITHOUT FIRST HAVING OBTAINED THE CONSENT AND WRITTEN AUTHORITY OF THE VILLAGE COUNCIL IN ACCORDANCE WITH ORDINANCES ESTABLISHED BY THE VILLAGE COUNCIL; NOTHING IN THIS SECTION OR THIS ACT SHALL BE CONSTRUED OR TAKEN SO AS TO GRANT THE VILLAGE ANY POWER OR RIGHT TO CHANGE, IMPAIR OR VIOLATE THE RESTRICTIONS RECORDED WITH THE PLAT OF THE SUBDIVISION OF LAZY LAKE, RECORDED IN PLAT BOOK 22, AT PAGE 35, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SECTION 9. THAT ALL PERSONS, EXCEPT MEMBERS OF THE POLICE AND FIRE DEPARTMENTS, WHO HOLD OFFICE IN THE VILLAGE GOVERNMENT BY VIRTUE OF AN ELECTION BY THE PEOPLE OR AN ELECTION BY THE VILLAGE COUNCIL, OR WHO ARE APPOINTED TO ANY VILLAGE OFFICE WHETHER HEREIN DESIGNATED OR PRESCRIBED BY ORDINANCE PURSUANT TO THE PROVISIONS HEREOF, SHALL BE HELD AND DEEMED TO BE VILLAGE OFFICERS OF THE VILLAGE OF LAZY LAKE; AND NO ONE SHALL BE ELECTED OR APPOINTED TO A VILLAGE OFFICE SAVE AND EXCEPT THE OFFICE OF VILLAGE ATTORNEY, WHO IS NOT A LEGALLY QUALIFIED VOTER AND A FREEHOLDER (OWNER OF REAL PROPERTY WITHIN THE VILLAGE LIMITS) OF THE SAID VILLAGE.

THAT THE GOVERNMENT OF SAID VILLAGE SHALL BE VESTED IN A MAYOR, WHOSE COMPENSATION SHALL BE FIXED BY THE VILLAGE COUNCIL, TO HOLD OFFICE FOR A TERM OF

TWO (2) YEARS, AND A COMMON COUNCIL TO BE CALLED THE VILLAGE COUNCIL OF LAZY LAKE, CONSISTING OF FIVE (5) MEMBERS, TO HOLD OFFICE FOR A TERM OF TWO (2) YEARS. PROVIDED, HOWEVER, THAT CHAS. H. LINDFORS SHALL BE THE FIRST MAYOR OF THE VILLAGE, AND HIS TERM OF OFFICE SHALL BE FROM THE DATE THIS ACT BECOMES A LAW AND EXPIRE APRIL 1ST, 1954, AND THAT THE FOLLOWING PERSONS SHALL CONSTITUTE THE FIRST VILLAGE COUNCIL: JAMES FARQUHAR, GEORGE K. ROE, H. S. RATLIFF, THOMAS GATTLE, AND ANN URCHISON, AND THEIR TERMS OF OFFICE SHALL EXPIRE APRIL 1ST, 1954.

THAT THE FIRST VILLAGE COUNCIL, AS HEREINAFOVE PROVIDED FOR, SHALL CALL A GENERAL ELECTION TO BE HELD NOT MORE THAN THREE (3) WEEKS OR LESS THAN TWO (2) WEEKS BEFORE APRIL 1ST, 1954, FOR THE PURPOSE OF ELECTING A MAYOR AND A VILLAGE COUNCIL. IN THIS ELECTION, THE MAYOR SHALL BE ELECTED FOR A TERM OF TWO (2) YEARS, AND THE MEMBERS OF THE VILLAGE COUNCIL SHALL BE ELECTED FOR A TERM OF TWO (2) YEARS. AFTER THE HOLDING OF THE FIRST ELECTION AS HEREINAFOVE PROVIDED, A GENERAL ELECTION SHALL BE HELD TO FILL THE VACANCIES OCCURING AS TO THE MAYOR AND THE VILLAGE COUNCIL TWO (2) WEEKS PRIOR TO THE EXPIRATION OF THE SAID REGULAR TERMS OF OFFICE AS HEREIN PROVIDED.

SECTION 10. THE MAYOR AND THE VILLAGE COUNCIL SHALL BE QUALIFIED ELECTORS OF THE VILLAGE OF LAZY LAKE, AND SHALL BE OWNERS OF REAL PROPERTY EM-
BRACED WITHIN THE LIMITS OF THE VILLAGE OF LAZY LAKE. ANY MAYOR OR MEMBER OF THE VILLAGE COUNCIL WHO CEASES TO POSSESS THE QUALIFICATIONS WHICH ARE REQUIRED HEREIN, OR SHALL BE CONVICTED OF A FELONY, SHALL FORFEIT HIS OFFICE, AND IT SHALL BE THE DUTY OF THE REMAINING MEMBERS OF THE VILLAGE COUNCIL TO DECLARE THE OFFICE VACANT AND TO PROCEED TO FILL THE VACANCY AS HEREINAFTER PROVIDED IN THIS ACT.

ARTICLE 11

OFFICERS

QUALIFICATIONS, TERMS, ETC.

SECTION 1. THE GOVERNMENT OF THE VILLAGE SHALL BE CARRIED ON BY THE FOLLOWING OFFICERS, TO WIT:

A MAYOR, WHO IS ALSO THE MUNICIPAL JUDGE, BUT NOT A MEMBER OF THE VILLAGE COUNCIL;

A VILLAGE COUNCIL, CONSISTING OF FIVE (5) MEMBERS, AS HEREIN PROVIDED;

A VILLAGE ATTORNEY, APPOINTED BY THE VILLAGE COUNCIL;

A VILLAGE CLERK, WHO SHALL ALSO BE THE VILLAGE TAX COLLECTOR, TAX ASSESSOR AND VILLAGE TREASURER. THE VILLAGE CLERK SHALL BE APPOINTED FROM TIME TO TIME BY THE

VILLAGE COUNCIL AS SAID COUNCIL MAY SEE FIT OR DEEM

NECESSARY;

AND SUCH OTHER OFFICERS AS MAY BE CREATED BY ORDINANCE OF THE VILLAGE OF LAZY LAKE NOT INCONSISTENT HERewith, AND THEY SHALL PERFORM SUCH DUTIES AND RECEIVE SUCH COMPENSATION AS MAY BE PRESCRIBED BY THE RESOLUTIONS OF THIS VILLAGE, AND THE PROVISIONS OF THIS ACT; PROVIDED THAT THE MEMBERS OF THE VILLAGE COUNCIL AND THE MAYOR SHALL BE ELECTED BY THE DULY QUALIFIED VOTERS OF THE VILLAGE AT AN ELECTION CALLED AND HELD PURSUANT TO THE PROVISIONS HEREOF, AND OF THE VILLAGE ORDINANCES; AND THAT ALL OTHER OFFICERS OF SAID VILLAGE SHALL BE APPOINTED BY THE VILLAGE COUNCIL.

SECTION 2. THAT ALL ELECTIVE OFFICES SHALL BE FOR A TERM OF TWO (2) YEARS EXCEPT AS HEREINAFOVE PROVIDED.

SECTION 3. IN THE EVENT OF A VACANCY OCCURRING FOR ANY REASON WHATSOEVER IN THE MEMBERS OF THE VILLAGE COUNCIL, OR AS TO THE OFFICE OF MAYOR, EXCEPT AT THE CLOSE OF A REGULAR TERM, IT SHALL BE THE DUTY OF THE REMAINING MEMBERS OF THE VILLAGE COUNCIL AT THE NEXT REGULAR MEETING, OR AS SOON THEREAFTER AS POSSIBLE FOLLOWING THE DECLARATION OF SUCH VACANCY, TO SELECT A DULY QUALIFIED CITIZEN TO FILL SAID VACANCY UNTIL THE NEXT GENERAL ELECTION. IF A MAJORITY OF SAID REMAINING MEMBERS ARE UNABLE TO AGREE UPON THE SELECTION TO FILL SAID VACANCY AFTER TWO REGULAR MEETINGS HAVE BEEN HELD, THE VILLAGE COUNCIL SHALL CALL A SPECIAL ELECTION FOR THE PURPOSE OF FILLING SAID VACANCY UNTIL THE NEXT GENERAL ELECTION.

SECTION 4. NO PERSON SHALL BE QUALIFIED TO HOLD ANY OFFICE, ELECTIVE OR APPOINTIVE (EXCEPT AS TO THE VILLAGE ATTORNEY), WHO IS NOT A QUALIFIED VOTER AND THE OWNER OF REAL PROPERTY WITHIN THE LIMITS OF THE VILLAGE OF LAZY LAKE AT THE DATE THE TERM OF SAID OFFICE BEGINS. AND ANY PERSON WHO CEASES TO POSSESS THE QUALIFICATIONS WHICH ARE HEREIN REQUIRED SHALL FORFEIT HIS OFFICE. EACH OF THE SAID OFFICERS SHALL PERFORM THE DUTIES OF THEIR RESPECTIVE OFFICES AS ELSEWHERE PROVIDED IN THIS ACT, OR AS MAY BE PROVIDED BY ORDINANCE OR LAWS OF THE SAID VILLAGE, AND BEFORE ENTERING UPON THE DUTIES OF THEIR RESPECTIVE OFFICES, THEY SHALL EACH TAKE AND SUBSCRIBE TO THE FOLLOWING OATH: "I DO SOLEMNLY SWEAR OR AFFIRM THAT I WILL SUPPORT, PROTECT AND DEFEND THE CONSTITUTION AND GOVERNMENT OF THE UNITED STATES, THE STATE OF FLORIDA, AND THE VILLAGE OF LAZY LAKE, THAT I AM DULY QUALIFIED TO HOLD OFFICE UNDER THE CONSTITUTION OF THE UNITED STATES, AND THE CONSTITUTION OF THE STATE OF FLORIDA, AND THAT I WILL WELL AND FAITHFULLY PERFORM THE DUTIES OF MY OFFICE OF THE SAID VILLAGE OF LAZY LAKE UPON WHICH I AM ABOUT TO ENTER, SO HELP ME GOD."

SECTION 5. THE VILLAGE COUNCIL MAY REQUIRE SUCH BOND AS IT MAY FEEL IS NECESSARY FROM ANY OFFICER OR EMPLOYEE OF THE VILLAGE FOR THE FAITHFUL DISCHARGE BY SUCH OFFICER OR OFFICERS OF THEIR RESPECTIVE DUTIES.

ARTICLE III

THE MAYOR

HIS DUTIES, POWERS, ETC.

SECTION 1. THE MAYOR SHALL PERFORM SUCH DUTIES CONSISTENT WITH HIS OFFICE AS MAY BE IMPOSED BY THE VILLAGE COUNCIL, AND HE SHALL APPROVE ALL ORDINANCES ENACTED BY THE VILLAGE COUNCIL UNLESS IN HIS JUDGMENT THE SAME SHALL BE DETRIMENTAL TO THE BEST INTERESTS OF THE VILLAGE, IN WHICH CASE HE MAY RETURN SAME, WITH HIS OBJECTIONS IN WRITING TO THE VILLAGE COUNCIL, WITHOUT HIS APPROVAL. HE MAY MAKE RECOMMENDATIONS FROM TIME TO TIME TO THE VILLAGE COUNCIL FOR THE ENACTMENT OF SUCH LAWS OR THE ADOPTION OF SUCH RULES AND REGULATIONS FOR THE GOVERNMENT OF THE VARIOUS VILLAGE DEPARTMENTS AS WILL IN HIS JUDGMENT BEST PROMOTE THE INTERESTS OF THE VILLAGE, AND SHALL DO AND PERFORM ALL DUTIES IMPOSED UPON HIM BY ORDINANCES OF THE VILLAGE AND BY THIS CHARTER.

SECTION 2. IN CASE OF SICKNESS, ABSENCE OR DISQUALIFICATION OF THE MAYOR, THE PRESIDENT OF THE VILLAGE COUNCIL SHALL ACT FOR HIM AND PERFORM ALL HIS DUTIES, AND ALL SUCH ACTS OF THE PRESIDENT OF THE VILLAGE COUNCIL SHALL BE AS VALID AS THOUGH EXECUTED BY THE MAYOR, PROVIDED HOWEVER, THAT THIS PARAGRAPH SHALL NOT PREVENT THE MAYOR FROM APPOINTING SOME VILLAGE OFFICIAL TO ACT FOR HIM AS MUNICIPAL JUDGE.

SECTION 3. THE MAYOR SHALL HAVE THE POWER TO BID IN ALL PROPERTY FOR THE VILLAGE, AT ANY AND ALL JUDICIAL SALES, UNDER PROCESS OF LAW, WHERE THE VILLAGE IS A PARTY; HE SHALL SIGN ALL DEEDS, BONDS OR OTHER INSTRUMENTS OF WRITING TO WHICH THE VILLAGE IS A PARTY, WHEN AUTHORIZED SO TO DO BY THE VILLAGE COUNCIL.

SECTION 4. THE MAYOR MAY CALL SPECIAL MEETINGS OF THE VILLAGE COUNCIL UPON WRITTEN NOTICE TO EACH MEMBER SERVED PERSONALLY OR LEFT AT THE USUAL PLACE OF RESIDENCE OR BUSINESS. THE MAYOR SHALL, UPON WRITTEN REQUEST SIGNED BY ANY THREE (3) MEMBERS OF THE VILLAGE COUNCIL, CALL A SPECIAL MEETING OF THE VILLAGE COUNCIL IN ACCORDANCE WITH SAID REQUEST, AND SHALL SERVE NOTICE UPON THE REMAINING VILLAGE COUNCILMEN, NOT SIGNING SAID REQUEST, BY THE METHOD ABOVE MADE AND PROVIDED. ALL REGULAR MEETINGS OF THE VILLAGE COUNCIL SHALL BE PUBLIC, BUT THE MEMBERS OF THE COUNCIL MAY, BY A MAJORITY VOTE OF THOSE PRESENT, AT ANY REGULAR MEETING, GO INTO EXECUTIVE SESSION WHICH WILL NOT BE OPEN TO THE PUBLIC. SPECIAL

MEETINGS OF THE VILLAGE COUNCIL AND COMMITTEE MEETINGS SHALL NOT BE PUBLIC, UNLESS BY A MAJORITY VOTE OF THE MEMBERS OF THE VILLAGE COUNCIL OR MEMBERS OF THE COMMITTEE PRESENT AT ANY SUCH MEETING, IT IS DECIDED THAT SUCH MEETING SHALL BE OPEN TO THE PUBLIC. THE VILLAGE COUNCIL SHALL DETERMINE ITS OWN RULES AND ORDER OF BUSINESS, AND THE VILLAGE CLERK SHALL KEEP A MINUTE BOOK OF ITS PROCEEDINGS. THE MINUTES OF THE COUNCIL MEETINGS SHALL BE AVAILABLE FOR INSPECTION BY ANY CITIZEN AT ALL REASONABLE TIMES.

SECTION 5. THE MAYOR SHALL SERVE AS CEREMONIAL HEAD OF THE VILLAGE OF LAZY LAKE.

ARTICLE IV

THE VILLAGE COUNCIL

ITS ORGANIZATION, POWERS, ETC.

SECTION 1. THERE SHALL BE FIVE (5) MEMBERS OF THE VILLAGE COUNCIL ELECTED FROM THE VILLAGE AT LARGE FROM PERSONS QUALIFIED TO SERVE AS HEREIN PROVIDED, AND ALL OF THE QUALIFIED VOTERS OF THE ENTIRE VILLAGE SHALL BE ALLOWED TO VOTE FOR THE ELECTION OF ALL MEMBERS TO BE ELECTED TO THE VILLAGE COUNCIL. THE TERM OF OFFICE OF VILLAGE COUNCILMEN SHALL BE FOR TWO (2) YEARS NOT INCONSISTENT WITH PROVISIONS ELSEWHERE HEREIN CONTAINED. THIS PROVISION SHALL APPLY AFTER THE PROVISIONS HEREIN MADE FOR THE ELECTION OF THE FIRST VILLAGE MAYOR AND THE ELECTION OF THE FIRST VILLAGE COUNCIL, UNLESS A VACANCY OR VACANCIES EXIST, IN WHICH EVENT SUCCESSORS FOR THE FILLING OF ANY UNEXPIRED TERM OR TERMS SHALL BE SELECTED OR ELECTED AS HEREIN PROVIDED, IN ORDER TO CARRY OUT THE INTENT AND MEANING OF THIS ACT.

SECTION 2. THE VILLAGE COUNCIL SHALL BE THE JUDGE OF THE QUALIFICATIONS, ELECTION AND RETURNS OF ITS OWN MEMBERS; IT MAY ENACT RULES OF PROCEDURE AND MAY PRESCRIBE PENALTIES FOR THE NON-ATTENDANCE OR DISORDERLY CONDUCT OF ITS MEMBERS, AND ENFORCE THE SAME. FOUR-FIFTHS (4/5) OF ITS MEMBERS CONCURRING, IT MAY EXPEL A MEMBER FOR IMPROPER CONDUCT IN OFFICE. A MAJORITY OF THE MEMBERS OF THE COUNCIL SHALL BE NECESSARY TO CONSTITUTE A QUORUM FOR THE TRANSACTION OF ANY BUSINESS; BUT A SMALLER NUMBER MAY ADJOURN FROM TIME TO TIME, AND UNDER THE PROVISIONS OF ORDINANCES OR RULES OF PROCEDURE MAY COMPEL THE ATTENDANCE OF THE ABSENT MEMBERS BY THE IMPOSITION OF FINES OR PENALTIES.

SECTION 3. THE COUNCIL SHALL, BY RESOLUTION, DETERMINE THE NUMBER OF STANDING COMMITTEES, THE NUMBER OF WHICH EACH OF SAID COMMITTEES SHALL CONSIST, AND SHALL DESIGNATE THE DUTIES OF EACH; AND SHALL HAVE THE POWER TO APPOINT SPECIAL COMMITTEES AT ANY TIME, AND SHALL APPOINT THE STANDING COMMITTEES

ANNUALLY AS SOON AS THE ORGANIZATION IS COMPLETED, OR AS SOON THEREAFTER AS IS PRACTICABLE.

SECTION 4. THE COUNCIL SHALL, BY RESOLUTION, FIX THE SALARIES OF ALL OFFICERS AND EMPLOYEES OF THE MUNICIPALITY.

SECTION 5. THE COUNCIL SHALL HAVE THE POWER TO ENTER INTO CONTRACTS ON BEHALF OF THE VILLAGE, AND WHEN SO ENTERED INTO, THE SAME SHALL BE EXECUTED BY THE MAYOR, AND ATTESTED BY THE VILLAGE CLERK, WITH THE SEAL OF THE VILLAGE THEREUNTO AFFIXED.

SECTION 6. THE COUNCIL SHALL BY RESOLUTION FIX THE TIME FOR HOLDING REGULAR MEETINGS, AS WELL AS FIX THE NUMBER OF REGULAR MEETINGS TO BE HELD EACH YEAR, PROVIDED HOWEVER, THAT NO LESS THAN ONE REGULAR MEETING SHALL BE HELD EACH QUARTER.

SECTION 7. THE COUNCIL SHALL HAVE THE POWER, AND IS HEREDY AUTHORIZED AND EMPOWERED, TO CREATE SUCH OFFICES, AND TO APPOINT SUCH ADDITIONAL OFFICERS AND EMPLOYEES AS MAY IN ITS JUDGMENT BE NECESSARY FOR THE GOVERNMENT OF SAID VILLAGE. THE COUNCIL SHALL HAVE THE POWER TO ADOLISH AT ANY TIME ANY OFFICE CREATED BY IT; BUT IT SHALL NOT ADOLISH ANY OFFICE CREATED BY THIS ACT.

SECTION 8. A MAJORITY OF THE COUNCIL SHALL CONSTITUTE A QUORUM, BUT A LESS NUMBER MAY ADJOURN FROM DAY TO DAY, OR TIME TO TIME, AND COMPEL THE ATTENDANCE OF ADSENT MEMBERS IN SUCH MANNER AND UNDER SUCH PENALTIES AS SHALL BE PRESCRIBED BY ORDINANCE. THE AFFIRMATIVE VOTE OF THREE (3) MEMBERS SHALL BE NECESSARY TO ADOPT ANY RESOLUTION OR ORDINANCE. ANY PROPOSED RESOLUTION OR ORDINANCE SHALL BE INTRODUCED IN PRINTED OR WRITTEN FORM. NO ORDINANCE, EXCEPT AN EMERGENCY ORDINANCE, SHALL BE PASSED UNTIL IT SHALL HAVE BEEN READ AT TWO MEETINGS NOT LESS THAN TEN (10) DAYS APART. AN EMERGENCY ORDINANCE MAY BE PASSED UPON READING AT ONE MEETING, TO TAKE EFFECT IMMEDIATELY OR AT SUCH TIME AS SHALL BE DESIGNATED IN THE ORDINANCE.

SECTION 9. ALL ORDINANCES PASSED BY THE VILLAGE COUNCIL SHALL BECOME EFFECTIVE THIRTY (30) DAYS FROM THE DATE THEREOF, EXCEPT THAT THE VILLAGE COUNCIL MAY BY FOUR-FIFTHS (4/5) VOTE OF ALL OF THE MEMBERS, PASS EMERGENCY MEASURES TO TAKE EFFECT AT THE TIME INDICATED THEREIN.

SECTION 10. EVERY ORDINANCE AND RESOLUTION SHALL, UPON ITS FINAL PASSAGE, BE RECORDED IN A BOOK KEPT FOR THAT PURPOSE AND SHALL BE AUTHENTICATED BY THE SIGNATURES OF THE PRESIDING OFFICER AND THE VILLAGE CLERK OF THE VILLAGE COUNCIL. ALL SUCH ORDINANCES AND RESOLUTIONS SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT ANY REASONABLE TIME.

SECTION 11. THE COUNCIL SHALL HAVE THE POWER TO PASS SUCH ORDINANCES

AS THEY MAY BEEM NECESSARY FOR THE GOOD GOVERNMENT OF THE VILLAGE, AND TO ENFORCE SUCH ORDINANCES AS WELL AS THE PROVISIONS OF THIS ACT, AND TO PRESCRIBE FINES AND FORFEITURES FOR THE VIOLATIONS OF THE VILLAGE ORDINANCES, PROVIDING THAT NO PENALTY SO PRESCRIBED SHALL EXCEED FIVE HUNDRED DOLLARS (\$500.00), OR NINETY (90) DAYS IMPRISONMENT, OR BOTH. THEY SHALL ALSO HAVE THE POWER TO REQUIRE ANY PERSON SENTENCED TO IMPRISONMENT FOR A VIOLATION OF A MUNICIPAL ORDINANCE TO WORK UPON THE STREETS OR IN ANY MUNICIPAL ACTIVITY.

SECTION 12. IT SHALL BE THE DUTY OF THE COUNCIL EACH YEAR TO AGREE TO A BUDGET OF EXPENSES FOR THE ENSUING YEAR, WHICH BUDGET SHALL SHOW THE ESTIMATED EXPENDITURES OF SAID VILLAGE FOR THE ENSUING YEAR, AND THE SAID BUDGET SHALL BE POSTED IN A PUBLIC PLACE, OR OTHERWISE MADE AVAILABLE TO THE CITIZENS OF THE VILLAGE OF LAZY LAKE SIXTY (60) DAYS BEFORE THE SAME IS ADOPTED. UPON THE REQUEST OF ANY QUALIFIED VOTER, THE VILLAGE COUNCIL SHALL HOLD A SPECIAL MEETING WHEREAT ANY AND ALL QUALIFIED VOTERS MAY ATTEND AND DISCUSS THE SAID BUDGET. IF THE MAJORITY OF SAID VOTERS OBJECT IN OPEN MEETING TO THE SAID BUDGET, THEN THE VILLAGE COUNCIL SHALL ADJUST THE BUDGET SO THAT THE MAJORITY OF VOTERS AT SAID MEETING INDICATE THEIR APPROVAL. AFTER THE ADOPTION OF SUCH BUDGET, THE VILLAGE COUNCIL SHALL HAVE THE POWER TO RAISE BY TAXES AND SUCH OTHER MEANS AVAILABLE, SUMS OF MONEY TO PAY THE EXPENDITURES PROPOSED IN SAID BUDGET. NO EXPENDITURES MAY BE MADE BY THE COUNCIL, NOR TAXES COLLECTED THEREFOR, UNLESS SAID EXPENDITURES WERE INCLUDED IN THE BUDGET AS HEREINABOVE PROVIDED FOR. IF ANY SUCH EXCESSIVE EXPENDITURES ARE MADE, THE MEMBERS OF THE VILLAGE COUNCIL SHALL BE HELD PERSONALLY LIABLE THEREFOR.

SECTION 13. THE VILLAGE COUNCIL MAY, BY ORDINANCE, GRANT PERMISSION TO ANY PERSON, INDIVIDUAL, FIRM OR CORPORATION, TO CONSTRUCT, OPERATE AND MAINTAIN ANY PUBLIC UTILITY IN, UPON, OR OVER THE STREETS AND PUBLIC SPACES OF THE VILLAGE; BUT NO SUCH GRANT OR RENEWAL OF ANY SUCH GRANT SHALL BE EFFECTIVE WITHOUT REFERENDUM OF THE PEOPLE, AT AN ELECTION TO BE CALLED AND HELD FOR THAT PURPOSE. THE PURPOSE, DATE, TIME AND PLACE FOR SUCH ELECTION SHALL BE POSTED AT A PUBLIC PLACE WITHIN THE VILLAGE AT LEAST THIRTY (30) DAYS PRIOR TO THE HOLDING OF SUCH ELECTION, AND THE VILLAGE COUNCIL SHALL HOLD A PUBLIC HEARING ON SUCH MATTER FOR ONE (1) DAY NOT LESS THAN TEN (10) DAYS PRIOR TO HOLDING OF THE ELECTION. THE NOTICE OF THE ELECTION HEREINABOVE PROVIDED FOR SHALL ALSO INCLUDE NOTICE OF THE DATE, TIME AND PLACE OF THE PUBLIC HEARING.

SECTION 14. NO SUCH GRANT OR FRANCHISE SHALL BE EXCLUSIVE, NOR SHALL IT BE MADE FOR A LONGER PERIOD THAN THIRTY (30) YEARS. ALL GRANTS OR RIGHTS TO MAKE EXTENSIONS OF ANY PUBLIC UTILITY SHALL BE SUBJECT, AS FAR AS PRACTICABLE,

TO THE TERMS OF THE ORIGINAL GRANT AND SHALL EXPIRE THEREWITH.

SECTION 15. IT SHALL BE PROVIDED IN EVERY SUCH GRANT OR FRANCHISE THAT UPON THE ANNEXATION OF ANY TERRITORY TO THE VILLAGE, THE PORTION OF SUCH UTILITY THAT MAY BE LOCATED WITHIN THE ANNEXED TERRITORY, OR UPON THE PUBLIC STREETS, ALLEYS, OR PUBLIC SPACES THEREOF, SHALL THEREAFTER BE SUBJECT TO ALL THE TERMS OF THE GRANT AS FULLY AS THOUGH BY EXPRESS EXTENSION OF SUCH FRANCHISE OR GRANT.

SECTION 16. ALL GRANTS AND FRANCHISES, AND RENEWALS OR EXTENSIONS THEREOF, SHALL BE SUBJECT TO THE RIGHT OF THE VILLAGE, WHETHER IN TERMS RESERVED THEREIN OR NOT, AT ALL TIMES TO CONTROL THE DISTRIBUTION OF SPACE IN, OVER, UNDER OR ACROSS STREETS, ALLEYS AND PUBLIC SPACES OCCUPIED OR USED BY THE PUBLIC UTILITY FIXTURES; AND WHEN IN THE OPINION OF THE VILLAGE COUNCIL THE PUBLIC INTEREST SO REQUIRES, THE COUNCIL MAY CAUSE SUCH FIXTURES TO BE REMOVED, RELOCATED, RECONSTRUCTED, ALTERED OR DISCONTINUED; AND SAID VILLAGE SHALL AT ALL TIMES HAVE THE POWER TO PASS AND ENFORCE ALL REGULATORY ORDINANCES AFFECTING SUCH UTILITIES, WHICH, IN THE OPINION OF THE VILLAGE COUNCIL ARE REQUIRED IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR CONVENIENCE.

SECTION 17. THE VILLAGE COUNCIL SHALL HAVE THE POWER TO HAVE THE VILLAGE ORDINANCES REVISED AND CODIFIED AND INDEXED UPON APPROVAL BY THE MAJORITY OF THE COUNCIL. WHEN SUCH ORDINANCES SHALL HAVE BEEN SO APPROVED AND PUBLISHED IN BOOK FORM, TYPED OR PRINTED, THE SAID CODE, WITH SUCH ADDITIONS OR CHANGES AS MAY FROM TIME TO TIME BE MADE THEREOF, SHALL CONSTITUTE THE LAWS AND ORDINANCES OF THE VILLAGE AND SHALL BE IN FULL FORCE AND EFFECT UNTIL REPEALED. IT SHALL NOT BE NECESSARY TO PUBLISH SUCH CODIFICATION, BUT THE SAME SHALL BE MADE AVAILABLE TO THE PUBLIC AT ALL REASONABLE TIMES.

SECTION 18. THE COURTS OF THIS STATE SHALL TAKE JUDICIAL COGNIZANCE OF THE CODE AND ORDINANCES OF THE VILLAGE, AND A COPY THEREOF, OR ANY PART THEREOF, CERTIFIED BY THE VILLAGE CLERK, SHALL BE TAKEN AS EVIDENCE IN ANY TRIAL IN WHICH THE SAME MAY BE COMPETENT EVIDENCE, WITHOUT PROOF OF THE DUE PASSAGE AND APPROVAL OF THE SAID CODE AND ORDINANCES, OR ANY PART THEREOF.

SECTION 19. THE VILLAGE COUNCIL SHALL HAVE POWER TO FIX AND ESTABLISH A FIRE LIMIT WITHIN THE VILLAGE, AND TO PRESCRIBE RULES AND REGULATIONS FOR THE ERECTION AND REPAIR OF BUILDINGS WITHIN THE FIRE LIMIT ESTABLISHED, AND WITHIN THE VILLAGE FOR FIRE PROTECTION.

SECTION 20. THE VILLAGE COUNCIL SHALL HAVE POWER TO PASS ALL SUCH ORDINANCES AS MAY BE NECESSARY TO ESTABLISH QUARANTINE AND HEALTH REGULATIONS FOR THE VILLAGE, NOT INCONSISTENT WITH THE RULES AND REGULATIONS OF THE STATE BOARD OF HEALTH, AND ENFORCE THE SAME BY PENALTIES.

SECTION 21. THE VILLAGE COUNCIL MAY BORROW MONEY TO MEET THE CURRENT EXPENSES UP TO HALF OF THE TAXES ASSESSED FOR THE YEAR IN WHICH SUCH MONEY IS BORROWED, AND ISSUE NOTES THEREFOR SIGNED IN THE NAME OF THE VILLAGE BY THE VILLAGE CLERK, AND APPROVED BY THE MAYOR.

ARTICLE V

MUNICIPAL JUDGE

SECTION 1. APPOINTMENT AND SALARY. THE MAYOR OF THE VILLAGE OF LAZY LAKE IS HEREBY DESIGNATED AND APPOINTED AS THE MUNICIPAL JUDGE OF THE VILLAGE OF LAZY LAKE, TO SERVE AT A SALARY TO BE FIXED BY THE VILLAGE COUNCIL, AND ANY REFERENCE HEREINAFTER IN THIS ACT TO THE MUNICIPAL JUDGE OF THE VILLAGE OF LAZY LAKE SHALL REFER TO THE MAYOR OF THE VILLAGE OF LAZY LAKE.

SECTION 2. TERMS OF COURT. IT SHALL BE THE DUTY OF THE JUDGE OF THE MUNICIPAL COURT TO HOLD SUCH TERMS OF COURT AS ARE NECESSARY FOR THE TRIAL OF ALL PERSONS CHARGED WITH THE VIOLATION OF THE LAWS OF THE VILLAGE OF LAZY LAKE; TO PRESIDE AS JUDGE OF SAID COURT AND DETERMINE FROM THE EVIDENCE THE GUILT OR INNOCENCE OF THE ACCUSED; AND TO DO AND PERFORM ALL THE DUTIES AND EXERCISE ALL THE POWERS REQUIRED OF HIM OR CONFERRED UPON HIM BY THE CHARTER, LAWS AND ORDINANCES OF THE VILLAGE OF LAZY LAKE.

SECTION 3. MAYOR'S COURT. (1). ESTABLISHED. THERE SHALL BE AND THERE IS HEREBY ESTABLISHED IN THE VILLAGE OF LAZY LAKE A MUNICIPAL COURT TO BE KNOWN AS THE MAYOR'S COURT OF THE VILLAGE OF LAZY LAKE, FLORIDA, FOR THE TRIAL OF ALL OFFENDERS AGAINST THE MUNICIPAL ORDINANCES.

(2). POWERS. THE MUNICIPAL JUDGE SHALL HAVE POWER BY HIS WARRANTS OR WARRANTS ISSUED IN HIS NAME TO HAVE BROUGHT BEFORE HIM ANY PERSON OR PERSONS CHARGED WITH THE VIOLATION OF THE VILLAGE ORDINANCES, AND SHALL HAVE EXCLUSIVE ORIGINAL JURISDICTION OVER ALL PROCEEDINGS OF A CRIMINAL NATURE FOR THE VIOLATION OF ANY ORDINANCE OF THE VILLAGE. THE MUNICIPAL JUDGE SHALL HAVE POWER AND AUTHORITY TO ISSUE AND CAUSE TO BE SERVED ANY AND ALL WRITS, WARRANTS AND PROCESSES NECESSARY FOR THE PREVENTION AND PUNISHMENT OF VIOLATIONS OF THE ORDINANCES AND LAWS OF THE VILLAGE OF LAZY LAKE. THE MUNICIPAL JUDGE SHALL HAVE POWER AND AUTHORITY TO TAKE BAIL FOR THE APPEARANCE OF AN ACCUSED PERSON, AND, IF SUCH PERSON FAILS TO APPEAR, TO DECLARE SUCH BOND OR SECURITY ESTREATED; TO REQUIRE THE ATTENDANCE OF WITNESSES FOR THE VILLAGE AND FOR THE ACCUSED PERSON; TO ADMINISTER OATHS, TAKE AFFIDAVITS, AND INQUIRE INTO THE TRUTH OR FALSITY OF ALL CHARGES PREFERRED; TO DECIDE ON THE GUILT OR INNOCENCE OF THE ACCUSED, AND FIX AND IMPOSE SUCH PENALTIES BY SENTENCES AS ARE PRESCRIBED AND PROVIDED UNDER THE ORDINANCES OF THE VILLAGE; AND HE SHALL HAVE ALL POWERS INCIDENTAL AND

USUAL TO THE DUE ENFORCEMENT OF THE VILLAGE ORDINANCES. THE MUNICIPAL JUDGE SHALL HAVE AUTHORITY TO PRESERVE ORDER AND DECORUM, AND SHALL BE VESTED WITH THE SAME POWERS TO PUNISH OFFENDERS BY CONTEMPT PROCEEDINGS AND FINE AND IMPRISONMENT AS ARE POSSESSED AND AUTHORIZED TO BE EXERCISED BY CRIMINAL COURTS WITHIN THE STATE.

(3). ISSUE SEARCH WARRANTS. THE MUNICIPAL JUDGE SHALL HAVE POWER TO ISSUE SEARCH WARRANTS UNDER THE FOLLOWING CIRCUMSTANCES AND CONDITIONS, TO WIT:

(A). A SEARCH WARRANT CANNOT BE ISSUED EXCEPT UPON PROBABLE CAUSE, SUPPORTED BY AFFIDAVIT OR AFFIDAVITS, NAMING OR DESCRIBING THE PERSON, PLACE OR THING TO BE SEARCHED, AND PARTICULARLY DESCRIBING THE PROPERTY OR THING TO BE SEIZED; AND NO SEARCH WARRANT SHALL BE ISSUED IN BLANK. ALL SUCH WARRANTS SHALL BE RETURNED WITHIN TEN (10) DAYS AFTER ISSUANCE THEREOF.

(B). ANY SEARCH WARRANT ISSUED SHALL BE DIRECTED TO THE POLICE OF THE VILLAGE OF LAZY LAKE AND MAY BE SERVED BY ANY DULY QUALIFIED POLICE OFFICER. ANY PERSON AGGRIEVED BY ANY ACT OF THE OFFICER SERVING SUCH WARRANT MAY HAVE A RIGHT TO BRING SUIT AGAINST SUCH OFFICER, BUT NOT AGAINST THE VILLAGE OF LAZY LAKE.

(C). IN THE ISSUANCE, SERVING AND ADMINISTERING, AND ENFORCING OF SEARCH WARRANTS, THE MUNICIPAL JUDGE SHALL HAVE ALL OF THE POWERS AND AUTHORITY GRANTED BY, AND SHALL BE GOVERNED THEREIN BY, THE PROVISIONS OF THE GENERAL LAWS OF THE STATE OF FLORIDA; AND THE SERVING OFFICER SHALL HAVE ALL THE POWERS AND AUTHORITY GRANTED BY, AND SHALL BE GOVERNED BY, THE PROVISIONS OF THE GENERAL LAWS OF THE STATE OF FLORIDA.

(D). UPON THE RETURN OF THE WARRANT, THE OFFICER SHALL ATTACH THERETO OR THEREON A TRUE INVENTORY OF THE PROPERTY TAKEN UNDER THE WARRANT, AND AT THE FOOT OF THE INVENTORY SHALL VERIFY THE SAME BY AFFIDAVIT TAKEN BEFORE SOME OFFICER AUTHORIZED TO ADMINISTER OATHS OR BEFORE THE ISSUING OFFICER, SAID VERIFICATION TO BE TO THE FOLLOWING EFFECT:

I, THE UNDERSIGNED OFFICER, BY WHOM THE ATTACHED SEARCH WARRANT WAS EXECUTED, DO SWEAR OR AFFIRM THAT THE ABOVE INVENTORY CONTAINS A TRUE AND DETAILED ACCOUNT OF ALL PROPERTY TAKEN BY ME ON SAID WARRANT.

OFFICER EXECUTING THE SEARCH WARRANT

(E). WHOEVER SHALL KNOWINGLY AND WILFULLY OBSTRUCT, RESIST OR OPPOSE ANY OFFICER, OR PERSON AIDING SUCH OFFICER, IN SERVING OR ATTEMPTING TO SERVE OR EXECUTE ANY SEARCH WARRANT, OR SHALL ASSAULT, BEAT OR

WOUND ANY PERSON OR OFFICER, OR HIS DEPUTIES OR ASSISTANTS, KNOWING HIM TO BE SUCH OFFICER, OR PERSON SO AUTHORIZED, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00) OR IMPRISONED FOR NOT MORE THAN SIXTY (60) DAYS.

(F). ANY PERSON WHO MALICIOUSLY AND WITHOUT PROBABLE CAUSE, PROCURES A SEARCH WARRANT TO BE ISSUED AND EXECUTED, SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00), OR IMPRISONED FOR NOT MORE THAN SIXTY (60) DAYS.

(G). DOCKETING CASES. THE MERE PLACING UPON THE OFFICIAL DOCKET OF THE MAYOR'S COURT A CHARGE OR VIOLATION OF THE VILLAGE ORDINANCES SHALL BE A SUFFICIENT CHARGE TO CAUSE A PERSON TO BE TRIED IN SUCH COURT, WITHOUT ANY AFFIDAVIT BEING MADE AS TO THE OFFENSE OR ANY WARRANT ISSUED FOR THE ARREST.

(H). CONFINEMENT OF PERSONS ARRESTED. ALL PERSONS ARRESTED SHALL BE CONFINED IN THE BROWARD COUNTY JAIL, OR SUCH OTHER PROPER PLACE, TO REMAIN THERE UNTIL A HEARING HAS BEEN HAD BEFORE THE MAYOR'S COURT, UNLESS SUCH PERSON OR PERSONS SHALL GIVE BOND OR OTHER SECURITY FOR THEIR RELEASE, IN WHICH EVENT SUCH PERSON MAY BE RELEASED TO APPEAR AT THE TIME SET FOR THE HEARING.

(I). BOND ESTREATED. WHENEVER ANY BOND IS TAKEN FOR THE APPEARANCE BEFORE THE MAYOR'S COURT OF ANY PERSON, AND THE SAID DEFENDANT SHALL FAIL TO APPEAR IN COURT AT THE TIME SPECIFIED, THE BOND OR SECURITY SHALL BE ESTREATED.

(J). TIME OF COURT. THE MAYOR'S COURT SHALL CONVENE AT SUCH TIME OR TIMES AS FIXED BY ORDINANCE OF THE VILLAGE COUNCIL. ALL PERSONS CONNECTED WITH ANY CASE SHALL BE REQUIRED TO BE PRESENT.

(K). PROCEDURE AND TRIAL. THE PROCEDURE AND TRIAL SHALL PROCEED IN ACCORDANCE WITH THE GENERAL LAWS OF THE STATE OF FLORIDA.

(L). DISPOSITION OF MONEYS COLLECTED AS FINES. ALL FINES, PENALTIES, FORFEITURES, AND FEES COLLECTED BY THE MAYOR'S COURT AND THE POLICE DEPARTMENT SHALL ACCRUE TO THE GENERAL FUND OF THE VILLAGE.

(M). LABOR REQUIRED OF PRISONERS. ALL PERSONS IMPRISONED AFTER CONVICTION IN THE MAYOR'S COURT, SHALL BE REQUIRED TO WORK FOR THE VILLAGE UNDER AND IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL LAWS OF THE STATE OF FLORIDA.

(N). APPEALS. ANY PERSON CONVICTED IN THE MAYOR'S COURT OF ANY OFFENSE SHALL HAVE THE RIGHT OF APPEAL IN ACCORDANCE WITH THE GENERAL LAWS OF THE STATE OF FLORIDA.

SECTION 4. THE MAYOR'S COURT SHALL HAVE AUTHORITY TO PRESERVE ORDER AND DECORUM, AND SHALL BE VESTED WITH THE SAME POWERS TO THAT END, BY FINE AND IMPRISONMENT AS ARE POSSESSED AND AUTHORIZED TO BE EXERCISED BY CRIMINAL COURTS OF RECORD WITHIN THE STATE.

ARTICLE VI

CITY ATTORNEY

THE VILLAGE COUNCIL MAY APPOINT A LAWYER ADMITTED TO PRACTICE IN THE COURTS OF THE STATE, AS CITY ATTORNEY, WHO SHALL HOLD OFFICE DURING THE PLEASURE OF THE COUNCIL, AND ACT AS THE LEGAL ADVISOR TO, AND ATTORNEY AND COUNSELLOR FOR THE MUNICIPALITY AND ALL OF ITS OFFICERS, IN MATTERS RELATING TO THEIR OFFICIAL DUTIES.

ARTICLE VII

POLICE DEPARTMENT

SECTION 1. THERE SHALL BE AND THERE IS HEREBY CREATED A POLICE DEPARTMENT OF THE VILLAGE OF LAZY LAKE, THE MEMBERS OF WHICH POLICE DEPARTMENT SHALL BE APPOINTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, AND THE COMPENSATION TO BE PAID THE SAID POLICE OFFICERS SHALL BE FIXED BY ORDINANCE OR RESOLUTION.

SECTION 2. ANY DULY APPOINTED MEMBER OF THE POLICE DEPARTMENT SHALL HAVE POWER AND AUTHORITY TO IMMEDIATELY ARREST, WITH OR WITHOUT WARRANT, AND TAKE INTO CUSTODY ANY PERSON WHO SHALL COMMIT, THREATEN OR ATTEMPT TO COMMIT, IN HIS PRESENCE OR WITHIN HIS VIEW, ANY OFFENSE PROHIBITED BY THE ORDINANCES AND LAWS OF THE VILLAGE, AND WITHOUT UNNECESSARY DELAY, BRING THE OFFENDERS BEFORE THE MAYOR'S COURT TO BE DEALT WITH ACCORDING TO LAW. THE VILLAGE COUNCIL MAY PRESCRIBE SUCH OTHER ADDITIONAL DUTIES AND SERVICES TO BE RENDERED AS IT MAY DEEM NECESSARY.

ARTICLE VIII

CLERK, TAX COLLECTOR AND TREASURER

POWERS, DUTIES, ETC.

SECTION 1. THE OFFICES OF THE VILLAGE CLERK, TAX COLLECTOR AND TREASURER, SHALL BE HELD BY ONE AND THE SAME PERSON; PROVIDED, HOWEVER, THAT THE TAX ASSESSOR AND THE TAX COLLECTOR IN AND FOR BROWARD COUNTY MAY, IN ACCORDANCE WITH ALL GENERAL AND SPECIAL LAWS AND AMENDMENTS THERETO, ASSESS AND COLLECT VILLAGE TAXES ON BEHALF OF THE VILLAGE OF LAZY LAKE. THE POWERS AND DUTIES OF THESE OFFICES SHALL BE FIXED AND CHANGED FROM TIME TO TIME BY THE VILLAGE COUNCIL.

ARTICLE IX

REVENUE AND TAXATION

SECTION 1. ALL PROPERTY, REAL AND PERSONAL, IN THE VILLAGE OF LAZY LAKE, NOT EXPRESSLY EXEMPT BY THE LAWS OF THE STATE OF FLORIDA, SHALL BE SUBJECT TO TAXATION FOR VILLAGE PURPOSES, PROVIDED HOWEVER, DURING THE TERM OF THE FIRST TEN (10) YEARS FOLLOWING THE ENACTMENT OF THIS CHARTER TAXES ON BOTH REAL AND PERSONAL PROPERTY SHALL BE LIMITED TO TEN DOLLARS (\$10.00) EACH FISCAL YEAR OF THE VILLAGE UPON EACH LOT, PARCEL, OR PIECE OF LAND AND THE PERSONAL PROPERTY CONTAINED THEREON. PROVIDED, HOWEVER, THAT THE LIMITATION OF TEN DOLLARS (\$10.00) MAY BE INCREASED BY SUBMITTING THE AMOUNT OF SAID PROPOSED INCREASE TO THE QUALIFIED VOTERS BY REFERENDUM AT THE TIME OF ANY GENERAL ELECTION. SUCH REFERENDUM ELECTION SHALL BE CALLED BY ORDINANCE OR RESOLUTION OF THE VILLAGE COUNCIL, AND A NOTICE THEREOF PUBLISHED BY POSTING IN A PUBLIC PLACE IN THE SAME MANNER AS REQUIRED HEREIN FOR THE HOLDING OF GENERAL ELECTIONS. SUCH NOTICE SHALL CONTAIN A FULL STATEMENT AS TO THE AMOUNT OF THE INCREASE AND THE PURPOSE THEREOF. THE LIMITATION UPON TAXATION HEREIN PROVIDED FOR SHALL NOT APPLY TO LICENSES AND FRANCHISES.

SECTION 2. TAXES ASSESSED AGAINST THE REAL AND PERSONAL PROPERTY WITHIN THE VILLAGE SHALL BE RECORDED IN A BOOK PROVIDED FOR THAT PURPOSE, WHEREIN EACH LOT OR PARCEL OF LAND, AND THE PERSONAL PROPERTY TAXED, SHALL BE LISTED. THERE SHALL BE STATED THEREIN SAID NAME AND LAST KNOWN ADDRESS OF EACH PROPERTY OWNER AND THE AMOUNT OF THE TAX ASSESSED. THERE SHALL ALSO BE PROVIDED A PROPER SPACE FOR ENTERING THE DATE AND AMOUNT OF TAXES PAID OPPOSITE EACH ASSESSMENT. THIS BOOK SHALL BE DESIGNATED AS THE TAX ASSESSMENT ROLL (YEAR INDICATED) OF THE VILLAGE OF LAZY LAKE.

SECTION 3. THE TAX ASSESSOR SHALL PREPARE THE TAX ASSESSMENT ROLL AND PRESENT THE SAME TO THE VILLAGE COUNCIL ON THE FIRST DAY OF JULY OF EACH AND EVERY YEAR. THE COUNCIL SHALL CONVENE AND ACT AS A BOARD OF EQUALIZATION UPON THE SECOND MONDAY IN AUGUST, AND NOTICE OF THE HOLDING OF SUCH MEETING SHALL BE PUBLISHED BY POSTING IN A PUBLIC PLACE WITHIN THE VILLAGE. THE PROPERTY OWNERS SHALL HAVE A RIGHT TO VIEW THE TAX ASSESSMENT ROLL AT ANY TIME AND ALSO SHALL HAVE THE RIGHT TO REGISTER COMPLAINTS, IF ANY, AT THE MEETING OF THE BOARD OF EQUALIZATION.

SECTION 4. AFTER THE SAID ASSESSMENT ROLL SHALL HAVE BEEN REVISED AND EQUALIZED, THE SAME SHALL BE RETURNED TO THE TAX ASSESSOR WITH A CERTIFICATE OF THE PRESIDENT AND CLERK OF THE VILLAGE COUNCIL THAT THE SAME HAS BEEN REVISED AND EQUALIZED, AND THEREAFTER THE VALUES FIXED AND THE TAXES ASSESSED

SHALL NOT BE CHANGED.

SECTION 5. ALL TAXES SHALL BE A LIEN AGAINST THE PROPERTY UPON WHICH THEY ARE LEVIED OR ASSESSED FROM THE FIRST DAY OF JANUARY OF THE YEAR IN WHICH SUCH LEVY AND ASSESSMENT IS MADE, AND SHALL BE DUE AND PAYABLE ON THE FIRST DAY OF NOVEMBER IN SUCH YEAR, OR AS SOON THEREAFTER AS THE ASSESSMENT ROLL MAY COME INTO THE HANDS OF THE TAX COLLECTOR. ALL MUNICIPAL TAXES SHALL BE SUBJECT TO THE FOLLOWING DISCOUNTS, TO WIT: IF PAID DURING NOVEMBER, FOUR PERCENT (4%); IF PAID DURING DECEMBER, THREE PERCENT (3%); IF PAID DURING JANUARY, TWO PERCENT (2%); IF PAID DURING FEBRUARY, ONE PERCENT (1%). NO DISCOUNT SHALL BE ALLOWED IF PAID DURING MARCH OR THEREAFTER.

SECTION 6. IF ANY TAXES UPON REAL ESTATE SHALL NOT BE PAID BEFORE THE FIRST DAY OF APRIL OF ANY YEAR IMMEDIATELY FOLLOWING THE YEAR FOR WHICH THE SAME WERE ASSESSED, THE TAX COLLECTOR SHALL ADVERTISE AND SELL THE SAID REAL ESTATE IN THE FOLLOWING MANNER: HE SHALL MAKE OUT A STATEMENT OF ALL SUCH REAL ESTATE, SPECIFYING THE AMOUNT DUE ON EACH PARCEL, TOGETHER WITH THE COST OF ADVERTISING AND EXPENSE OF SALE, IN THE SAME ORDER IN WHICH THE LAND WAS ASSESSED, AND SUCH LIST SHALL BE PUBLISHED BY POSTING THE SAME FOR FOUR (4) WEEKS PRIOR TO THE DATE OF SALE IN A PUBLIC PLACE WITHIN THE VILLAGE. HE SHALL INCLUDE IN SUCH NOTICE THE TIME AND PLACE WHERE SUCH SALE WILL BE HELD. A COPY OF THE SAID NOTICE SHALL BE FILED IN THE OFFICE OF THE VILLAGE CLERK WITHIN TEN (10) DAYS AFTER THE SALE.

SECTION 7. WHEN LANDS ARE ADVERTISED FOR SALE AS HEREIN PROVIDED FOR, THERE SHALL BE ADDED TO EACH PARCEL THE SUM OF TWO DOLLARS (\$2.00) TO COVER ADVERTISING, EXPENSES, AND CERTIFICATE OF THE SALE.

SECTION 8. UPON THE DATE AND HOUR SET FOR THE SALE OF LANDS FOR DELINQUENT TAXES, THE TAX COLLECTOR SHALL COMMENCE THE SALE OF THOSE LANDS ON WHICH TAXES HAVE NOT BEEN PAID AS AFORESAID, AND SHALL CONTINUE THE SAME FROM DAY TO DAY UNTIL SO MUCH OF EACH PARCEL THEREOF SHALL HAVE BEEN SOLD AS SHALL BE SUFFICIENT TO PAY THE TAXES AND COSTS AND CHARGES THEREON, AND IN CASE THERE IS NO BID SUFFICIENT TO PAY THE TAXES, COSTS, AND CHARGES ON ANY PARCEL, THE WHOLE SHALL BE BID OFF BY THE TAX COLLECTOR FOR THE VILLAGE.

SECTION 9. THE LAND SHALL BE STRUCK OFF TO THE PERSON WHO WILL PAY THE TAX, COSTS AND CHARGES FOR THE LEAST PORTION OF THE LAND. ALL SALES SHALL BE FOR CASH, AND IN ALL CASES WHERE PAYMENT IS NOT MADE WITHIN TWENTY-FOUR (24) HOURS, THE TAX COLLECTOR MAY DECLARE THE BID CANCELLED AND SELL THE LAND AGAIN.

SECTION 10. AT THE SALE AFORESAID, THE TAX COLLECTOR SHALL GIVE THE PURCHASER A CERTIFICATE OF SUCH SALE, DESCRIBING THE LANDS PURCHASED AND THE

AMOUNT PAID THEREFOR, WHICH CERTIFICATE SHALL BE IN APPROPRIATE FORM TO BE PRESCRIBED AND ADOPTED BY THE TAX COLLECTOR.

SECTION 11. A COMPLETE, DETAILED AND APPROPRIATE ACCOUNT OF THE SALE SHALL BE PREPARED IN DUPLICATE BY THE TAX COLLECTOR AND FILED WITH THE VILLAGE CLERK.

SECTION 12. THE HOLDER OF ANY CERTIFICATE OF TAX SALE OF LANDS FOR THE FAILURE TO PAY THE TAXES, COSTS AND CHARGES THEREON, SHALL HAVE ALL OF THE RIGHTS, PRIVILEGES, AND BE ACCORDED ALL OF THE RIGHTS AND PRIVILEGES PROVIDED FOR UNDER THE GENERAL LAWS OF THE STATE OF FLORIDA GOVERNING THE SALE OF LANDS FOR THE FAILURE TO PAY TAXES, COSTS AND CHARGES ASSESSED AGAINST SAME, WHEN NOT IN CONFLICT WITH THE TERMS OF THIS ACT.

SECTION 13. ALL TAX SALE CERTIFICATES ISSUED TO THE VILLAGE SHALL BE HELD BY THE VILLAGE CLERK FOR REDEMPTION OR SALE, AND ALL REDEMPTION OF LANDS SOLD FOR TAXES, WHETHER CERTIFIED OR SOLD TO THE VILLAGE OR SOLD TO INDIVIDUALS, SHALL BE MADE THROUGH THE VILLAGE CLERK.

SECTION 14. THE ORIGINAL OWNERS OF LANDS SOLD FOR TAXES SHALL HAVE ALL OF THE RIGHTS OF REDEMPTION PROVIDED FOR AND GRANTED UNDER THE PROVISIONS OF THE GENERAL LAWS OF THE STATE OF FLORIDA PERTAINING TO LANDS SOLD FOR DELINQUENT TAXES, WHEN NOT IN CONFLICT WITH THE TERMS OF THIS ACT.

ARTICLE X

ELECTIONS

SECTION 1. ALL GENERAL AND SPECIAL ELECTIONS, UNLESS OTHERWISE PROVIDED IN THE ACT, SHALL BE CALLED BY PROCLAMATION OF THE MAYOR, PUBLISHED BY POSTING THE SAME IN A CONSPICUOUS PLACE WITHIN THE VILLAGE FOR TWO (2) WEEKS PRIOR TO THE DATE SET FOR HOLDING SAID ELECTION.

SECTION 2. THE TIME AND MANNER OF QUALIFYING AS A CANDIDATE FOR THE OFFICE OF VILLAGE COUNCILMAN, AND FOR THE OFFICE OF MAYOR, IN ANY ELECTION SHALL BE REGULATED BY ORDINANCE OF THE VILLAGE OF LAZY LAKE, BUT ONLY SUCH QUALIFIED PERSONS AS HEREIN PROVIDED FOR SHALL BE ELIGIBLE TO BECOME A CANDIDATE.

THE NAMES OF ALL CANDIDATES WHO QUALIFY FOR SUCH ELECTIONS SHALL BE PRINTED UPON AN ELECTION BALLOT. IT SHALL NOT BE NECESSARY TO HOLD A PRIMARY ELECTION. CANDIDATES QUALIFYING FOR THE OFFICE OF MAYOR CANNOT ALSO QUALIFY IN THE SAME ELECTION FOR THE OFFICE OF COUNCILMAN.

SECTION 3. THE FIRST GENERAL MUNICIPAL ELECTION SHALL BE HELD AS ELSEWHERE IN THIS ACT PROVIDED. THEREAFTER, THE GENERAL MUNICIPAL ELECTION SHALL BE HELD NOT MORE THAN THREE (3) WEEKS, AND NOT LESS THAN TWO (2) WEEKS, BEFORE APRIL 1ST OF EACH YEAR BEGINNING WITH THE YEAR 1956. NO PERSON SHALL BE ALLOWED

TO VOTE IN ANY ELECTION WHO IS NOT A QUALIFIED VOTER OF THE VILLAGE, AND WHO HAS NOT RESIDED IN THE VILLAGE FOR SIX (6) MONTHS AND IN THE STATE OF FLORIDA FOR TWELVE (12) MONTHS IMMEDIATELY PRECEDING SUCH ELECTION, AND WHO IS NOT A REGISTERED VOTER OF SAID VILLAGE IN SUCH MANNER AS PRESCRIBED BY ORDINANCE. THE VILLAGE COUNCIL SHALL PRESCRIBE BY ORDINANCE THE METHOD AND MANNER OF HOLDING ALL ELECTIONS IN SAID VILLAGE, AND SHALL PROVIDE WHEN AND HOW SPECIAL ELECTIONS SHALL BE CALLED AND HELD, WHICH ARE NOT PROVIDED BY THE TERMS OF THIS CHARTER, AND ALL ELECTIONS SHALL BE CONDUCTED SUBSTANTIALLY ON THE PRINCIPLE ADOPTED FOR STATE ELECTIONS INSOFAR AS THERE ARE NO CONFLICTS WITH THE TERMS OF THIS CHARTER.

SECTION 4. THE VILLAGE CLERK SHALL BE THE REGISTRATION OFFICER FOR THE VILLAGE, AND SHALL REGISTER ALL PERSONS APPLYING TO HIM IN ACCORDANCE WITH THE VILLAGE ORDINANCE PRESCRIBING THE METHOD OF REGISTRATION. THE REGISTRATION BOOK SHALL BE KEPT OPEN AT ALL REASONABLE TIMES, EXCEPT THAT THE SAME SHALL BE CLOSED FIFTEEN (15) DAYS BEFORE ANY VILLAGE ELECTION, UNLESS OTHERWISE PROVIDED FOR IN THIS CHARTER.

SECTION 5. THE PAYMENT OF POLL TAXES TO THE STATE OF FLORIDA OR COUNTY OF BROWARD SHALL NOT BE PREREQUISITE FOR VOTING IN ANY MUNICIPAL ELECTION OF THE VILLAGE OF LAZY LAKE, FLORIDA.

SECTION 6. THE POLLS SHALL BE OPEN AT SEVEN O'CLOCK A. M. EASTERN STANDARD TIME, AND CLOSE AT SEVEN O'CLOCK P. M. EASTERN STANDARD TIME. THE RESULT OF THE VOTING, WHEN ASCERTAINED, SHALL BE CERTIFIED BY RETURN IN DUPLICATE, SIGNED BY THE CLERK AND THE MAJORITY OF THE INSPECTORS OF THE ELECTION, ONE COPY DELIVERED TO THE MAYOR, AND THE OTHER TO THE VILLAGE CLERK, BOTH OF WHOM SHALL TRANSMIT SUCH RETURNS TO THE VILLAGE COUNCIL AT A CALLED MEETING TO BE HELD NOT LATER THAN THREE (3) DAYS AFTER SUCH ELECTION. AT SUCH MEETING, THE VILLAGE COUNCIL SHALL CANVASS THE RETURNS, AND IN ABSENCE OF A DECLARATION OF CONTEST BY ANY OF THE CANDIDATES IN SUCH ELECTION, SHALL DECLARE THE RESULT OF THE ELECTION AS SHOWN BY THE RETURNS MADE BY THE CLERK AND INSPECTORS. THE VILLAGE CLERK SHALL WITHIN TWO (2) DAYS THEREAFTER FURNISH EACH PERSON SHOWN TO HAVE BEEN ELECTED A CERTIFICATE THEREOF. A TIE BETWEEN TWO OR MORE CANDIDATES SHALL BE DETERMINED AS PRESCRIBED BY ORDINANCE. THE CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES SHALL BE DETERMINED TO HAVE BEEN ELECTED.

ARTICLE XI

IMPROVEMENTS, ASSESSMENTS AGAINST PROPERTY

SECTION 1. THAT THE VILLAGE OF LAZY LAKE, FLORIDA, IS HEREBY AUTHORIZED AND EMPOWERED TO MAKE SUCH IMPROVEMENTS WITHIN THE VILLAGE AS THE VILLAGE

COUNCIL SHALL DEEM NECESSARY AND THE VILLAGE OF LAZY LAKE SHALL HAVE ALL THE POWERS, PRIVILEGES AND PROVISIONS OF THE GENERAL LAWS OF THE STATE OF FLORIDA AS THE SAME PROVIDE FOR MAKING LOCAL IMPROVEMENTS, AND THE SAME SHALL BE AN ADDITIONAL AND ALTERNATIVE METHOD FOR MAKING LOCAL IMPROVEMENTS IN SAID MUNICIPALITY.

ARTICLE XII

MISCELLANEOUS

SECTION 1. THAT THE VILLAGE OF LAZY LAKE IS NOT AUTHORIZED AND SHALL NOT BE EMPOWERED TO ISSUE BONDS FOR ANY FUNDED INDEBTEDNESS.

SECTION 2. THAT THE FIRST FISCAL PERIOD OF THE VILLAGE OF LAZY LAKE SHALL COMMENCE WITH THE ENACTMENT OF THIS CHARTER AND END ON MARCH 31ST, 1954. THEREAFTER, THE FISCAL YEAR OF THE VILLAGE OF LAZY LAKE SHALL COMMENCE ON THE FIRST DAY OF APRIL AND END UPON THE LAST DAY OF MARCH OF EACH YEAR, AND WHENEVER THE WORD "YEAR" APPEARS IN THIS ACT, IT SHALL BE CONSTRUED AS MEANING THE FISCAL YEAR OF SAID VILLAGE UNLESS OTHERWISE INDICATED.

SECTION 3. THAT, IF FOR ANY REASON, ANY SECTION OR PROVISION OF THIS ACT SHALL BE ADJUDGED UNCONSTITUTIONAL OR OTHERWISE INOPERATIVE, SUCH FACTS SHALL NOT BE HELD TO AFFECT ANY OTHER SECTION OR PROVISION OF THIS ACT, BUT SUCH OTHER SECTIONS OR PROVISIONS SHALL REMAIN IN FULL FORCE AND EFFECT AS IF THE SECTIONS OR PROVISIONS ADJUDGED UNCONSTITUTIONAL OR INOPERATIVE HAD NOT BEEN ORIGINALLY INCORPORATED IN THIS ACT.

SECTION 4. THAT THE VILLAGE OF LAZY LAKE SHALL HAVE ALL THE POWER, PRIVILEGES AND PROVISIONS OF THE GENERAL LAWS OF THE STATE OF FLORIDA GOVERNING CITIES, TOWNS AND VILLAGES, WHEN NOT IN CONFLICT WITH THE TERMS OF THIS ACT, AND THE SAME ARE HEREBY MADE A PART OF THIS CHARTER.

SECTION 5. THAT ALL LAWS AND PARTS OF LAWS IN CONFLICT WITH THE PROVISIONS OF THIS ACT, BE, AND THE SAME ARE, HEREBY REPEALED.

SECTION 6. THIS ACT SHALL BECOME EFFECTIVE UPON ITS APPROVAL BY THE GOVERNOR, OR UPON ITS BECOMING A LAW WITHOUT SUCH APPROVAL.

BECAME A LAW WITHOUT THE GOVERNOR'S APPROVAL.

FILED IN OFFICE SECRETARY OF STATE JUNE 3, 1953.

Exhibit “4”



BROWARD OFFICE OF THE INSPECTOR GENERAL

MEMORANDUM

To: Honorable Caroline White, Mayor, Village of Lazy Lake
and Members, Village of Lazy Lake Council

From: John W. Scott, Inspector General *JWS*

Date: August 21, 2014

Subject: **OIG Closing Memorandum Re: *Lazy Lake Officials' Compliance with Ethics Training Requirements of the Ethics Code and Misconduct in the Administration of Village Affairs, Ref. OIG 13-025***

The purpose of this memorandum is to inform you that the Broward Office of the Inspector General (OIG) has concluded its investigation into whether officials of the Village of Lazy Lake (Village) violated the ethics training requirements of the Broward Code of Ethics for Elected Officials (Ethics Code) or engaged in statutory or constitutional misconduct in the administration of Village affairs.¹

The OIG investigation determined that Lazy Lake's current officials are now in compliance with the ethics training and certification requirements of the Ethics Code. However, we also found that the Village's clerk, mayors, and council engaged in misconduct in carrying out the municipal affairs of Lazy Lake. That misconduct included apparent violations of Florida's open meetings (Sunshine) laws and the constitutional, statutory, and charter requirements that the Village be governed by properly qualified elected officials.

Background

In July 2013 the Broward Office of the Inspector General (OIG) concluded a compliance review on whether the 157 Broward County Elected Officials who held office in 2012 filed their ethics training certifications. Sec. 1-19(d) of the Ethics Code, Training and Education, states:

(1) New Elected Officials shall receive a minimum of four (4) hours of training from their governmental entity's attorney (or as directed by that attorney) on the topics of the Sunshine Law, public records, and public service ethics, and shall certify or

¹ The OIG has not issued a report in this matter because we have not determined, pursuant to Section 12.01(D)(1)(b) of the Charter of Broward County, that a report will assist the County or any municipality in preventing similar future misconduct.

John W. Scott, *Inspector General*

One North University Drive, Suite 111 • Plantation, Florida 33324 • (954) 357-7873 • Fax (954) 357-7857
www.browardig.org • (954) 357-TIPS

acknowledge his or her participation in this training in a form filed with the entity's chief administrative official or clerk. Such training shall be completed within one hundred twenty (120) days after taking office. The four (4) hours of training shall count towards the eight (8) hour training referenced in the paragraph immediately below.

(2) Each Elected Official shall, on an annual basis, attend or participate in a minimum of eight (8) hours of continuing education training on the topic of public service ethics. These programs may be available through regional universities, municipal or local government organizations, or the state or regional Bar associations. Each Elected Official shall annually certify or acknowledge that he or she has met this requirement in a form filed with the entity's chief administrative official or clerk.

We published the findings of our review in a memorandum in OIG 13-006, concluding there was good cause to believe that three Village officials failed to obtain or certify required ethics training. Specifically, we found that two Village council members and the mayor failed to obtain and certify for 2012 any of the eight hours of ethics training required annually under the Ethics Code.

Investigation

While conducting the compliance review and follow-up investigation, the OIG came into information that led us to further investigate whether Village officials had engaged in other violations of state and local law. Although we have determined that current elected officials are in substantial compliance with the training requirements of the Ethics Code, we have also found that the Clerk, mayor and council are not conducting Village affairs in accordance with Florida law.

1. Current Elected Officials are in Substantial Compliance with Ethics Code Training Requirements

In August 2013, the OIG commenced an investigation predicated on the good cause that three Village officials failed to take or certify required ethics training. The three officials had continuously served as the mayor or a member of the governing body of the Village from before January 2, 2012, the date the Ethics Code became applicable to municipal officials. At no time while serving as Village officials did the mayor or one of the two council members attend or participate in any continuing education training on the topic of public service ethics. Eight hours are required annually by Ethics Code Sec. 1-19(d)(2). A third council member was sworn in as a municipal official on or about June 11, 2013. Although four hours of continuing education training on the topics of Sunshine law, public records, and public service ethics are required within 120 days of taking office, it was not until April 2014 (ten months later), that she attended or participated in any. And none of these officials filed with the Village Clerk (Clerk) any certification or acknowledgment that he or she attended or participated in continuing education training on the topic of public service ethics until a councilwoman did so in March 2014.

When we initially contacted the Clerk on May 23, 2013, as part of our ethics training compliance review, he told us that Village officials were volunteers and "did not have the time to attend ethics training." We immediately reached the attorney for the Village and explained the compliance review and our initial findings about the Village mayor and council members. We provided the Village Attorney with online training resources from other entities, informed him about the OIG's upcoming ethics training to be held on May 31, 2013, and provided a registration form for that training, suggesting that efforts be undertaken to demonstrate a lack of intent to violate the Ethics Code.

On June 6, 2013, the Clerk and his wife, a council member, informed us by telephone that ethics training was unnecessary for Village officials and that the OIG would never collect fines on any violations, because the Village would be dissolved the day any fines are assessed. Over the course of the following six months, while the OIG office attempted to secure the compliance of the Village council members with the Ethics Code, including by offering ethics training at no cost to them or their municipality, the Clerk attempted to persuade members of the Board of County Commissioners (BCC) to exempt the Village from the application of the Ethics Code. When he and a councilman appeared at a BCC meeting in December 2013, County Commissioners refused to entertain his request, suggesting instead that the Village's officials could use ethics training recordings available from the County Attorney's Office in order to comply with their obligations under the Ethics Code.

Thereafter, the mayor informed us he was giving up his seat, deciding not to qualify for election upon the expiration of his term in office in March 2014. He and one council member for whom we had good cause to open the investigation moved away by the March election date. The new council member assumed the office of mayor at that time, and both she and the remaining council member undertook to complete ethics training, employing the recordings referenced at the December BCC meeting. In March and April 2014, they each certified having completed eight hours of ethics training for 2014, but this neglected the requirement that the new mayor take and certify four hours by October 9, 2013 (within 120 days of her assuming office as a member of council) and that the longer-serving council member take and certify eight hours for 2013. After the OIG communicated further with them, they certified taking four and eight more hours, respectively, which we accept as satisfying their missing 2013 hours.

In consideration of this and of our concerns expressed below, at this time, the OIG will take no further action on Village officials' 2012 and 2013 training requirements under the Ethics Code.²

² The two remaining sitting council members each completed four hours of ethics training in 2013 as new elected officials and have already completed and certified another eight hours for 2014.

2. *The Clerk, Mayor, and Council Are Not Conducting Village Affairs in Accordance with Florida Law*

During the course of the review and investigation into the training matter, the OIG determined that the Village's clerk, mayors, and council engaged in misconduct in carrying out the municipal affairs of Lazy Lake. That misconduct included apparent violations of Florida's Sunshine laws and the constitutional, statutory, and charter requirements that the Village be governed by properly qualified elected officials.

a. Council Meetings Were Not Conducted Properly

As part of the investigation, OIG staff reviewed Village documents and records, including agendas, minutes, sign in sheets and resolutions from 2011 to the present; conducted interviews; and made site inspections, in order to determine whether the Village complied with Florida law requirements that council meetings be reasonably noticed, publicly accessible, and accurately recorded. Those requirements include the following:

Fla. Const. Art. I, § 24(b), Access to public records and meetings, states in pertinent part:

All meetings of ... any collegial public body of a ... municipality ..., at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public ... except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.

The Sunshine law, F.S. § 286.011, states in pertinent part:

(1) All meetings ... of any agency or authority of any ... municipal corporation, or political subdivision, except as otherwise provided in the Constitution, ... at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection....

(6) All persons subject to subsection (1) are prohibited from holding meetings at any facility or location ... which operates in such a manner as to unreasonably restrict public access to such a facility.

i. The Village Failed to Provide Reasonable Notice of Meetings

The Village council met on 35 occasions between October 12, 2010, and February 11, 2014, to discuss non-budget matters and hold tentative and final *ad valorem* and budget meetings.

The Clerk informed OIG staff that he has the email addresses of all the Village's residential households and property owners and that he emailed the agendas, minutes, notice of budget hearings, proposed budgets and the final budget and other Village information to the residents using those email addresses. He said that some notices, if required, may have been published in the local newspaper. In addition, the Clerk stated that he posted the agendas and budget documents at a location in front of his home and viewable from Lazy Lane, since there is no Village office within the Village itself.³ However, he did not know if he had retained the emails used to distribute the agendas, minutes and budgets.⁴

We found that of a total of 26 undated, one-page documents that listed the date, time, and location of a council meeting, only seven of them were e-mailed to persons other than the mayor and council.⁵ No purported notice was produced for another seven council meetings, including three budget hearings.

Among them was a council meeting that was held between the then sitting mayor and four council members without notice on March 7, 2013, when an "emergency" meeting was called by the mayor upon discovering that no quorum could be achieved for the scheduled and noticed meeting of March 12, 2013. Forty-five minutes following the unnoticed meeting, the Clerk wrote in an email to several non-council recipients that "[t]he reason for the meeting was that a Council quorum could not be arranged for the foreseeable future after March 7 and regular council business could not be delayed under those circumstances."⁶ In fact, the only business conducted at that meeting was regular, non-emergency business including the approval of the January 2013 minutes, the approval of financial reports for January and February 2013, and a discussion that the financial disclosure forms for two council members would not be filed because they were relocating from the Village. We were unable to discern from the documents provided where the March 7 meeting took place. The noticed March 12, 2013, meeting was cancelled.

³ Meetings of municipal governing bodies are typically noticed in city hall and on the municipal website. The Village does not have any governmental premises, other than the Clerk's home and a rented conference room in Wilton Manors. In addition, the Village does not maintain an official website.

⁴ If they had been deleted, this would constitute violations of the Florida public records laws, F.S. § 119.011 et seq.

⁵ On those seven e-mails, we counted up to nine recipients in addition to the officials.

⁶ An unstamped letter dated April 9, 2013, that appeared to be included with the minutes for the council meeting of that date, was signed by two council members who wrote that they were going to relocate from the Village and were resigning their positions effective April 15, 2013.

ii. Public Access to Village Meetings was Unreasonably Restricted

Except for the above-described "emergency" meeting, the OIG determined that council meetings were held at the offices of Brainstorms Advertising and Marketing, 2201 Wilton Drive, Wilton Manors, Florida, where the Village leased conference room space. The location is within five miles of Lazy Lake.⁷ The room may be accessed from the rear parking lot; however, the front door to the office space containing the conference room was locked on the two occasions it was visited by OIG Special Agents, including during a council meeting held on June 11, 2013.

Before we visited on that date, the Clerk told an OIG Special Agent to use the back door because the front doors were locked.⁸ Upon arrival on June 11, the Special Agent tried to open front doors to the building, and they were, indeed, locked. He then walked to the rear and two of three rear doors were locked as well. As he approached the third rear door, a council member drove up. After the Special Agent introduced himself, she escorted him through the third door and past several offices and into the conference room. At no time did he observe a sign indicating where any meeting was taking place.

During the meeting, the OIG Special Agent raised the issue of compliance by council members with the Ethics Code's training requirements. He then departed. According to meeting minutes, the council members "had mixed reaction as to what course of action the Council and Mayor wished to pursue [regarding the ethics training requirement]." The minutes further reflect that "[t]he City clerk will send a summary to each elected official and collect the individual decisions of each elected official," which the Clerk later denied occurred. Such action would contravene the Sunshine law requirement that official decisions be made *in public*, after a full discussion.

iii. Meeting Minutes Were Incomplete and Inaccurate

The Clerk admitted to OIG staff that no minutes are taken of the Village's public millage and budget hearings. He claimed that the taking of minutes in such instances was not necessary because the meetings concern single subjects, and because the signed resolutions themselves document the actions taken by the council. We found no authority to support this

⁷ Municipalities with 500 or fewer residents may hold their meetings in other jurisdictions within five miles of the municipality's boundaries, so long as the time and place is fixed by resolution or ordinance. F.S. § 166.0213(1).

⁸ We did not see an e-mail to residents providing notice of the June 11, 2013, meeting, but were provided with a copy of a document that stated it was a notice for a meeting to be held on Tuesday, June 10 [sic], 2013, at 7:00 p.m. at "Brainstorms, 2201 Wilton Drive, Wilton Manors, FL 33305." Regardless, the document did not alert the reader that access to the meeting could only be obtained by locating and opening a back door to the building.

position. Accordingly, the failure of Village officials to record such minutes—at least twice every year, for meetings during which decisions of the highest financial importance were discussed and decided—shielded the actions of the council from public inspection, in violation of the Sunshine laws.

In addition to failing to take minutes at meetings, the council also generated meetings that were inaccurate. For example, the June 11, 2013, minutes wrongly reflected that the late-arriving council member—the one who escorted the Special Agent into the meeting—was present and that “[t]he Council *unanimously* agreed to accept the preliminary budget of \$35,000 without change.” (Emphasis added). Those minutes were contrary to the Clerk’s notes,⁹ which indicate that she was not present for the vote on the budget.

The July 9, 2013, minutes are also inaccurate, since they reflected that “[t]he Council, after discussing the cost and obligations to comply with the Ethics Training mandated by the County, asked the City Clerk to write a letter of appeal to the Inspector General of Broward County.” Yet, the Clerk had already made his appeal to the OIG by June 13, 2013, and did not send a letter (or email) of appeal to the OIG following the July 9 meeting. He did email a Broward County commissioner on July 14, 2013, asking for intervention on the application of the Ethics Code to Village officials. Presumably this was a follow-up action to the July 9 meeting discussion, although the minutes do not reflect that the council ever considered such a course of action.

b. Ordinances and Resolutions Were Not Properly Adopted by the Council

Florida law mandates certain procedures governing the adoption during council meetings of ordinances and resolutions, including the requirement that a quorum of council members be present. F.S. § 166.041, Procedures for adoption of ordinances and resolutions, states in part:

(4) A majority of the members of the governing body shall constitute a quorum. An affirmative vote of a majority of a quorum present is necessary to enact any ordinance or adopt any resolution.... On final passage, the vote of each member of the governing body voting shall be entered on the official record of the meeting. All ordinances or resolutions passed by the governing body shall become effective 10 days after passage or as otherwise provided therein.

Attorney General Opinion No. 10-34 (August 25, 2010), further buttresses the requirement that a quorum be properly constituted:

⁹ There were two sets of notes for that date: one for a budget meeting, which reflected the absence of the later-arriving council member, and one for the council meeting, which reflected her presence.

“... For meetings where a quorum is required, this office has consistently suggested a conservative interpretation of the requirement to ensure the validity of official actions taken by a public body. This office has concluded that, in the absence of a statute to the contrary, the requisite number of members must be *physically* present at a meeting in order to constitute a quorum. ... (Emphasis added) [A municipality] may not alter the quorum requirements to allow members who are not physically present, but participating by electronic means, to be counted toward the quorum.”

On June 11, 2013, at the council meeting that the Special Agent attended, he observed that a quorum (three or more council members) was not present. Only the Clerk, the mayor, and two council members were there. When the Special Agent inquired of the whereabouts of the remaining officials, the mayor pointed to a cellular telephone and informed him that three council members were on the phone. The minutes for that meeting recorded their presence even though they were not there. In addition, the Clerk later stated to OIG staff that as a matter of practice, he did not reflect in the minutes whether a council member or mayor was physically present, just whether he or she “participated.” He further stated that he did not make a specific indication whether the council member or mayor participated in person or by telephone.

Thus, the OIG has been unable to determine for how many—if, indeed, any—council meetings a physical quorum was constituted, as required by Florida law. Accordingly, the resolutions and ordinances adopted by the council during those meetings may be open to challenge as being defective because they may not have been properly adopted.

c. Village Budgets Were Not Posted to a Website

Florida law also requires that the tentative and final budgets of every municipality be posted to a website, and thus be subject to public scrutiny. Specifically, F.S. § 166.241, Fiscal years, budgets, and budget amendments, was amended effective October 1, 2011, to include the internet posting requirement:

- (1) Each municipality shall establish a fiscal year beginning October 1 of each year and ending September 30 of the following year.
- (2) The governing body of each municipality shall adopt a budget each fiscal year. The budget must be adopted by ordinance or resolution unless otherwise specified in the respective municipality’s charter. ...
- (3) The tentative budget must be posted on the municipality’s official website at least 2 days before the budget hearing, held pursuant to s. 200.065 or other law, to consider such budget. The final adopted budget must be posted on the municipality’s official website within 30 days after

adoption. If the municipality does not operate an official website, the municipality must, within a reasonable period of time as established by the county or counties in which the municipality is located, transmit the tentative budget and final budget to the manager or administrator of such county or counties who shall post the budgets on the county's website. ...

The investigation determined that in 2012 and 2013, the Village did not post either its tentative or final budgets on the internet. The Village does not maintain an official website, so it is unable—on its own—to comply with the website posting requirement for both tentative and final budgets. However, as Village officials well know, they could transmit the tentative and final budgets to Broward County for posting on its website.¹⁰ By failing to do so, the Village has repeatedly violated Florida law.

d. Village Elections Were Not Conducted Properly

The Charter of the Village of Lazy Lake states that the Village will have six elected officials, consisting of five council members and a mayor. It also establishes that the term of office for each elected official will be two years, and elections will be held in March (every two years). The terms of all the elected officials end at the same time. The charter also sets forth the procedure for filling vacancies, which is by approval of the remaining council members, except at the close of a regular term and only until the next election.

Florida law requires that individuals seeking the position of mayor and council member be properly qualified as candidates before obtaining those positions. As part of that qualification process, there are at least four mandated filings in order for a municipal candidate in Florida to properly qualify to run for office: (1) a Candidate Oath, (2) an Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, (3) a Statement of Financial Interests (Form 1), and (4) a Statement of Candidate. Those filing requirements are enumerated as follows:

F.S. § 99.061, Method of qualifying for nomination or election to federal, state, county, or district office, states in relevant part:

- (7)(a) In order for a candidate to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

¹⁰ Through an agreement arranged by the OIG after the Ethics Code was made applicable to all Broward municipalities, the County has published financial disclosures for those elected officials whose municipalities do not have websites. Pursuant to that arrangement, the Village posted 2013 financial disclosures for its officials on the County website.

2. The candidate's oath required by s. 99.021, which must contain the name of the candidate as it is to appear on the ballot; the office sought, including the district or group number if applicable; and the signature of the candidate, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a). ...

4. The completed form for the appointment of campaign treasurer and designation of campaign depository, as required by s. 106.021.

5. The full and public disclosure or statement of financial interests required by subsection (5). A public officer who has filed the full and public disclosure or statement of financial interests with the Commission on Ethics or the supervisor of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

F.S. § 106.023, Statement of candidate, states:

(1) Each candidate must file a statement with the qualifying officer within 10 days after filing the appointment of campaign treasurer and designation of campaign depository, stating that the candidate has read and understands the requirements of this chapter.

The Clerk is the qualifying official and responsible for election filings in the Village.¹¹ F.S. § 99.061(7) describes his duties

(b) If the filing officer receives qualifying papers during the qualifying period prescribed in this section which do not include all items as required by paragraph (a) prior to the last day of qualifying, the filing officer shall make a reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying. A candidate's name as it is to appear on the ballot may not be changed after the end of qualifying.

(c) The filing officer performs a ministerial function in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required by paragraph (a) have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified pursuant to s. 92.525(1)(a). The filing officer may not determine whether the contents of the qualifying papers are accurate.

¹¹ The Clerk informed the OIG that he is paid a fee for bookkeeping for the Village. The budget line item for bookkeeping expenditures was \$4,800 for 2012 and \$6,000 for 2013.

Four election cycles have passed since the Village last held an election because the Clerk advised the Broward Supervisor of Elections (SOE) that all of the candidates were unopposed. The OIG investigation focused on the two most recent elections cycles and found that in both instances, the Village election process failed to comply with Florida law.

i. The 2012 Candidates Were Not Properly Qualified for Office

The Village, as required, caused a Notice of General Election to be published in the South Florida Sun-Sentinel on December 10, 2011, and again on December 17, 2011, providing notice of the March 13, 2012, election date and that the candidate qualifying period was from January 3 to January 10, 2012.

At the December 13, 2011, council meeting, the Clerk collected candidate paperwork from the mayor and four council members, but not those of a then-sitting fifth council member. The OIG investigation identified numerous deficiencies in the candidate documents that were collected by the Clerk, including:

- The OIG was also unable to locate a Form 1 for *any* of the five individuals whose papers were collected for the March 2012 election.¹² When OIG staff checked the files of the SOE, we located a Form 1 on file for each of the five candidates, but all those forms were dated *after* the close of the qualifying period.¹³
- None of the Candidate Oaths were dated or notarized.
- None of the Appointments of Campaign Treasurer identified a campaign depository.
- None of the qualifying documents for council members indicated a group number to reflect the seat for which the candidate was attempting to qualify.

As the qualifying official, the Clerk was responsible for receiving and reviewing the candidates' filings. The ministerial review required of him was to determine whether all necessary candidate documents had been received and were complete, including whether items were properly sworn or affirmed. If they were received prior to the last day of the qualifying period, he was to make a reasonable effort to inform the candidates of any

¹² Candidates for office are required to file their Forms 1 with the filing officer (in this case, the Clerk) during the qualifying period. All persons who serve in office and certain public employees in Florida are required to file these with the SOE of the county in which they reside by July 1 for the prior calendar year.

¹³ We also did not locate a 2012 Form 1 or 2013 Form 1F on file with the SOE for the member who joined the council in October 2012 and departed in mid-April 2013.

missing or incomplete items. Although there were no properly qualified candidates for the 2012 election, the Clerk nevertheless informed the SOE after the close of the qualifying period on January 10, 2012, that all five incumbent candidates had "applied unopposed for office," "one councilperson position remains unfilled," and "[a]s positions are unopposed Lazy Lake will not require an election in March." After failing to qualify, those five individuals thus continued in their roles as council members and mayor.

ii. The 2014 Candidates Were Not Properly Qualified for Office

Among the information that the SOE passed on to the Clerk on December 13, 2013, about the then upcoming March 2014 election was the requirement that the Village give a notice of election in the 30 days prior to the election. As noted above, the Clerk caused such a notice to be published in the South Florida Sun-Sentinel newspaper for the 2012 election. Nevertheless, the investigation did not find any evidence of a notice of election being published for the March 2014 election.

The Clerk stated to OIG staff that he could not recall whether he arranged to publish the election and qualification notice for the 2014 election, but said he sent emails to Village residents advising them of the opportunity to become a candidate. We found, instead, that on December 18, 2013 he emailed the *incumbents*: "2014 is an election year for Lazy Lake. I will need each of you to fill out paperwork which I must have by noon of Jan 9. I suggest we schedule our Jan Council meeting for Tuesday Jan 7 and we can all fill out the paper work then and get it all done in one sitting...." There were six incumbent officials as of January 2014. Thereafter, as we noted above, the mayor decided not to seek to retain his seat in March. In addition, one of the council members moved from Lazy Lake before the election date.

The OIG investigation again identified numerous deficiencies in the candidate documents that were collected by the Clerk, including:

- In the documents for a council member's candidacy for mayor, we could only locate a Form 1¹⁴ and an unsigned Candidate Oath form, even though she assumed the office of mayor in March and continues in that role today.
- None of the Candidate Oaths for four council member positions were dated or notarized.

¹⁴ It appears that the original "date signed" on the mayoral candidate's 2013 Form 1 was "1-10-14" but overwritten with the date "1-7-14" in different ink. While January 7, 2014, was within the qualifying window, January 10, 2014, was past the qualifying deadline for the March 2014 election.

- None of the Appointments of Campaign Treasurer identified a campaign depository.
- None of the qualifying documents for council members indicated a group number to reflect the seat for which the candidate was attempting to qualify.

As in 2012, no one else filed any papers in an attempt to qualify for the March election. The Clerk then crafted an email to the SOE on January 9, 2014, at the close of the qualifying period, that stated in whole, "Please be advised the following have declared their candidacy for Lazy Lake elected positions: Councilpersons: [listing the four council members who filed undated and unnotarized candidate oaths] Mayor: [the council member for whom the clerk produced an unsigned candidate oath, a Form 1, and no Statement of Candidate or Appointment of Campaign Treasurer and Designation of Campaign Depository]. All positions are unopposed so we will not have an election in March." The SOE wrote that afternoon, "Having an election?" The Clerk's response two days later was, "No election. All positions are unopposed."

During an interview with OIG staff, the Clerk stated that he forwarded the incumbents' state-required candidate forms to the SOE, although that office informed the OIG that they only had the Forms 1 on file. He further stated that no one other than the incumbents expressed interest in the vacant positions. He also stated that he believed that if there had been any impropriety caused by the Village not having held elections since 2006, the SOE would have advised it of such.

Conclusion and Recommendations

The OIG investigation determined that Lazy Lake's current officials are now in compliance with the ethics training and certification requirements of the Ethics Code. We also determined that there were a number of ways in which the clerk, mayors, and council failed to abide by the Florida constitution, Florida statutes, and the Village charter in the administration and conduct of Lazy Lake's affairs, including possible violations of the Sunshine law and elections laws. As it stands, the structural integrity of the Village government is dubious. Because none of the candidates for office have been properly qualified under Florida law, the OIG questions whether there are any Village officials with the legal authority to govern. Accordingly, by way of this memorandum, we refer the administration issues to the Florida Elections Commission and the Broward State Attorney's Office and for whatever action those agencies deem appropriate.

The OIG takes no joy in reporting these findings. We understand the constraints under which the Village operates, including lack of compensation, no staff, and limited municipal resources. Regardless, having observed the state of the administration of Lazy Lake, we are compelled to bring forward our concerns. Maintaining a minimal budget is not an excuse for circumventing laws that were designed to ensure democratic municipal governance.

Thus, we recommend that the Village take whatever action necessary to ensure that Lazy Lake abide by all constitutional, statutory, charter, and code requirements. We suggest that the Village begin with a review conducted by legal counsel to establish the routines and procedures necessary to bring and keep the Village in compliance with the laws that every other municipality in Florida is required to uphold. We also recommend that the Village consider amending its charter to require fewer elected officials to serve on the council.

In closing, we note that at the outset of the ethics training compliance review, the Clerk's council member wife stated to OIG staff that her husband and she intended to contact the Village attorney to ask how to unincorporate Lazy Lake and have another jurisdiction "take over." It is not the function of the OIG to assess the desirability of such action. We agree, though, that as an alternative to achieving lawful elective representation and governance from the municipal government of the Village, Lazy Lake's residents may explore whether and how Broward County or the City of Wilton Manors may receive the transfer of or be contracted to provide all municipal functions for the Village.¹⁵

cc: Honorable Tim Ryan, Vice Mayor, Broward County

¹⁵ Fla. Const. Art. 8, § 3. The Village of Lazy Lake is entirely surrounded by the City of Wilton Manors, making it unclear whether the Village can be dissolved or abolished without a change in state law. *Compare* Fla. Const. Art. 8, § 2 and F.S. § 165.051 with F.S. § 165.061(3).

Exhibit “5”

SUN-SENTINEL
Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

STATE OF FLORIDA

COUNTY OF: BROWARD/PALM BEACH/MIAMI-DADE

Before the undersigned authority personally appeared

MARK KUZNITZ, who on oath says that he or she is a duly authorized representative of the SUN-SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11720-Notice of Public Meeting

Village of Lazy Lake
Saturday
12/5/2015
Tuesday, March 15, 2016

Was published in said newspaper in the issues of; Dec 05, 2015; Dec 12, 2015

3799748

Affiant further says that the said SUN-SENTINEL is a newspaper published in said BROWARD/PALM BEACH/MIAMI-DADE County, Florida, and that the said newspaper has heretofore been continuously published in said BROWARD/PALM BEACH/MIAMI-DADE County, Florida, each day and has been entered as second class matter at the post office in BROWARD County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised, any person, firm or corporation, any discount, rebate, commission or refund, for the purpose of securing this advertisement for publication in the said newspaper.

Mark Kuznitz
Signature of Affiant

Sworn to and subscribed before me this: December 14, 2015.

Marcia Ingrid Smith
Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

Personally Known (X) or Produced Identification ()

PUBLIC NOTICE
VILLAGE OF LAZY LAKE
NOTICE OF GENERAL ELECTION

The municipal election for the Village of Lazy Lake, at which qualified electors will elect a Mayor and five (5) Council members, will be held on Tuesday, March 15, 2016 in Broward County Precinct P005 regular polling places. Polls shall open at 7:00 AM and close at 7:00 PM.

Persons seeking election may qualify with the City Clerk of the Village of Lazy Lake, 2249 Lazy Lane, Lazy Lake beginning at noon on Monday January 4 and no later than noon, Friday, January 11, 2016.

All qualified electors of the Village of Lazy Lake whose names appear on the registration books in the office of the Supervisor of Elections of Broward County, Florida, will be eligible to vote in said election.

Absentee voters shall be permitted in said election through the office of Supervisor of Elections in Broward County, Florida.

The municipal election shall be in accordance with the laws of the State of Florida and in accordance with the Charter of the Village of Lazy Lake, Florida.

12/5, 12/12/2015

Order # - 3799748

Order ID: 3799748

Page 2 of 2

GROSS PRICE * : \$161.80

* Agency Commission not included

**PACKAGE NAME: SSC Notice of
Public Meeting****PUBLIC NOTICE
VILLAGE OF LAZY LAKE****NOTICE OF GENERAL ELECTION**

The municipal election for the Village of Lazy Lake, at which qualified electors will elect a Mayor and five (5) Council members, will be held on Tuesday, March 15, 2016 in Broward County Precinct P005 regular polling places. Polls shall open at 7:00 AM and close at 7:00 PM.

Persons seeking election may qualify with the City Clerk of the Village of Lazy Lake, 2249 Lazy Lane, Lazy Lake beginning at noon on Monday January 4 and no later than noon, Friday, January 11, 2016.

All qualified electors of the Village of Lazy Lake whose names appear on the registration books in the office of the Supervisor of Elections of Broward County, Florida, will be eligible to vote in said election.

Absentee voters shall be permitted in said election through the office of Supervisor of Elections in Broward County, Florida.

The municipal election shall be in accordance with the laws of the State of Florida and in accordance with the Charter of the Village of Lazy Lake, Florida.

12/5, 12/12/2015

Exhibit “6”

Subj: **Qualifying candidate -Village of Lazy Lake**
Date: 1/11/2016 12:53:05 P.M. Eastern Standard Time
From: LAZYLAKELAKE123@aol.com
To: aperri@browardsoe.org
CC: LindaCat0748@aol.com, LAZYLAKELAKE123@aol.com, boisseau@bellsouth.net, cwhitepa@mac.com,
okamm@mac.com, remmyton@aol.com, edixieman@aol.com

PLease be advised the following have qualified as candidate for Office for the Village of Lazy Lake

Linda Catalano - Councilperson
Sally Boisseau - Councilperson
John Boisseau - Councilperson
Caroline White -Mayor

As all postion are unopposed the Village will not be holding an election.

Thank you

Joe Fodera
City Clerk
Village of Lazy Lake

Subj: **Oath of Candidate Forms - Village of Lazy Lake**
Date: 1/11/2016 1:19:58 P.M. Eastern Standard Time
From: LAZYLAK123@aol.com
To: aperri@browardsoe.org
CC: LindaCat0748@aol.com, LAZYLAK123@aol.com, boisseau@bellsouth.net, cwhitepa@mac.com,
okamm@mac.com, remmyton@aol.com, edixieman@aol.com

Forms are attached

Exhibit “7”

**CANDIDATE OATH –
NONPARTISAN OFFICE**

(Not for use by Judicial or
School Board Candidates)

OFFICE USE ONLY

OATH OF CANDIDATE

(Section 99.021, Florida Statutes)

I, John E. Boisseau

(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the nonpartisan office of Councilman, _____
(office) (district #)

_____; I am a qualified elector of Broward County, Florida;
(circuit #) (group or seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X

Signature of Candidate

Telephone Number

Email Address

net

Address

City

State

ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): _____

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

b w a s o

STATE OF FLORIDA

COUNTY OF Broward

Sworn to (or affirmed) and subscribed before me this 19th day of December, 20 15.

Personally Known: _____ or

Produced Identification: Florida ID

Type of Identification Produced: Florida D.L.

Signature of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

Dao Jun Xu-Turner

Notary Public

State of Florida

My Commission Expires 04/26/2019

Commission No. FF 224418
Rule 15-2.0001, F.A.C.

**CANDIDATE OATH –
NONPARTISAN OFFICE**

(Not for use by Judicial or
School Board Candidates)

OFFICE USE ONLY

OATH OF CANDIDATE

(Section 99.021, Florida Statutes)

I, Sally Boisseau
(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the nonpartisan office of Councilwoman, _____,
(office) (district #)
_____ ; I am a qualified elector of BROWARD County, Florida;
(circuit #) (group or seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X

Signature of Candidate

Telephone Number

Email Address

2260 LAZY LANE LAZY LAKE FLORIDA 33305
Address City State ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): 101493575

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

Sally Bwaso

STATE OF FLORIDA

COUNTY OF Broward

Sworn to (or affirmed) and subscribed before me this 19th day of December, 2015.

Personally Known: _____ or

Produced Identification: ✓

Type of Identification Produced: Florida D.L.

Signature of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

Dao Jun Xu-Turner
Notary Public

State of Florida

My Commission Expires 04/26/2019
Commission No. FF 224418

**CANDIDATE OATH –
NONPARTISAN OFFICE**

(Not for use by Judicial or
School Board Candidates)

OFFICE USE ONLY

OATH OF CANDIDATE
(Section 99.021, Florida Statutes)

I, LINDA CATALANO
(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)
am a candidate for the nonpartisan office of Councilwoman, _____
(office) (district #)
_____; I am a qualified elector of BROWARD County, Florida;
(circuit #) (group or seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X

Signature of Candidate

Telephone Number

Email Address

Address

City

State

ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): _____

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

CAT - A - LANO

STATE OF FLORIDA

COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me this 24 day of December, 2015.

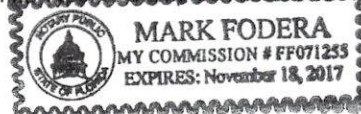
Personally Known: ✓ or

Produced Identification: _____

Type of Identification Produced: _____

Signature of Notary Public

Print Type or Stamp Commissioned Name of Notary Public



**CANDIDATE OATH –
NONPARTISAN OFFICE**

(Not for use by Judicial or
School Board Candidates)

OFFICE USE ONLY

OATH OF CANDIDATE
(Section 99.021, Florida Statutes)

I, Caroline White
(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the nonpartisan office of Mayor (office) _____ (district #) _____
_____ ; I am a qualified elector of Broward County, Florida;
(circuit #) _____ (group or seat #) _____

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state; the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X

Signature of Candidate

Telephone Number

Email Address

Address

City

State

ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): 101260080

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

STATE OF FLORIDA

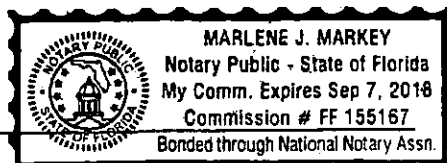
COUNTY OF Broward

Sworn to (or affirmed) and subscribed before me this 31ST day of December, 2015.

Personally Known: ✓ or _____

Produced Identification: _____

Type of Identification Produced: _____



Signature of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

I, Caroline White,

candidate for the office of Mayor;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X



Signature of Candidate

12-30-15

Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

I, Sally Boisseneau,

candidate for the office of Councilwoman;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X

Sally Boisseneau

Signature of Candidate

12-17-15

Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

I, John E. Boisseau,

candidate for the office of Councilman;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X



Signature of Candidate

12/19/15

Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

STATEMENT OF CANDIDATE

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY

I, LINDA CATALANO,

candidate for the office of COUNCIL WOMAN;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X

Linda Catalano
Signature of Candidate

12/24/15
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

☒ Original Appointment of Treasurer ☐ Reappointment of Treasurer ☐ Deputy Treasurer

1. Committee or Organization <u>VILLAGE OF LAZY LAKE</u>		2. Telephone <u>(954) 614-9058</u>	
3. Name of Treasurer or Deputy Treasurer <u>LINDA CATALANO</u>		4. Email (optional) <u>()</u>	
5. Telephone (optional) <u>()</u>			
6. Mailing Address <u>2249 LAZY LANE, LAZY LAKE, FL, 33305</u>			
7. Street Address <u>Same</u>			
8. The following bank has been designated as the ☒ Primary Depository ☐ Secondary Depository			
9. Name of Bank <u>N/A</u>		10. Street Address	
11. City		12. State	13. Zip Code
14. Signature of Chairman <u>X</u> <u>[Signature]</u>		15. Name of Chairman (Print or Type) <u>LINDA CATALANO</u>	

Campaign Treasurer's Acceptance of Appointment

I, LINDA CATALANO, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for LINDA CATALANO - COUNCIL LAZY LAKE
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

12/24/15
Date

X

[Signature]
Signature of Campaign Treasurer or Deputy Treasurer

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

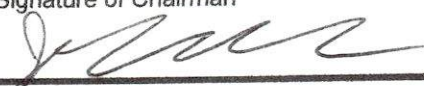
OFFICE USE ONLY

CHECK APPROPRIATE BOX:

☒ Original Appointment of Treasurer

☐ Reappointment of Treasurer

☐ Deputy Treasurer

1. Committee or Organization <u>VILLAGE OF LAZY LAKE</u>		2. Telephone ()	
3. Name of Treasurer or Deputy Treasurer <u>John E. Boisseau</u>		4. Email (optional) ()	
5. Telephone (optional) ()			
6. Mailing Address <u>2260 Lazy La., Lazy Lake FL 33305</u>			
7. Street Address <u>Same</u>			
8. The following bank has been designated as the		☒ Primary Depository ☐ Secondary Depository	
9. Name of Bank <u>NA</u>		10. Street Address <u>NA</u>	
11. City <u>NA</u>		12. State <u>NA</u>	13. Zip Code <u>NA</u>
14. Signature of Chairman <u>X</u> 		15. Name of Chairman (Print or Type) <u>John Boisseau</u>	

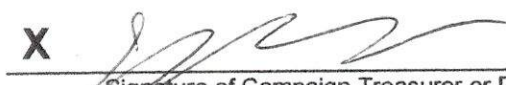
Campaign Treasurer's Acceptance of Appointment

I, John E. Boisseau, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for ~~Chairman~~ Councilman
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

12/19/15
Date

X


Signature of Campaign Treasurer or Deputy Treasurer

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

CHECK APPROPRIATE BOX:

OFFICE USE ONLY



Original Appointment of Treasurer



Reappointment of Treasurer



Deputy Treasurer

1. Committee or Organization

VILLAGE OF
SALLY BOISSEAU LAZY LAKE

2. Telephone

(54) 214-1144

3. Name of Treasurer or Deputy Treasurer

4. Email (optional)

SALLY BOISSEAU

5. Telephone (optional)

()

6. Mailing Address

2260 LAZY LANE LAZY LAKE FL 33305

7. Street Address

SAME

8. The following bank has been designated as the



Primary Depository



Secondary Depository

NA

9. Name of Bank

None

10. Street Address

11. City

12. State

13. Zip Code

14. Signature of Chairman

X 

15. Name of Chairman (Print or Type)

Campaign Treasurer's Acceptance of Appointment
I, SALLY BOISSEAU, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for SALLY BOISSEAU
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

12-17-15

Date





Signature of Campaign Treasurer or Deputy Treasurer

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

OFFICE USE ONLY

CHECK APPROPRIATE BOX:

☒ Original Appointment of Treasurer

☐ Reappointment of Treasurer

☐ Deputy Treasurer

1. Committee or Organization

Committee to elect Caroline White

2. Telephone

(954) 604 4930

3. Name of Treasurer or Deputy Treasurer

4. Email (optional)

Caroline White

5. Telephone (optional)

(954) 604 4930

6. Mailing Address

2154 Lazy Lane

7. Street Address

Lazy Lake, FL 33305

8. The following bank has been designated as the

☒ Primary Depository

☐ Secondary Depository

9. Name of Bank

Bank of America

10. Street Address

1601 E. Oakland Park Blvd.
Oakland Park, FL 33334

11. City

Oakland Park,

12. State

FL

13. Zip Code

33334

14. Signature of Chairman

X

15. Name of Chairman (Print or Type)

CAROLINE WHITE

Campaign Treasurer's Acceptance of Appointment

I, Caroline White, do hereby accept the appointment as
(Please Print or Type)

treasurer or deputy treasurer for

Committee to elect Caroline White
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

12/30/15

Date

X

Signature of Campaign Treasurer or Deputy Treasurer

WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

OFFICE USE ONLY

CAROLINE WHITE

Name

Mayor

Office Sought

2154 Cary Lane

Address

Lazy Lake, FL

City

State

33305

Zip Code



Candidate



Political Committee



Party Executive Committee

NOTE: This form does not apply to an electioneering communications organization (ECO). An ECO must file a report (not a waiver) that no reportable contributions or expenditures were made during the reporting period (s. 106.0703(6), F.S.).



Check here if address has changed since last report.



Check here if PC has DISBANDED and will no longer file reports.

TYPE OF REPORT (Check Appropriate Box and Complete Applicable Line beneath Box)



MONTHLY REPORT



PRIMARY ELECTION



GENERAL ELECTION



OTHER REPORT TYPE

Indicate report #

M _____

Indicate report #

P _____

Indicate report #

G _____

Indicate report type and #
as applicable:



TERMINATION REPORT



SPECIAL ELECTION

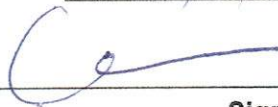
NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

1/1/16

THROUGH

1/12/16 TERMINATED

X



Signature

1-9-16

Date

X

Signature

Date

REQUIRED SIGNATURES FOR:

Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

Except as noted above for an ECO, in any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

OFFICE USE ONLY

LINDA CATALANO

Name

Councilwoman

Office Sought

2249 LAZY LANE

Address

LAZY LAKE

City

FL

State

33305

Zip Code



Candidate



Political Committee



Party Executive Committee

NOTE: This form does not apply to an electioneering communications organization (ECO). An ECO must file a report (not a waiver) that no reportable contributions or expenditures were made during the reporting period (s. 106.0703(6), F.S.).



Check here if address has changed since last report.



Check here if PC has DISBANDED and will no longer file reports.

TYPE OF REPORT (Check Appropriate Box and Complete Applicable Line beneath Box)



MONTHLY REPORT



PRIMARY ELECTION



GENERAL ELECTION



OTHER REPORT TYPE

Indicate report #

M _____

Indicate report #

P _____

Indicate report #

G _____

Indicate report type and # as applicable:

FINAL



TERMINATION REPORT



SPECIAL ELECTION

NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

1/1/16

THROUGH

1/15/16

1/15/16

X

Signature

Date

X

Signature

Date

REQUIRED SIGNATURES FOR:

Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

Except as noted above for an ECO, in any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

OFFICE USE ONLY

Sally Boisseau

Name

Councilwoman

Office Sought

2260 Lazy Lane,

Address

Lazy Lake FL 33305

City

State

Zip Code

☒ Candidate

☐ Political Committee

☐ Party Executive Committee

NOTE: This form does not apply to an electioneering communications organization (ECO). An ECO must file a report (not a waiver) that no reportable contributions or expenditures were made during the reporting period (s. 106.0703(6), F.S.).

☐ Check here if address has changed since last report.

☐ Check here if PC has DISBANDED and will no longer file reports.

TYPE OF REPORT (Check Appropriate Box and Complete Applicable Line beneath Box)

☐ MONTHLY REPORT

☐ PRIMARY ELECTION

☒ GENERAL ELECTION

☐ OTHER REPORT TYPE

Indicate report #

M _____

Indicate report #

P _____

Indicate report #

G _____

Indicate report type and #
as applicable:

☐ TERMINATION REPORT

☐ SPECIAL ELECTION

NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

NA

THROUGH

NA

X

Sally Boisseau

Signature

1-11-16

Date

X

Signature

Date

REQUIRED SIGNATURES FOR:

Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

Except as noted above for an ECO, in any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

WAIVER OF REPORT

(Section 106.07(7), F.S.)

(PLEASE TYPE)

OFFICE USE ONLY

John E. Boisseau
Name

Councilman
Office Sought

2260 Lazy Lane
Address

Lazy Lake
City

Fl. 33305
State Zip Code

☒ Candidate

☐ Political Committee

☐ Party Executive Committee

NOTE: This form does not apply to an electioneering communications organization (ECO). An ECO must file a report (not a waiver) that no reportable contributions or expenditures were made during the reporting period (s. 106.0703(6), F.S.).

☐ Check here if address has changed since last report.

☐ Check here if PC has DISBANDED and will no longer file reports.

TYPE OF REPORT (Check Appropriate Box and Complete Applicable Line beneath Box)

☐ MONTHLY REPORT

☐ PRIMARY ELECTION

☒ GENERAL ELECTION

☐ OTHER REPORT TYPE

Indicate report #

M _____

Indicate report #

P _____

Indicate report #

G _____

Indicate report type and #
as applicable:

☐ TERMINATION REPORT

☐ SPECIAL ELECTION

NOTIFICATION OF NO ACTIVITY IN CAMPAIGN ACCOUNT FOR THE REPORTING PERIOD OF

NA THROUGH NA

X

[Signature]
Signature

12/19/15
Date

X

Signature

Date

REQUIRED SIGNATURES FOR:

Candidates:

Candidate and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Political Committees:

Chairman and Campaign Treasurer or Deputy Treasurer (s. 106.07(5), F.S.)

Party Executive Committees:

Treasurer and Chairman (s. 106.29(2), F.S.)

Except as noted above for an ECO, in any reporting period when there has been no activity in the account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing on the prescribed reporting date that no report is being filed.

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Linda Catalano
 Name
 (2) 2249 Lozy Lane
 Address (number and street)
Lozy Lake, FL 33305
 City, State, Zip Code

OFFICE USE ONLY

☐ Check here if address has changed

(3) ID Number: NA

(4) Check appropriate box(es):

☒ Candidate Office Sought: _____

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From Dec 1 2nd 2015 To Jan 14th 2016 Report Type: _____

☐ Original

☐ Amendment

☐ Special Election Report

(6) Contributions This Report

Cash & Checks \$ 0, 00, 00

Loans \$ 0, 00, 00

Total Monetary \$ 0, 00, 00

In-Kind \$ 0, 00, 00

(7) Expenditures This Report

Monetary Expenditures \$ 0, 00, 00

Transfers to Office Account \$ 0, 00, 00

Total Monetary \$ 0, 00, 00

(8) Other Distributions

\$ 0, 00, 00

(9) TOTAL Monetary Contributions To Date

\$ 0, 00, 00

(10) TOTAL Monetary Expenditures To Date

\$ 0, 00, 00

(11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete.

(Type name)

☐ Individual (only for IE or electioneering comm.) ☐ Treasurer ☐ Deputy Treasurer

Linda Catalano
 Signature

(Type name)

☐ Candidate ☐ Chairperson (only for PC and PTY)

Linda Catalano
 Signature

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Sally Boisseau

Name

(2) 2260 Lazy Lane

Address (number and street)

Lazy Lane, H. 33305

City, State, Zip Code

☐ Check here if address has changed

(3) ID Number: _____

(4) Check appropriate box(es):

☒ Candidate Office Sought: _____

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 12/1/15 To 1/1/16 Report Type: _____

☐ Original

☐ Amendment

☐ Special Election Report

(6) Contributions This Report

Cash & Checks \$ 0 , _____ . _____

Loans \$ 0 , _____ . _____

Total Monetary \$ 0 , _____ . _____

In-Kind \$ 0 , _____ . _____

(7) Expenditures This Report

Monetary Expenditures \$ 0 , _____ . _____

Transfers to Office Account \$ 0 , _____ . _____

Total Monetary \$ 0 , _____ . _____

(8) Other Distributions

\$ 0 , _____ . _____

(9) TOTAL Monetary Contributions To Date

\$ 0 , _____ . _____

(10) TOTAL Monetary Expenditures To Date

\$ 0 , _____ . _____

(11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete:

(Type name) Sally Boisseau

☒ Individual (only for IE or electioneering comm.) ☒ Treasurer ☐ Deputy Treasurer

X Sally Boisseau

Signature

(Type name) Sally Boisseau

☒ Candidate ☐ Chairperson (only for PC and PTY)

X Sally Boisseau

Signature

Instructions for Campaign Treasurer's Report Summary

- (1) **Name:** full name of the candidate, political committee, party executive committee, electioneering communications organization, or individual making an independent expenditure or electioneering communication.
 - (2) **Address:** the full address or post office box, city, state, and zip code.
☐ Check the box if the address has changed since the last report filed.
 - (3) **ID Number:** identification number assigned by the filing officer.
 - (4) **Check the appropriate box(es).**
 - (5) **Report Identifiers**
Cover Period: the dates this report covers (i.e., From 1/1/15 To 1/31/55). **Important:** use the appropriate cover period dates as published by the filing officer.
Report Type: refer to the filing officer's calendar of reporting dates for the correct codes to be used for each reporting period. If report is for a special election add "S" in front of the report code (i.e., SG3).
Check one of the appropriate boxes:
☐ Original: first report filed for this reporting period.
☐ Amendment: must summarize only contributions/fund transfers and expenditures/distributions being reported as additions or deletions. Read instructions for sequence numbers and amendment types on the back of Forms DS-DE 13A and 14A.
☐ Special Election Report: **Important:** once a special election report is filed, the entity is required to file all remaining reports due for the special election.
 - (6) **Contributions This Report:**
Cash and Checks: total amount for this reporting period.
Loans: total amount for this reporting period.
Total Monetary: sum of Cash and Checks and Loans.
In-Kind: the fair market value of the in-kind contribution at the time it is given for this reporting period.
 - (7) **Expenditures This Report:**
Monetary Expenditures: total amount of monetary expenditures for this reporting period.
Transfers to Office Account: total amount transferred to an office account by elected candidates only.
Total Monetary: sum of Monetary Expenditures and Transfers to Office Account.
 - (8) **Other Distributions:** the total amount of goods and services contributed to a candidate or other committee by a PC, ECO, or PTY.
 - (9) **TOTAL Monetary Contributions To Date:** the amount of total monetary contributions to date. Candidates keep cumulative totals from the time the campaign depository is opened through the termination report.
 - (10) **TOTAL Monetary Expenditures To Date:** the amount of total monetary expenditures to date. Candidates keep cumulative totals from the time the campaign depository is opened through the termination report.
 - (11) **Type or print the required officer's name and have them sign the report:**
☐ Candidate report: treasurer and candidate must sign.
☐ PC report: treasurer and chairperson must sign.
☐ PTY report: treasurer and chairperson must sign.
☐ ECO report: organization's treasurer must sign.
☐ IE or EC report: individual must sign (this applies when an individual acts alone to make these expenditures)
- AMENDMENT REPORTS:** An amendment report summary should summarize only contributions, expenditures, distributions, & fund transfers being reported as additions or deletions. Read the instructions for the sequence number & amendment type fields on the back of forms DS-DE 13, 14, 14A and 94.

CAMPAIGN TREASURER'S REPORT SUMMARY

OFFICE USE ONLY

(1) John Boisseau

Name

(2) 2260 Lazy La.

Address (number and street)

Lazy Lake FL 33305

City, State, Zip Code

☐ Check here if address has changed

(3) ID Number: _____

(4) Check appropriate box(es):

☒ Candidate Office Sought: _____

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 12 / 2 / 2015 To Jan / 14 / 2016 Report Type: _____

☐ Original

☐ Amendment

☐ Special Election Report

(6) Contributions This Report

Cash & Checks \$ 0 , _____ . _____

Loans \$ 0 , _____ . _____

Total Monetary \$ 0 , _____ . _____

In-Kind \$ 0 , _____ . _____

(7) Expenditures This Report

Monetary Expenditures \$ 0 , _____ . _____

Transfers to Office Account \$ 0 , _____ . _____

Total Monetary \$ 0 , _____ . _____

(8) Other Distributions

\$ _____ . _____

(9) TOTAL Monetary Contributions To Date

\$ 0 , _____ . _____

(10) TOTAL Monetary Expenditures To Date

\$ 0 , _____ . _____

(11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete:

(Type name) John Boisseau

☐ Individual (only for IE or electioneering comm.) ☒ Treasurer ☐ Deputy Treasurer

X [Signature]
Signature

(Type name) John Boisseau

☒ Candidate ☐ Chairperson (only for PC and PTY)

X [Signature]
Signature

Instructions for Campaign Treasurer's Report Summary

- (1) **Name:** full name of the candidate, political committee, party executive committee, electioneering communications organization, or individual making an independent expenditure or electioneering communication.
- (2) **Address:** the full address or post office box, city, state, and zip code.
☐ Check the box if the address has changed since the last report filed.
- (3) **ID Number:** identification number assigned by the filing officer.
- (4) **Check the appropriate box(es).**
- (5) **Report Identifiers**
Cover Period: the dates this report covers (i.e., From 1/1/15 To 1/31/55). **Important:** use the appropriate cover period dates as published by the filing officer.
Report Type: refer to the filing officer's calendar of reporting dates for the correct codes to be used for each reporting period. If report is for a **special election** add "S" in front of the report code (i.e., SG3).
Check one of the appropriate boxes:
☐ Original: first report filed for this reporting period.
☐ Amendment: must summarize only contributions/fund transfers and expenditures/distributions being reported as additions or deletions. Read instructions for sequence numbers and amendment types on the back of Forms DS-DE 13A and 14A.
☐ Special Election Report: **Important:** once a special election report is filed, the entity is required to file all remaining reports due for the special election.
- (6) **Contributions This Report:**
Cash and Checks: total amount for this reporting period.
Loans: total amount for this reporting period.
Total Monetary: sum of Cash and Checks and Loans.
In-Kind: the fair market value of the in-kind contribution at the time it is given for this reporting period.
- (7) **Expenditures This Report:**
Monetary Expenditures: total amount of monetary expenditures for this reporting period.
Transfers to Office Account: total amount transferred to an office account by elected candidates only.
Total Monetary: sum of Monetary Expenditures and Transfers to Office Account.
- (8) **Other Distributions:** the total amount of goods and services contributed to a candidate or other committee by a PC, ECO, or PTY.
- (9) **TOTAL Monetary Contributions To Date:** the amount of total monetary contributions to date. Candidates keep cumulative totals from the time the campaign depository is opened through the termination report.
- (10) **TOTAL Monetary Expenditures To Date:** the amount of total monetary expenditures to date. Candidates keep cumulative totals from the time the campaign depository is opened through the termination report.
- (11) **Type or print the required officer's name and have them sign the report:**
☐ Candidate report: treasurer and candidate must sign.
☐ PC report: treasurer and chairperson must sign.
☐ PTY report: treasurer and chairperson must sign.
☐ ECO report: organization's treasurer must sign.
☐ IE or EC report: individual must sign (this applies when an individual acts alone to make these expenditures)

AMENDMENT REPORTS: An amendment report summary should summarize only contributions, expenditures, distributions, & fund transfers being reported as additions or deletions. Read the instructions for the sequence number & amendment type fields on the back of forms DS-DE 13, 14, 14A and 94.

**Lazy Lake
Council Meeting
April 12, 2016**

The meeting was called to order by Clerk Fodera at 7:014 PM, followed by roll-call:

PRESENT:

Linda Catalano	Councilwoman
Sally Boisseau	Councilwoman
John Boisseau	Councilman

ABSENT:

MINUTES:

- Councilman John Boisseau made a motion to approve the Minutes from the Council Meeting held on March 8, 2016. Councilwoman Linda Catalano seconded the motion and the motion prevailed with all present Council-members saying yes

FINANCIALS:

- After reviewing the Financial Reports for March 2016 Councilwoman Sally Boisseau made the motion to approve and file the reports for audit. The motion was seconded by Councilman John Boisseau and prevailed with all present Council-members saying yes

Agenda Items:

PROPERTY ISSUES

- Council approved a motion to reimburse home owner Dana Merrill for repairs to his lamp fixture not to exceed \$300 located at 50 NE 24 ST.
- Council authorized the Mayor to enter into contract for the removal of invasive trees growing in the rear of 2130 North Andrews Ave. not to exceed \$6,000. Council requested that for proposal issued by Ed Chapin for same procedure that proper licenses and insurance be verified
- Lazy Lake Beautification Committee agreed to hold a meeting on April 13 to formulate course of action and expenditures to be presented to the Council.
- Council requested that Village Clerk to follow up on Code Enforcement procedures for invasive trees at 2130 North Andrews Ave.
- Councilman John Boisseau volunteered to re-establish quote from Bromley Cook for extension of City sewer and water down the remainder of Lazy Lane. Mr. Boisseau also volunteered to inquire of ABCO Engineering for additional costs that may be required to fully evaluate their feasibility study for City Sewer and water extension own Lazy Lane.

Old Business

- Council approved a motion for Mayor to extend Crowder Gulf Emergency relief plan.
- Council approved a motion to extend State Gas Option Agreement

New Business

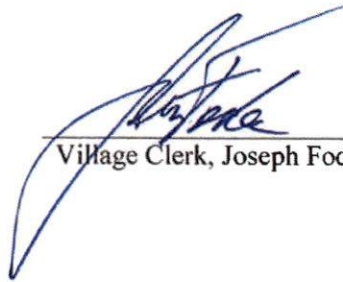
- Mayor White invited Attorney Doody to the May 10 Council Meeting to vet as a candidate for the position of Lazy Lake Council

- Council agreed to consider and vote on Oliver Kamm expressed interest in filing a vacant council seat at the Amy 10 Council Meeting

There being no further business the meeting was adjourned at 9:14 PM



Mayor, Caroline White



Village Clerk, Joseph Fodera

**Lazy Lake
Council Meeting
May 10, 2016**

The meeting was called to order by Clerk Fodera at 7:07 PM, followed by roll-call:

PRESENT:

Linda Catalano	Councilwoman
Sally Boisseau	Councilwoman
John Boisseau	Councilman
Oliver Kamm	(Inducted as Councilman during meeting)

ABSENT:

MINUTES:

- Councilwoman Linda Catalano made a motion to approve the Minutes from the Council Meeting held on April 12, 2016. John Boisseau seconded the motion and the motion prevailed with all present Council-members saying yes

FINANCIALS:

- After reviewing the Financial Reports for April 2016 Councilwoman Sally Boisseau made the motion to approve and file the reports for audit. The motion was seconded by Councilwoman Linda Catalano and prevailed with all present Council-members saying yes

Agenda Items:

INTERVIEW OF D.J. DOODY FOR POSTION OF CITY ATTORNEY

After presentation by Mr. Doody, Council unanimously authorized the Mayor White to negotiate a contract with Mr. Doody and his firm.

APPOINTMENT OF OLIVER KAMM TO VACANT COUNCIL SEAT

Council unanimously approved Mr. Kamm as new Councilman. Mr. Kamm was duly sworn in.

PROPERTY ISSUES

- Council authorized to increase the amount the Mayor is authorized to enter into contract for the removal of invasive trees growing in the rear of 2130 North Andrews Ave. to not to exceed \$10,000.
- Lazy Lake Beautification Committee had no new information on course of action and expenditures to be presented to the Council.
- Councilman John Boisseau reported on investigation of full costs of installing sewer line extension on Lazy Lane. Costs of Management by engineering firm was estimated as \$33,000 and full cost estimates ranged from \$100,000 to \$250,000 depending primarily upon whether there would be a need for a lift station. Council concluded that cost outlay would be prohibitive for the City and recommended that further investigation of this proposal be an extensive interview with another city that has recently installed sewers (North Andrews Gardens ?) to find out their procedure, costs, financing, grants obtained, contractors, bonds issued, county involvement etc. The Council suggested that such an interview could be conducted by resident Richard Willard who initiated the proposal. Councilman John Boisseau volunteered contact Mr. Willard to see if he would be amenable. .
- Council unanimously authorized a test of Lazy lake water content. Councilman Oliver Kamm agreed to pursue a test on behalf of Village.

Old Business

- Residents Steve Martin and Dana Merrill were given access to all available Lazy Lake files and records after the council meeting and supervised by Councilman Kamm.

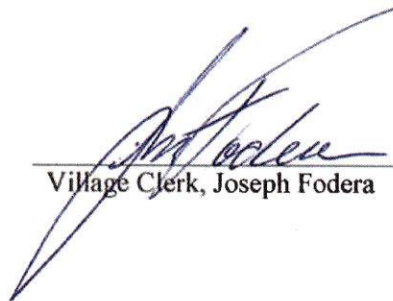
New Business

- Council authorized Clerk Fodera to investigate possible use of an outside accounting firm to maintain books and certain administrative procedures on behalf of Lazy Lake.

There being no further business the meeting was adjourned at 9:07 PM



Mayor, Caroline White



Village Clerk, Joseph Fodera

**Lazy Lake
Council Meeting
June 28, 2016**

The meeting was called to order by Clerk Fodera at 7:06 PM, followed by roll-call:

PRESENT:

Linda Catalano	Councilwoman
Sally Boisseau	Councilwoman
John Boisseau	Councilman
Oliver Kamm	Councilman
Evan Antony	Inducted as Councilman during meeting

ABSENT:

MINUTES:

- Councilwoman Linda Catalano made a motion to approve the Minutes from the Council Meeting held on May 10, 2016. Sally Boisseau seconded the motion and the motion prevailed with all present Councilmembers saying yes

FINANCIALS:

- After reviewing the Financial Reports for May 2016 Councilman John Boisseau made the motion to approve and file the reports for audit. The motion was seconded by Councilwoman Linda Catalano and prevailed with all present Councilmembers saying yes

Agenda Items:

Preliminary Budget

- Council unanimously agreed to set a preliminary budget of \$45,000 for fiscal 216. Village Clerk will also check with the Village Attorney to look into procedure for allocating an additional \$10,000 from the General Fund for any and all additional expenses that may be incurred and not be funded by Ad Valorem taxes. The Village clerk will draft line items for approval by the council to be e-mailed as soon as possible

APPOINTMENT OF EVAN ANTHONY TO VACANT COUNCIL SEAT

- Council unanimously approved Mr. Anthony as new Councilman. Mr. Anthony was duly sworn in.

Village Counsel

- Contract was executed between the Village and Mr. D. J Doody, Esq. appointing Mr. Doody as Village Counsel replacing Richard Coker.

Old Business

- Village will await the outcome of further testing of lake waters to determine course of action, if warranted, is necessary

New Business

- Council authorized Clerk Fodera to spend up to \$100 for honorarium for exited Village Counsel Richard Coker.
- Councilman Kamm will look into bids from Webmasters to maintain the village web site.

There being no further business the meeting was adjourned at 8:56 PM



Mayor, Caroline White



Village Clerk, Joseph Fodera

**Lazy Lake
Council Meeting
July 12, 2016**

The meeting was called to order by Clerk Fodera at 7:06 PM, followed by roll-call:

PRESENT:

Linda Catalano	Councilwoman
Sally Boisseau	Councilwoman
John Boisseau	Councilman
Evan Antony	Councilman
Ray Nyhuis	Inducted as Councilman during meeting

ABSENT:

MINUTES:

- Councilwoman Sally Boisseau made a motion to approve the Minutes from the Council Meeting held on June 28, 2016. Councilwoman Linda Catalano seconded the motion and the motion prevailed with all present Council-members saying yes

FINANCIALS:

- After reviewing the Financial Reports for June 2016 Councilman John Boisseau made the motion to approve and file the reports for audit. The motion was seconded by Councilwoman Sally Boisseau and prevailed with all present Council-members saying yes

Agenda Items:

Ad Valorum Rate

- Council unanimously agreed to set a tentative Ad Valorum rate 4.7931 and a tentative corresponding budget of \$ 37,906. The Council unanimously agreed to allocate an additional amount from the General Fund Reserve of \$20,000 for contingencies that could not be properly estimated at the current time. Village Clerk will check with the Village Attorney to look into procedure for allocating an additional \$20,000 from the General Fund for any and all additional expenses that may be incurred and not be funded by Ad Valorum taxes.

RESIGNATION OF COUNCILMAN OLIVER KAMM

Council unanimously accepted the resignation of Councilman Kamm

APPOINTMENT OF RAY NYHUIS TO VACANT COUNCIL SEAT

- Council unanimously approved Mr. Anthony as new Councilman. Mr. Anthony was duly sworn in.

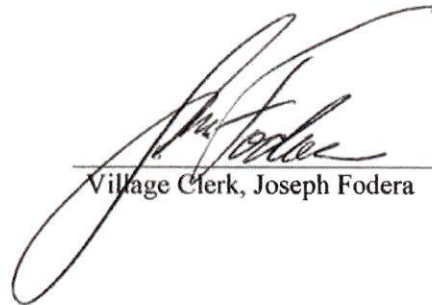
Old Business

- Village did not receive further testing results of lake waters.
- Work had commenced for the removal of overgrowth into the Lake. Work was still in progress.

There being no further business the meeting was adjourned at 8:14 PM



Mayor, Caroline White



Village Clerk, Joseph Fodera

**MINUTES OF MEETING
VILLAGE OF LAZY LAKE**

A regular meeting of the City Council of the Village of Lazy Lake was held on Tuesday, May 9, 2017 at 7:00 p.m. at the offices of Brainstorm Advertising, 2201 Wilton Manor Drive, Wilton Manors, Florida.

Present and constituting a quorum were:

Caroline White
John Boisseau
Sally Boisseau
Linda Catalano
Ray Nyhuis

Mayor
Councilman
Councilwoman
Councilwoman
Councilman

Also present were:

Kenneth Cassel
DJ Doody

Severn Trent Services
Village Attorney

The following is a summary of the minutes and actions taken during the May 9, 2017 Village of Lazy Lake Council Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mayor White called the meeting to order and Mr. Cassel called the roll.

SECOND ORDER OF BUSINESS

Appointment of Mr. Ray Nyhuis to the Village Council

- Councilwoman Boisseau MOVED to appoint Mr. Ray Nyhuis to the Village Council.
- Mr. Nyhuis confirmed he is a registered voter.
- Village Attorney Doody read Resolution 2017-1, appointing Mr. Ray Nyhuis as a Council member, by title only.

On MOTION by Councilwoman Catalano seconded by Councilwoman Boisseau with all in favor Resolution 2017-1, appointing Mr. Ray Nyhuis as a Council member, was adopted.

THIRD ORDER OF BUSINESS

Approval of Minutes of the February 14, 2017 Meeting

On MOTION by Councilwoman Catalano seconded by Councilman Nyhuis with all in favor the minutes of the February 14, 2017 meeting were approved as presented.

FOURTH ORDER OF BUSINESS

Audience Comments

The floor was open to audience comments.

- Discussion ensued regarding the replacement of the fence along Andrews Avenue. Mayor White stated the Village would have to pay for the installation of a barrier wall.
- Mr. Fedora addressed the *no trespassing* sign located at the first house on the left. Village Attorney Doody will review the contract with Broward County Code Enforcement.

FIFTH ORDER OF BUSINESS

Ratification of Previous Motions

September 6, 2016 Public Hearing

- Approval of Resolution Approving Tentative Millage Rate of 4.7931 Mills
- Approval of Resolution Approving Tentative Budget of \$37,906

September 19, 2016 Public Hearing

- Approval of Resolution Approving Final Millage Rate of 4.7931 Mills
- Approval of Resolution Approving Final Budget of \$37,906

September 19, 2016 Council Meeting

- Approval of the Minutes of the July 12, 2016 Meeting
- Approval of Financial Reports for July 2016
- Approval of Financial Reports for August 2016

November 15, 2016

- Approval of the Minutes of the September 19, 2016 Budget Public Hearing
- Authorization for Mayor White to Pay Up to \$3,000 Per Month as Needed to Ensure the Credit Worthiness of the Village
- Adding Mr. Stephen Bloom from Severn Trent Services as an Account Signatory

February 14, 2017

- Approval to Amend the Consent Agenda to Include Approval of Lake Masters Invoice

Town Attorney Doody reviewed the items to be ratified.

On MOTION by Councilman Boisseau seconded by Councilman Nyhuis with all in favor the previous motions identified above were ratified.

SIXTH ORDER OF BUSINESS

Consideration of Trimming Overgrown Trees

Mayor White discussed an email she received from Wilton Manors regarding the overgrown trees off of Northeast 21st Court. They have since been trimmed. Mr. Nyhuis will contact the City of Wilton Manors to find out whether they will be trimming the trees going forward and will report back at the next meeting.

SEVENTH ORDER OF BUSINESS

Consent Agenda

- **Approval of Lake Masters Invoices for March, April and May - \$555**
- **Approval of Severn Trent Services Invoices - \$2,600**
- **City of Fort Lauderdale Invoice - \$900.27 (New Charges – September through November Previously Approved)**
- **Goren, Cheroff, Doody & Ezrol, PA Invoices – \$2,209.40**
- **Waste Management Invoice as of May 1, 2017- \$1,868.10**
- **Approval of FPL Invoice for 36 Northeast 24th Street for March, April and May - \$60.10**
- **Approval of FPL Invoice for 101 Northeast 21st Court for March, April and May - \$784.12**
- **Approval of Rent Payment to Brainstorm Advertising for April, May and June - \$600**

On MOTION by Councilwoman Boisseau seconded by Councilwoman Catalano with all in favor the consent agenda was approved.

EIGHTH ORDER OF BUSINESS

Village Attorney Comments

There being none, the next item followed.

NINTH ORDER OF BUSINESS

Council Member Comments

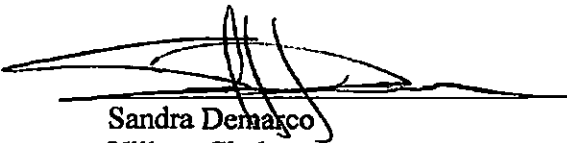
There was discussion regarding Lake Masters' services and obtaining bids to trim the trees on Lazy Lane.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Councilwoman Boisseau seconded by Councilman Nyhuis with all in favor the meeting was adjourned.


Sandra Demarco
Village Clerk


Caroline White
Mayor

Exhibit “8”

Exhibit “9”

VILLAGE OF LAZY LAKE
MEETING MINUTES
2201 WILTON DRIVE, WILTON MANORS, FLORIDA
TUESDAY, MAY 15, 2018
7:00 P.M.

The regular meeting of the Council of the Village of Lazy Lake, Florida, was held on Tuesday, May 15, 2018 at 7:00 p.m. at 2201 Wilton Manor Drive, Wilton Manors, Florida. The meeting was called to order at 7:05 p.m. by Mayor White.

1. Roll Call

Village Council

Mayor Caroline White - Present
Council Member Evan Antony - Absent
Council Member John Boisseau - Present
Council Member Sally Boisseau - Present
Council Member Linda Catalano - Present
Council Member Ray Nyhuis - Present

Also present were:

Lisa Tayar, Prototype Inc.

Richard Willard, Resident

Dana Merrill, Resident

Motion made by Council Member Nyhuis, seconded by Council Member Catalano, to include an agenda item for appointments to fill two expired Council seat vacancies. In a voice vote, the motion passed unanimously 3-0.

Motion made by Council Member Nyhuis, seconded by Council Member Catalano, to appoint John Boisseau and Sally Boisseau to service on the Council until the general election in November of 2018. In a voice vote, the motion passed unanimously 3-0.

2. Approval of Meeting Minutes

- February 20, 2018 Regular Meeting

Motion made by Council Member Antony, seconded by Council Member Catalano, to approve the February 20, 2018 meeting minutes. In a voice vote, the motion passed unanimously (5-0).

3.

3.1 Consent Agenda - Payment of Invoices

- Past Due invoices - City of Fort Lauderdale Fire Rescue Services - \$2,154.60
- Prototype invoice #18-00201 dated 5/15/18 in the amount of \$476.30

- Solitude Lake Management invoice #PI-A00170736 in the amount of \$185.00
- Goren Cherof, Doody & Ezrol invoice #19996 in the amount of \$410.35

Motion made by Council Member Nyhuis, seconded by Council Member S. Catalano, to approve the consent agenda. In a voice vote, the motion passed unanimously (5-0).

3.2 Ratification of the following invoices paid:

- Approval of Goren Cherof, Doody & Ezrol invoice in the amount of \$218.06 (paid via e-check)
- Approval of Grand Properties rent for April 2018 in the amount of \$200.00 (paid via e-check)
- Approval of Prototype invoice #18-0062 dated 2/16/18 in the amount of \$448.27
- Approval of Solitude Lake Management invoice 3/1/18 in the amount of \$185.00
- Approval of Grand Properties rent for May 2018 in the amount of \$200.00 (paid via e-check)
- Approval of Waste Management invoice #11-29282-52004 dated 5/1/18 in the amount of \$757.24 (for April and May) (paid via e-check)
- Approval of Prototype invoice #18-00157 dated 4/13/18 in the amount of \$406.00 (paid via e-check)
- Solitude Lake Management invoice 4/1/18 in the amount of \$185.00 (paid via e-check)
- Solitude Lake Management invoice 2/1/18 in the amount of \$185.00 (paid via e-check)

Motion made by Council Member Nyhuis, seconded by Council Member S. antony, to ratify the invoices listed in item 3.2. In a voice vote, the motion passed unanimously (5-0)..

4. Old Business

- Comprehensive Plan Amendment and Planning Analysis Submitted by Leigh Kerr

Mayor White brought up the subject of annexation of the Village into Wilton Manors based upon the continuous addition of regulations and filings to be met by the Village, including budgets, elections, Interlocal agreements, etc., and that the work has now outsized the manpower available to timely comply.

Council Member Antony suggested posting a public hearing to further discuss this matter.

Topics for discussion included:

- Maintaining the integrity of the Village
- Negotiations with Wilton Manors
- Tax ramifications
- Zoning and code enforcement

Council Member Nyhuis offered to research and provide a report for management requirements in the Village.

Motion made by Council Member S. Boisseau, seconded by Council Member Catalano, to authorize Mayor White to further discuss addressing the possibility of annexation into Wilton Manors with DJ Doody . In a voice vote, the motion passed unanimously (5-0)..

- Contract with Solitude Lake Management (J. Boisseau) - A contract is now in place with Solitude Lake Management
- Trees Removed by Resident, Lazy Lane
Council Member Nyhuis suggested deferring this matter until all landscaping by the homeowner is completed.

5. New Business

- First Amendment to September 1, 2012 Interlocal Agreement for Solid Waste Disposal Support Services (*Action Item*)
- First Amendment to the Interlocal Agreement for Optional County Services (*Action Item*)
- Interlocal Agreement for Use of Temporary Debris Management Sites and Other Related Services (*Action Item*)
- Waste Management Solid Waste Recycling Contract (*Action Item*)
- 1st Amendment to ILA For Options Services (Broward Cty) (*Action Item*)
- Hiring of new Village attorney

Motion made by Council Member J. Boisseau, seconded by Council Member S. Boisseau, to defer all new business to a special meeting to be held on May 23, 2018. In a voice vote, the motion passed unanimously (5-0)..

- 6. Village Attorney Comments
- 7. Council Member Comments
- 8. Public Comments
- 9. Adjournment

With no further business to discuss, and upon motion duly made and seconded, the meeting concluded at 8:26 p.m.

Village Administrative Assistant

Caroline White, Mayor

Exhibit “10”

VILLAGE OF LAZY LAKE
SPECIAL MEETING MINUTES
2201 WILTON DRIVE, WILTON MANORS, FLORIDA
Tuesday, May 29, 2018
7:00 P.M.

A Special meeting of the Council of the Village of Lazy Lake, Florida, was held on Tuesday, May 29, 2018 at 7:00 p.m. at 2201 Wilton Manor Drive, Wilton Manors, Florida. The meeting was called to order at 7:00 p.m. by Mayor Caroline White.

1. Roll Call

Council Members Present

Mayor Caroline White

Council Member Evan Antony

Council Member John Boisseau

Council Member Sally Boisseau

Council Member Ray Nyhuis

Council Member(s) Absent

Council Member Linda Catalano

Mayor White took item #5, Presentation by Richard Coker, Esquire out of order on the agenda.

Mayor White indicated that D.J. Doody, Esquire had agreed a merger/annexation with Wilton Manors would be in the best interest of the Village; however, his firm would be unable to represent the Village as one of the firm's partners is counsel for Wilton Manors. Richard Coker, Esquire had been recommended as an attorney who had previously handled an annexation and had also represented Lazy Lake in the past.

Mr. Coker addressed the Council with regard to report requirements, education requirements, formality of meetings, paperwork and reporting requirements, ethics and Sunshine Law, and employment of a professional staff. He further addressed the procedure for annexation which could be done by legislative act as the quickest solution. Various issues would need to be discussed regarding grandfathering in of existing conditions of the property such as possible code violations, etc. There should also be discussion regarding maintaining of the status quo with regard to development.

Discussion then continued regarding zoning, building alternatives, gross density, the land use plan, municipal taxes, and current services being rendered by Wilton Manors.

Motion made by S. Boisseau, seconded by Council Member Antony, that Mr. Coker explore the possibility through Mr. Israel (City Manager of Wilton Manors) of the idea of Lazy Lake being incorporated into Wilton Manors. In a voice vote, the motion passed unanimously.

Mr. Coker then agreed to meet with and discuss annexation with Mr. Israel, Wilton Manor's City Manager, returning to the Village Council to report on that discussion at their next meeting. He will be sending over an engagement letter for review.

2. Approval of Meeting Minutes
- May 15, 2018 Regular Meeting

Motion made by Council Member J. Boisseau, seconded by Council Member S. Boisseau to approve the May 15, 2018 Regular Meeting Minutes. In a voice vote, the motion passed unanimously.

3. Consent Agenda - Payment of Invoices

- Prototype invoice #18-00230 dated 05/25/18 in the amount of \$622.84
- Approval of Grand Properties rent for June 2018 in the amount of \$200.00 (to be paid via e-check)
- Approval of Waste Management invoice #11-29282-52004 dated 06/01/18 in the amount of \$373.62 (to be paid via e-check)

Motion made by Council Member S. Boisseau, seconded by Council Member Antony to approve the Consent Agenda. In a voice vote, the motion passed unanimously.

4. Old Business (deferred from 5/15/18 meeting)

- First Amendment to September 1, 2012 Interlocal Agreement for Solid Waste Disposal Support Services (*Action Item*)
- First Amendment to the Interlocal Agreement for Optional County Services (*Action Item*)
- Interlocal Agreement for Use of Temporary Debris Management Sites and Other Related Services (*Action Item*)
- Waste Management Solid Waste Recycling Contract (*Action Item*)

There was brief discussion regarding pickup of construction dumpsters by alternate companies other than Waste Management, as well as recyclables, and the cost of trash pickup.

These matters were deferred pending Council Member Antony contacting Broward County and Waste Management regarding the terms of the ILAs and proposed contracts.

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, to defer all of the above agreements pending a fact-finding mission to determine a final resolution. In a voice vote, the motion passed unanimously.

5. New Business

- A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, APPOINTING JOHN BOISSEAU AND SALLY BOISSEAU AS COUNCIL MEMBERS OF THE VILLAGE OF LAZY LAKE TO SERVE UNTIL THE NEXT GENERAL ELECTION IN NOVEMBER OF 2018; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (*Action Item*)

Motion made by Council Member Antony, seconded by Council Member Nyhuis, to adopt the Resolution. In a voice vote, the motion passed unanimously.

- Presentation by Richard Coker, Esquire
- Authorization to permit Village Administrative Assistant company, Prototype, Inc., to pay the following monthly invoices: Grand Properties; Waste Management; Solitude Lake Management; Goren, Cherof, Doody & Ezrol; Prototype, Inc.; and City of Fort Lauderdale Fire Rescue Services via e-check from the Suntrust bank account

Motion made by Council Member J. Boisseau, seconded by Council Member S. Boisseau to authorize Prototype to pay the monthly invoices as stated. In a voice vote, the motion passed unanimously.

6. Village Attorney Comments

7. Council Member Comments

A letter was provided to the Council Members written by Mr. Joe Fodera.

Deposits from the State of Florida are still going into the Northern Trust account. Research will be done to determine how those payments from the State can be transferred to the SunTrust account so the Northern Trust account can be closed.

FEMA reimbursements have not yet been received as the funds have not been paid by the Village due to the County not yet deciding what those charges should be.

Council Member J. Boisseau stated he and Sally would be out of town until November, but would be calling in for the meetings.

There was also brief discussion regarding Council Members and/or residents attending via telephone.

8. Public Comments - none.

9. Adjournment

With no further business to discuss, and upon motion duly made and seconded, the meeting concluded at 8:04 p.m.

Village Administrative Assistant

Caroline White, Mayor

Exhibit “11”



BROWARD OFFICE OF THE INSPECTOR GENERAL

July 9, 2018

Honorable Caroline White, Mayor, Village of Lazy Lake
caroline@lazylakefl.us
2154 Lazy Lane
Lazy Lake, Florida 33305

Dear Mayor White:

This letter is written pursuant to the authority vested in the Broward Office of the Inspector General (OIG) by the Broward County Charter, Article X.

We request that you provide the OIG with a report on (and certain documents evidencing) whether the Village of Lazy Lake implemented the recommendations contained in the memorandum that this office issued to you and the village council in OIG 13-025 on August 21, 2014 (copy attached). On page 14, we recommended the village "take whatever action necessary to ensure that Lazy Lake abide by all constitutional, statutory, charter, and code requirements."

Specifically, we request:

- A copy of all public notices of village council meetings since August 21, 2014,
- A copy of all minutes of village council meetings since August 21, 2014,
- Any review conducted to establish routines and procedures necessary for the village to comply with the laws cited in the memorandum,
- Any written policies or procedures on the processes referenced in the memorandum,
- A description of the process or procedure for providing public notice of village council meetings,
- A description of the process or procedure for responding to public records requests,
- A description of the process or procedure for appointing individuals to the village council,
- A description of the process or procedure for conducting village elections, and
- The procedural or legal basis for re-appointing John Boisseau and Sally Boisseau to the council on May 15, 2018.

We would appreciate receiving your report on or by September 7, 2018.

Sincerely,

John W. Scott
Inspector General

Att.



BROWARD OFFICE OF THE INSPECTOR GENERAL

MEMORANDUM

To: Honorable Caroline White, Mayor, Village of Lazy Lake
and Members, Village of Lazy Lake Council

From: John W. Scott, Inspector General *JWS*

Date: August 21, 2014

Subject: **OIG Closing Memorandum Re: *Lazy Lake Officials' Compliance with Ethics Training Requirements of the Ethics Code and Misconduct in the Administration of Village Affairs, Ref. OIG 13-025***

The purpose of this memorandum is to inform you that the Broward Office of the Inspector General (OIG) has concluded its investigation into whether officials of the Village of Lazy Lake (Village) violated the ethics training requirements of the Broward Code of Ethics for Elected Officials (Ethics Code) or engaged in statutory or constitutional misconduct in the administration of Village affairs.¹

The OIG investigation determined that Lazy Lake's current officials are now in compliance with the ethics training and certification requirements of the Ethics Code. However, we also found that the Village's clerk, mayors, and council engaged in misconduct in carrying out the municipal affairs of Lazy Lake. That misconduct included apparent violations of Florida's open meetings (Sunshine) laws and the constitutional, statutory, and charter requirements that the Village be governed by properly qualified elected officials.

Background

In July 2013 the Broward Office of the Inspector General (OIG) concluded a compliance review on whether the 157 Broward County Elected Officials who held office in 2012 filed their ethics training certifications. Sec. 1-19(d) of the Ethics Code, Training and Education, states:

(1) New Elected Officials shall receive a minimum of four (4) hours of training from their governmental entity's attorney (or as directed by that attorney) on the topics of the Sunshine Law, public records, and public service ethics, and shall certify or

¹ The OIG has not issued a report in this matter because we have not determined, pursuant to Section 12.01(D)(1)(b) of the Charter of Broward County, that a report will assist the County or any municipality in preventing similar future misconduct.

John W. Scott, *Inspector General*

One North University Drive, Suite 111 • Plantation, Florida 33324 • (954) 357-7873 • Fax (954) 357-7857
www.browardig.org • (954) 357-TIPS

acknowledge his or her participation in this training in a form filed with the entity's chief administrative official or clerk. Such training shall be completed within one hundred twenty (120) days after taking office. The four (4) hours of training shall count towards the eight (8) hour training referenced in the paragraph immediately below.

(2) Each Elected Official shall, on an annual basis, attend or participate in a minimum of eight (8) hours of continuing education training on the topic of public service ethics. These programs may be available through regional universities, municipal or local government organizations, or the state or regional Bar associations. Each Elected Official shall annually certify or acknowledge that he or she has met this requirement in a form filed with the entity's chief administrative official or clerk.

We published the findings of our review in a memorandum in OIG 13-006, concluding there was good cause to believe that three Village officials failed to obtain or certify required ethics training. Specifically, we found that two Village council members and the mayor failed to obtain and certify for 2012 any of the eight hours of ethics training required annually under the Ethics Code.

Investigation

While conducting the compliance review and follow-up investigation, the OIG came into information that led us to further investigate whether Village officials had engaged in other violations of state and local law. Although we have determined that current elected officials are in substantial compliance with the training requirements of the Ethics Code, we have also found that the Clerk, mayor and council are not conducting Village affairs in accordance with Florida law.

1. Current Elected Officials are in Substantial Compliance with Ethics Code Training Requirements

In August 2013, the OIG commenced an investigation predicated on the good cause that three Village officials failed to take or certify required ethics training. The three officials had continuously served as the mayor or a member of the governing body of the Village from before January 2, 2012, the date the Ethics Code became applicable to municipal officials. At no time while serving as Village officials did the mayor or one of the two council members attend or participate in any continuing education training on the topic of public service ethics. Eight hours are required annually by Ethics Code Sec. 1-19(d)(2). A third council member was sworn in as a municipal official on or about June 11, 2013. Although four hours of continuing education training on the topics of Sunshine law, public records, and public service ethics are required within 120 days of taking office, it was not until April 2014 (ten months later), that she attended or participated in any. And none of these officials filed with the Village Clerk (Clerk) any certification or acknowledgment that he or she attended or participated in continuing education training on the topic of public service ethics until a councilwoman did so in March 2014.

When we initially contacted the Clerk on May 23, 2013, as part of our ethics training compliance review, he told us that Village officials were volunteers and "did not have the time to attend ethics training." We immediately reached the attorney for the Village and explained the compliance review and our initial findings about the Village mayor and council members. We provided the Village Attorney with online training resources from other entities, informed him about the OIG's upcoming ethics training to be held on May 31, 2013, and provided a registration form for that training, suggesting that efforts be undertaken to demonstrate a lack of intent to violate the Ethics Code.

On June 6, 2013, the Clerk and his wife, a council member, informed us by telephone that ethics training was unnecessary for Village officials and that the OIG would never collect fines on any violations, because the Village would be dissolved the day any fines are assessed. Over the course of the following six months, while the OIG office attempted to secure the compliance of the Village council members with the Ethics Code, including by offering ethics training at no cost to them or their municipality, the Clerk attempted to persuade members of the Board of County Commissioners (BCC) to exempt the Village from the application of the Ethics Code. When he and a councilman appeared at a BCC meeting in December 2013, County Commissioners refused to entertain his request, suggesting instead that the Village's officials could use ethics training recordings available from the County Attorney's Office in order to comply with their obligations under the Ethics Code.

Thereafter, the mayor informed us he was giving up his seat, deciding not to qualify for election upon the expiration of his term in office in March 2014. He and one council member for whom we had good cause to open the investigation moved away by the March election date. The new council member assumed the office of mayor at that time, and both she and the remaining council member undertook to complete ethics training, employing the recordings referenced at the December BCC meeting. In March and April 2014, they each certified having completed eight hours of ethics training for 2014, but this neglected the requirement that the new mayor take and certify four hours by October 9, 2013 (within 120 days of her assuming office as a member of council) and that the longer-serving council member take and certify eight hours for 2013. After the OIG communicated further with them, they certified taking four and eight more hours, respectively, which we accept as satisfying their missing 2013 hours.

In consideration of this and of our concerns expressed below, at this time, the OIG will take no further action on Village officials' 2012 and 2013 training requirements under the Ethics Code.²

² The two remaining sitting council members each completed four hours of ethics training in 2013 as new elected officials and have already completed and certified another eight hours for 2014.

2. *The Clerk, Mayor, and Council Are Not Conducting Village Affairs in Accordance with Florida Law*

During the course of the review and investigation into the training matter, the OIG determined that the Village's clerk, mayors, and council engaged in misconduct in carrying out the municipal affairs of Lazy Lake. That misconduct included apparent violations of Florida's Sunshine laws and the constitutional, statutory, and charter requirements that the Village be governed by properly qualified elected officials.

a. Council Meetings Were Not Conducted Properly

As part of the investigation, OIG staff reviewed Village documents and records, including agendas, minutes, sign in sheets and resolutions from 2011 to the present; conducted interviews; and made site inspections, in order to determine whether the Village complied with Florida law requirements that council meetings be reasonably noticed, publicly accessible, and accurately recorded. Those requirements include the following:

Fla. Const. Art. I, § 24(b), Access to public records and meetings, states in pertinent part:

All meetings of ... any collegial public body of a ... municipality ..., at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public ... except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.

The Sunshine law, F.S. § 286.011, states in pertinent part:

(1) All meetings ... of any agency or authority of any ... municipal corporation, or political subdivision, except as otherwise provided in the Constitution, ... at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection....

(6) All persons subject to subsection (1) are prohibited from holding meetings at any facility or location ... which operates in such a manner as to unreasonably restrict public access to such a facility.

i. The Village Failed to Provide Reasonable Notice of Meetings

The Village council met on 35 occasions between October 12, 2010, and February 11, 2014, to discuss non-budget matters and hold tentative and final *ad valorem* and budget meetings.

The Clerk informed OIG staff that he has the email addresses of all the Village's residential households and property owners and that he emailed the agendas, minutes, notice of budget hearings, proposed budgets and the final budget and other Village information to the residents using those email addresses. He said that some notices, if required, may have been published in the local newspaper. In addition, the Clerk stated that he posted the agendas and budget documents at a location in front of his home and viewable from Lazy Lane, since there is no Village office within the Village itself.³ However, he did not know if he had retained the emails used to distribute the agendas, minutes and budgets.⁴

We found that of a total of 26 undated, one-page documents that listed the date, time, and location of a council meeting, only seven of them were e-mailed to persons other than the mayor and council.⁵ No purported notice was produced for another seven council meetings, including three budget hearings.

Among them was a council meeting that was held between the then sitting mayor and four council members without notice on March 7, 2013, when an "emergency" meeting was called by the mayor upon discovering that no quorum could be achieved for the scheduled and noticed meeting of March 12, 2013. Forty-five minutes following the unnoticed meeting, the Clerk wrote in an email to several non-council recipients that "[t]he reason for the meeting was that a Council quorum could not be arranged for the foreseeable future after March 7 and regular council business could not be delayed under those circumstances."⁶ In fact, the only business conducted at that meeting was regular, non-emergency business including the approval of the January 2013 minutes, the approval of financial reports for January and February 2013, and a discussion that the financial disclosure forms for two council members would not be filed because they were relocating from the Village. We were unable to discern from the documents provided where the March 7 meeting took place. The noticed March 12, 2013, meeting was cancelled.

³ Meetings of municipal governing bodies are typically noticed in city hall and on the municipal website. The Village does not have any governmental premises, other than the Clerk's home and a rented conference room in Wilton Manors. In addition, the Village does not maintain an official website.

⁴ If they had been deleted, this would constitute violations of the Florida public records laws, F.S. § 119.011 et seq.

⁵ On those seven e-mails, we counted up to nine recipients in addition to the officials.

⁶ An unstamped letter dated April 9, 2013, that appeared to be included with the minutes for the council meeting of that date, was signed by two council members who wrote that they were going to relocate from the Village and were resigning their positions effective April 15, 2013.

ii. Public Access to Village Meetings was Unreasonably Restricted

Except for the above-described "emergency" meeting, the OIG determined that council meetings were held at the offices of Brainstorms Advertising and Marketing, 2201 Wilton Drive, Wilton Manors, Florida, where the Village leased conference room space. The location is within five miles of Lazy Lake.⁷ The room may be accessed from the rear parking lot; however, the front door to the office space containing the conference room was locked on the two occasions it was visited by OIG Special Agents, including during a council meeting held on June 11, 2013.

Before we visited on that date, the Clerk told an OIG Special Agent to use the back door because the front doors were locked.⁸ Upon arrival on June 11, the Special Agent tried to open front doors to the building, and they were, indeed, locked. He then walked to the rear and two of three rear doors were locked as well. As he approached the third rear door, a council member drove up. After the Special Agent introduced himself, she escorted him through the third door and past several offices and into the conference room. At no time did he observe a sign indicating where any meeting was taking place.

During the meeting, the OIG Special Agent raised the issue of compliance by council members with the Ethics Code's training requirements. He then departed. According to meeting minutes, the council members "had mixed reaction as to what course of action the Council and Mayor wished to pursue [regarding the ethics training requirement]." The minutes further reflect that "[t]he City clerk will send a summary to each elected official and collect the individual decisions of each elected official," which the Clerk later denied occurred. Such action would contravene the Sunshine law requirement that official decisions be made *in public*, after a full discussion.

iii. Meeting Minutes Were Incomplete and Inaccurate

The Clerk admitted to OIG staff that no minutes are taken of the Village's public millage and budget hearings. He claimed that the taking of minutes in such instances was not necessary because the meetings concern single subjects, and because the signed resolutions themselves document the actions taken by the council. We found no authority to support this

⁷ Municipalities with 500 or fewer residents may hold their meetings in other jurisdictions within five miles of the municipality's boundaries, so long as the time and place is fixed by resolution or ordinance. F.S. § 166.0213(1).

⁸ We did not see an e-mail to residents providing notice of the June 11, 2013, meeting, but were provided with a copy of a document that stated it was a notice for a meeting to be held on Tuesday, June 10 [sic], 2013, at 7:00 p.m. at "Brainstorms, 2201 Wilton Drive, Wilton Manors, FL 33305." Regardless, the document did not alert the reader that access to the meeting could only be obtained by locating and opening a back door to the building.

position. Accordingly, the failure of Village officials to record such minutes—at least twice every year, for meetings during which decisions of the highest financial importance were discussed and decided—shielded the actions of the council from public inspection, in violation of the Sunshine laws.

In addition to failing to take minutes at meetings, the council also generated meetings that were inaccurate. For example, the June 11, 2013, minutes wrongly reflected that the late-arriving council member—the one who escorted the Special Agent into the meeting—was present and that “[t]he Council *unanimously* agreed to accept the preliminary budget of \$35,000 without change.” (Emphasis added). Those minutes were contrary to the Clerk’s notes,⁹ which indicate that she was not present for the vote on the budget.

The July 9, 2013, minutes are also inaccurate, since they reflected that “[t]he Council, after discussing the cost and obligations to comply with the Ethics Training mandated by the County, asked the City Clerk to write a letter of appeal to the Inspector General of Broward County.” Yet, the Clerk had already made his appeal to the OIG by June 13, 2013, and did not send a letter (or email) of appeal to the OIG following the July 9 meeting. He did email a Broward County commissioner on July 14, 2013, asking for intervention on the application of the Ethics Code to Village officials. Presumably this was a follow-up action to the July 9 meeting discussion, although the minutes do not reflect that the council ever considered such a course of action.

b. Ordinances and Resolutions Were Not Properly Adopted by the Council

Florida law mandates certain procedures governing the adoption during council meetings of ordinances and resolutions, including the requirement that a quorum of council members be present. F.S. § 166.041, Procedures for adoption of ordinances and resolutions, states in part:

(4) A majority of the members of the governing body shall constitute a quorum. An affirmative vote of a majority of a quorum present is necessary to enact any ordinance or adopt any resolution.... On final passage, the vote of each member of the governing body voting shall be entered on the official record of the meeting. All ordinances or resolutions passed by the governing body shall become effective 10 days after passage or as otherwise provided therein.

Attorney General Opinion No. 10-34 (August 25, 2010), further buttresses the requirement that a quorum be properly constituted:

⁹ There were two sets of notes for that date: one for a budget meeting, which reflected the absence of the later-arriving council member, and one for the council meeting, which reflected her presence.

"... For meetings where a quorum is required, this office has consistently suggested a conservative interpretation of the requirement to ensure the validity of official actions taken by a public body. This office has concluded that, in the absence of a statute to the contrary, the requisite number of members must be *physically* present at a meeting in order to constitute a quorum. ... (Emphasis added) [A municipality] may not alter the quorum requirements to allow members who are not physically present, but participating by electronic means, to be counted toward the quorum."

On June 11, 2013, at the council meeting that the Special Agent attended, he observed that a quorum (three or more council members) was not present. Only the Clerk, the mayor, and two council members were there. When the Special Agent inquired of the whereabouts of the remaining officials, the mayor pointed to a cellular telephone and informed him that three council members were on the phone. The minutes for that meeting recorded their presence even though they were not there. In addition, the Clerk later stated to OIG staff that as a matter of practice, he did not reflect in the minutes whether a council member or mayor was physically present, just whether he or she "participated." He further stated that he did not make a specific indication whether the council member or mayor participated in person or by telephone.

Thus, the OIG has been unable to determine for how many—if, indeed, any—council meetings a physical quorum was constituted, as required by Florida law. Accordingly, the resolutions and ordinances adopted by the council during those meetings may be open to challenge as being defective because they may not have been properly adopted.

c. Village Budgets Were Not Posted to a Website

Florida law also requires that the tentative and final budgets of every municipality be posted to a website, and thus be subject to public scrutiny. Specifically, F.S. § 166.241, Fiscal years, budgets, and budget amendments, was amended effective October 1, 2011, to include the internet posting requirement:

- (1) Each municipality shall establish a fiscal year beginning October 1 of each year and ending September 30 of the following year.
- (2) The governing body of each municipality shall adopt a budget each fiscal year. The budget must be adopted by ordinance or resolution unless otherwise specified in the respective municipality's charter. ...
- (3) The tentative budget must be posted on the municipality's official website at least 2 days before the budget hearing, held pursuant to s. 200.065 or other law, to consider such budget. The final adopted budget must be posted on the municipality's official website within 30 days after

adoption. If the municipality does not operate an official website, the municipality must, within a reasonable period of time as established by the county or counties in which the municipality is located, transmit the tentative budget and final budget to the manager or administrator of such county or counties who shall post the budgets on the county's website. ...

The investigation determined that in 2012 and 2013, the Village did not post either its tentative or final budgets on the internet. The Village does not maintain an official website, so it is unable—on its own—to comply with the website posting requirement for both tentative and final budgets. However, as Village officials well know, they could transmit the tentative and final budgets to Broward County for posting on its website.¹⁰ By failing to do so, the Village has repeatedly violated Florida law.

d. Village Elections Were Not Conducted Properly

The Charter of the Village of Lazy Lake states that the Village will have six elected officials, consisting of five council members and a mayor. It also establishes that the term of office for each elected official will be two years, and elections will be held in March (every two years). The terms of all the elected officials end at the same time. The charter also sets forth the procedure for filling vacancies, which is by approval of the remaining council members, except at the close of a regular term and only until the next election.

Florida law requires that individuals seeking the position of mayor and council member be properly qualified as candidates before obtaining those positions. As part of that qualification process, there are at least four mandated filings in order for a municipal candidate in Florida to properly qualify to run for office: (1) a Candidate Oath, (2) an Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, (3) a Statement of Financial Interests (Form 1), and (4) a Statement of Candidate. Those filing requirements are enumerated as follows:

F.S. § 99.061, Method of qualifying for nomination or election to federal, state, county, or district office, states in relevant part:

- (7)(a) In order for a candidate to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

¹⁰ Through an agreement arranged by the OIG after the Ethics Code was made applicable to all Broward municipalities, the County has published financial disclosures for those elected officials whose municipalities do not have websites. Pursuant to that arrangement, the Village posted 2013 financial disclosures for its officials on the County website.

2. The candidate's oath required by s. 99.021, which must contain the name of the candidate as it is to appear on the ballot; the office sought, including the district or group number if applicable; and the signature of the candidate, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a). ...
4. The completed form for the appointment of campaign treasurer and designation of campaign depository, as required by s. 106.021.
5. The full and public disclosure or statement of financial interests required by subsection (5). A public officer who has filed the full and public disclosure or statement of financial interests with the Commission on Ethics or the supervisor of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

F.S. § 106.023, Statement of candidate, states:

- (1) Each candidate must file a statement with the qualifying officer within 10 days after filing the appointment of campaign treasurer and designation of campaign depository, stating that the candidate has read and understands the requirements of this chapter.

The Clerk is the qualifying official and responsible for election filings in the Village.¹¹ F.S. § 99.061(7) describes his duties

- (b) If the filing officer receives qualifying papers during the qualifying period prescribed in this section which do not include all items as required by paragraph (a) prior to the last day of qualifying, the filing officer shall make a reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying. A candidate's name as it is to appear on the ballot may not be changed after the end of qualifying.
- (c) The filing officer performs a ministerial function in reviewing qualifying papers. In determining whether a candidate is qualified, the filing officer shall review the qualifying papers to determine whether all items required by paragraph (a) have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified pursuant to s. 92.525(1)(a). The filing officer may not determine whether the contents of the qualifying papers are accurate.

¹¹ The Clerk informed the OIG that he is paid a fee for bookkeeping for the Village. The budget line item for bookkeeping expenditures was \$4,800 for 2012 and \$6,000 for 2013.

Four election cycles have passed since the Village last held an election because the Clerk advised the Broward Supervisor of Elections (SOE) that all of the candidates were unopposed. The OIG investigation focused on the two most recent elections cycles and found that in both instances, the Village election process failed to comply with Florida law.

i. The 2012 Candidates Were Not Properly Qualified for Office

The Village, as required, caused a Notice of General Election to be published in the South Florida Sun-Sentinel on December 10, 2011, and again on December 17, 2011, providing notice of the March 13, 2012, election date and that the candidate qualifying period was from January 3 to January 10, 2012.

At the December 13, 2011, council meeting, the Clerk collected candidate paperwork from the mayor and four council members, but not those of a then-sitting fifth council member. The OIG investigation identified numerous deficiencies in the candidate documents that were collected by the Clerk, including:

- The OIG was also unable to locate a Form 1 for *any* of the five individuals whose papers were collected for the March 2012 election.¹² When OIG staff checked the files of the SOE, we located a Form 1 on file for each of the five candidates, but all those forms were dated *after* the close of the qualifying period.¹³
- None of the Candidate Oaths were dated or notarized.
- None of the Appointments of Campaign Treasurer identified a campaign depository.
- None of the qualifying documents for council members indicated a group number to reflect the seat for which the candidate was attempting to qualify.

As the qualifying official, the Clerk was responsible for receiving and reviewing the candidates' filings. The ministerial review required of him was to determine whether all necessary candidate documents had been received and were complete, including whether items were properly sworn or affirmed. If they were received prior to the last day of the qualifying period, he was to make a reasonable effort to inform the candidates of any

¹² Candidates for office are required to file their Forms 1 with the filing officer (in this case, the Clerk) during the qualifying period. All persons who serve in office and certain public employees in Florida are required to file these with the SOE of the county in which they reside by July 1 for the prior calendar year.

¹³ We also did not locate a 2012 Form 1 or 2013 Form 1F on file with the SOE for the member who joined the council in October 2012 and departed in mid-April 2013.

missing or incomplete items. Although there were no properly qualified candidates for the 2012 election, the Clerk nevertheless informed the SOE after the close of the qualifying period on January 10, 2012, that all five incumbent candidates had "applied unopposed for office," "one councilperson position remains unfilled," and "[a]s positions are unopposed Lazy Lake will not require an election in March." After failing to qualify, those five individuals thus continued in their roles as council members and mayor.

ii. The 2014 Candidates Were Not Properly Qualified for Office

Among the information that the SOE passed on to the Clerk on December 13, 2013, about the then upcoming March 2014 election was the requirement that the Village give a notice of election in the 30 days prior to the election. As noted above, the Clerk caused such a notice to be published in the South Florida Sun-Sentinel newspaper for the 2012 election. Nevertheless, the investigation did not find any evidence of a notice of election being published for the March 2014 election.

The Clerk stated to OIG staff that he could not recall whether he arranged to publish the election and qualification notice for the 2014 election, but said he sent emails to Village residents advising them of the opportunity to become a candidate. We found, instead, that on December 18, 2013 he emailed the *incumbents*: "2014 is an election year for Lazy Lake. I will need each of you to fill out paperwork which I must have by noon of Jan 9. I suggest we schedule our Jan Council meeting for Tuesday Jan 7 and we can all fill out the paper work then and get it all done in one sitting...." There were six incumbent officials as of January 2014. Thereafter, as we noted above, the mayor decided not to seek to retain his seat in March. In addition, one of the council members moved from Lazy Lake before the election date.

The OIG investigation again identified numerous deficiencies in the candidate documents that were collected by the Clerk, including:

- In the documents for a council member's candidacy for mayor, we could only locate a Form 1¹⁴ and an unsigned Candidate Oath form, even though she assumed the office of mayor in March and continues in that role today.
- None of the Candidate Oaths for four council member positions were dated or notarized.

¹⁴ It appears that the original "date signed" on the mayoral candidate's 2013 Form 1 was "1-10-14" but overwritten with the date "1-7-14" in different ink. While January 7, 2014, was within the qualifying window, January 10, 2014, was past the qualifying deadline for the March 2014 election.

- None of the Appointments of Campaign Treasurer identified a campaign depository.
- None of the qualifying documents for council members indicated a group number to reflect the seat for which the candidate was attempting to qualify.

As in 2012, no one else filed any papers in an attempt to qualify for the March election. The Clerk then crafted an email to the SOE on January 9, 2014, at the close of the qualifying period, that stated in whole, "Please be advised the following have declared their candidacy for Lazy Lake elected positions: Councilpersons: [listing the four council members who filed undated and unnotarized candidate oaths] Mayor: [the council member for whom the clerk produced an unsigned candidate oath, a Form 1, and no Statement of Candidate or Appointment of Campaign Treasurer and Designation of Campaign Depository]. All positions are unopposed so we will not have an election in March." The SOE wrote that afternoon, "Having an election?" The Clerk's response two days later was, "No election. All positions are unopposed."

During an interview with OIG staff, the Clerk stated that he forwarded the incumbents' state-required candidate forms to the SOE, although that office informed the OIG that they only had the Forms 1 on file. He further stated that no one other than the incumbents expressed interest in the vacant positions. He also stated that he believed that if there had been any impropriety caused by the Village not having held elections since 2006, the SOE would have advised it of such.

Conclusion and Recommendations

The OIG investigation determined that Lazy Lake's current officials are now in compliance with the ethics training and certification requirements of the Ethics Code. We also determined that there were a number of ways in which the clerk, mayors, and council failed to abide by the Florida constitution, Florida statutes, and the Village charter in the administration and conduct of Lazy Lake's affairs, including possible violations of the Sunshine law and elections laws. As it stands, the structural integrity of the Village government is dubious. Because none of the candidates for office have been properly qualified under Florida law, the OIG questions whether there are any Village officials with the legal authority to govern. Accordingly, by way of this memorandum, we refer the administration issues to the Florida Elections Commission and the Broward State Attorney's Office and for whatever action those agencies deem appropriate.

The OIG takes no joy in reporting these findings. We understand the constraints under which the Village operates, including lack of compensation, no staff, and limited municipal resources. Regardless, having observed the state of the administration of Lazy Lake, we are compelled to bring forward our concerns. Maintaining a minimal budget is not an excuse for circumventing laws that were designed to ensure democratic municipal governance.

Thus, we recommend that the Village take whatever action necessary to ensure that Lazy Lake abide by all constitutional, statutory, charter, and code requirements. We suggest that the Village begin with a review conducted by legal counsel to establish the routines and procedures necessary to bring and keep the Village in compliance with the laws that every other municipality in Florida is required to uphold. We also recommend that the Village consider amending its charter to require fewer elected officials to serve on the council.

In closing, we note that at the outset of the ethics training compliance review, the Clerk's council member wife stated to OIG staff that her husband and she intended to contact the Village attorney to ask how to unincorporate Lazy Lake and have another jurisdiction "take over." It is not the function of the OIG to assess the desirability of such action. We agree, though, that as an alternative to achieving lawful elective representation and governance from the municipal government of the Village, Lazy Lake's residents may explore whether and how Broward County or the City of Wilton Manors may receive the transfer of or be contracted to provide all municipal functions for the Village.¹⁵

cc: Honorable Tim Ryan, Vice Mayor, Broward County

¹⁵ Fla. Const. Art. 8, § 3. The Village of Lazy Lake is entirely surrounded by the City of Wilton Manors, making it unclear whether the Village can be dissolved or abolished without a change in state law. *Compare* Fla. Const. Art. 8, § 2 and F.S. § 165.051 with F.S. § 165.061(3).

Exhibit “12”

VILLAGE OF LAZY LAKE
MEETING MINUTES
2201 WILTON DRIVE, WILTON MANORS, FLORIDA
Tuesday, July 17, 2018
7:00 P.M.

Village Council Present

Council Member Evan Antony
Council Member Linda Catalano
Council Member Ray Nyhuis

Village Council (via phone)

Council Member John Boisseau
Council Member Sally Boisseau

Also in Attendance

Brian Sherman, Esquire
Lisa Tayar, Prototype, Inc.
Joe Fodera, Resident
Jim Ratliff, Resident (via phone)

1. Roll Call

The meeting was called to order by Brian Sherman, Esquire at 7:00 p.m. It was determined a quorum was present.

As Mayor Caroline White had resigned, Mr. Sherman stated that the Council would need to vote in an Interim Mayor. Council Member Catalano offered to serve in that capacity.

Motion made by Council Member Antony, seconded by Council Member Nyhuis, to appoint Council Member Catalano as Interim Mayor. In a voice vote, the motion passed unanimously (3-0).

Mr. Sherman noted that at the next election there would be three seats available; one for Mayor and two for Council Members.

2. Approval of Meeting Minutes

- May 29, 2018 Regular Meeting
- July 6, 2018 Special Meeting

Motion made by Council Member Nyhuis, seconded by Council Member Antony to approve the May 29, 2018 regular meeting minutes and the July 6, 2018 special meeting minutes. In a voice vote, the motion passed unanimously (3-0).

3. 3.1 Consent Agenda - Payment of Invoices

- Prototype invoice #18-00306 dated 7/16/18 in the amount of \$514.50
(to be paid via e-check)
- Approval of Grand Properties rent for August 2018 in the amount of \$200.00
(to be paid via e-check)

-
- ~~Approval of Waste Management invoice #0862101-2237-9 dated 8/1/18 in the amount of \$373.62 (to be paid via e-check)~~
 - Approval of Solitude Lake Management invoice #PI-A00186041 in the amount of \$185.00 (to be paid via e-check)

Motion made by Council Member Nyhuis, seconded by Council Member Antony, to approve the Consent agenda. In a voice vote, the motion passed unanimously (3 0).

4. Old Business
 - Waste Management Solid Waste Recycling Contract

Council Member Antony stated that he is waiting to hear back from Waste Management regarding language in the contract pertaining to construction debris management. Until then, business will be conducted as usual.

- Change of Budget Meeting Date, Scheduling of Times for Budget Meetings

Motion made by Council Member Antony, seconded by Council Member Nyhuis, for the budget meetings to be held on September 12, 2018 at 7:00 p.m. and September 24, 2018 at 2201 Wilton Drive, Wilton Manors, Florida. In a voice vote, the motion passed unanimously (3-0).

5. New Business
 - Millage Rate Notice Publication

Mr. Sherman stated that his law firm (GCDE) will file the documents with the State as required and implement publication of the millage rate.

Motion made by Council Member Antony, seconded by Council Member Nyhuis, to have GCDE proceed with publication of the millage rate. In a voice vote, the motion passed unanimously (3-0).

- Retainer for Richard Coker, Esquire

It was determined that the retainer had been previously signed by Mayor White and forwarded to Mr. Coker to proceed with investigating into annexation into Wilton Manors.

Motion made by Council Member Antony, seconded by Council Member Nyhuis, to retain Mr. Coker for the purpose of investigating into possible annexation into Wilton Manors. In a voice vote, the motion passed unanimously (3-0).

- Disaster Mitigation Certification

Motion made by Council Member Antony, seconded by Council Member Nyhuis, to table this matter. In a voice vote, the motion passed unanimously (3-0).

- Hiring a City Clerk

After brief discussion it was decided that further research needed to be conducted regarding the procedure for hiring a City Clerk and/or Village Manager. The Council will research this and report back at the next meeting.

Motion made by Council Member Antony, seconded by Council Member Nyhuis, to table this matter to the next meeting. In a voice vote, the motion passed unanimously (3-0).

6. Village Attorney Comments

Mr. Sherman handed out, discussed, and reviewed the letter received from the OIG requesting documentation from the Village. Council Member Antony requested that additional time be requested in order to comply. According to Mr. Fedora, over 3000 pages of documents had been previously provided and the current request may contain some duplication. Council Member Antony and Interim Mayor Catalano will investigate further to see what documentation needs to be produced; however, requesting an extension was advised.

With regard to the First Amendment Foundation request for records, Adm. Asst. Tayar stated that it was her understanding a response had been prepared and provided by GCDE.

7. Council Member Comments

Council Member Nyhuis expressed his disappointment in how the Village is being managed and run, stating it appears no one is willing to take a stance and make solid, legally binding decisions. He suggested the Council get together in a special meeting to identify and straighten out ongoing problems.

Interim Mayor Catalano brought up the issue of wood logs being on Village property at the entrance to Lazy Lane, asking if it would be proper procedure for her to inform the appropriate resident that they need to remove the debris. Council Member Antony suggested a survey be obtained to be sure the property in question actually belongs to the Village and not the resident.

Mr. Sherman pointed out that this issue involves code violations versus a property dispute and it would be advisable to confirm ownership of the property prior to taking any action.

There was then discussion regarding setting up a website to provide information to residents as well as hiring a manager to take care of decisions relating to operations of the Village.

8. Public Comments

Mr. Joe Fedora addressed the following issues:

- Code enforcement versus property rights
- Deposits being made into the bank accounts
- Requirements for hiring a City Clerk

~~Disappointment in the Council and his willingness to sue the Council for the violations~~
being allowed to continue to exist in the Village

He then read the letter into the record he had written dated May 29, 2018 which had been provided to the Village Council at a prior meeting.

Mr. Jim Ratliff indicated that in his opinion there seems to be a lack of organization and the basics of running the Village are not getting done. He agreed they need to hire a manager or someone with expertise to run the Village.

Interim Mayor Catalano gave a brief history of the problem with a resident removing the eucalyptus trees from Village property, asking if she could write a letter to the resident in this regard. Council Member Antony suggested finding a survey overlay to ensure the property belongs to the Village.

Interim Mayor Catalano suggested they neither have the personnel nor resources to continue to be an independent city.

9. Adjournment

With no further business to discuss, and upon motion duly made and seconded, the meeting concluded at 8:32 p.m.

Village Administrative Assistant

Linda Catalano, Interim Mayor

Exhibit “13”

VILLAGE OF LAZY LAKE
REGULAR MEETING AND 1ST BUDGET MEETING
MINUTES
2201 WILTON DRIVE, WILTON MANORS, FLORIDA
WEDNESDAY, SEPTEMBER 12, 2018
7:00 P.M.

1. Roll Call

Village Council Present

Council Member Evan Antony
Council Member John Boisseau
Council Member Sally Boisseau
Council Member Ray Nyhuis

Also in Attendance

D.J. Doody, Esquire
Brigitte Chiappetta, Prototype, Inc.

The meeting was called to order by D.J. Doody Esquire at 7:00 p.m. It was determined a quorum was present.

Mr. Doody asked, as the Interim Mayor had resigned, that the remaining Council Members appoint an acting Chair for the purposes of conducting the meeting.

Council Member Nyhuis was nominated by Council Member S. Boisseau, seconded by J. Boisseau. In a roll call vote, Council Member Nyhuis was elected Acting Chair (4-0).

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, to amend the agenda to move the items pertaining to the budget to the beginning of the agenda for consideration of the millage first and budget second. In a voice vote, the motion passed unanimously.

Item 5.8 was thereupon moved up on the agenda.

5.8 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE OF 4.7940 FOR THE VILLAGE'S GENERAL OPERATING FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (action item)

Mr. Doody stated this item pertains to setting a tentative millage rate which per Florida Statutes is required to be considered prior to the adoption of a new budget.

Acting Chair Nyhuis then opened the floor for public hearing.

Mr. Carlton Kirby asked how long it has been since the millage rate has been increased.

Acting Chair Nyhuis stated there have been costs incurred, which will be discussed at subsequent meetings.

Thereupon, public hearing was closed as there was no one else wishing to speak on this item.

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, to approve the Resolution adopting a tentative millage rate of 4.7940. In a voice vote, the motion passed unanimously.

A public hearing will be held on September 24, 2018 at 7:00 for the purpose of adopting the final millage rate.

5.9 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; DETERMINING AND FIXING THE AMOUNTS NECESSARY TO CARRY ON THE GOVERNMENT OF THE VILLAGE FOR THE ENSUING YEAR; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (action item)

Mr. Doody stated this is a tentative budget which can be finalized prior to the September 24, 2018 meeting, which budget will be consistent with last year's as the millage rate had not been increased.

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, for Exhibit A to be reflective of the Exhibit from last year's budget to be attached to the Resolution for the final budget. In a voice vote, the motion passed unanimously.

Acting Chair then opened and closed public hearing as there was no one wishing to speak on this item.

Motion made by Council Member Antony, seconded by Council Member J. Boisseau, to approve the Resolution adopting a tentative budget for the fiscal year October 1, 2018 and ending September 30, 2019. In a voice vote, the motion passed unanimously.

2. Approval of Meeting Minutes
 - July 17, 2018 Regular Meeting

Motion made by Council Member J. Boisseau, seconded by Council Member Antony, to approve the July 17, 2018 Regular meeting minutes. In a voice vote, the motion passed unanimously.

3. Consent Agenda
 - 3.1 Ratification of Invoices Paid
 - GCDE invoice #21274 dated 8/2/18 in the amount of \$2,502.71.
 - Grand Properties rent for September 2018 in the amount of \$200.00
 - Prototype invoice #18-00361 dated August 15, 2018 in the amount of \$413.05

Motion made by Council Member J. Boisseau, seconded by Council Member S. Boisseau, to pay the monthly office rent via automatic payment. In a voice vote, the motion passed unanimously.

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, to accept the Consent Agenda. In a voice vote, the motion passed unanimously.

4. Old Business

4.1 First Amendment to ILA for Optional Services-Broward County (action item)

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, to approve the First Amendment to ILA for Optional Services-Broward County, and authorizing Council Member Antony to execute the ILA on behalf of the Village. In a voice vote, the motion passed unanimously.

4.2 Update - FEMA volunteer forms

Motion made by Council Member Antony, seconded by Council Member J. Boisseau, to table item 4.2. In a voice vote, the motion passed unanimously.

4.3 Authorization for Execution of Agreement with Waste Management (action item)

Motion made by Council Member S. Boisseau, seconded by Council Member J. Boisseau, for execution and agreement of the contract and approving Council Member Antony to sign the contract on behalf of the Village. In a voice vote, the motion passed unanimously.

5. New Business

5.1 Appointment of Interim Mayor (action item)

Mr. Doody asked that the Council consider appointment of the vacancy under the Charter requiring five council members prior to the appointment of an interim Mayor.

Discussion continued regarding appointing an interim Mayor, the procedure for Charter amendments, supermajority vote needed for the budget and millage, voting and quorum, and appointment of one new council member.

Item 5.6 was then taken out of order on the Agenda.

5.6 A RESOLUTION OF THE VILLAGE COUNCIL OF VILLAGE OF LAZY LAKE FLORIDA, APPOINTING CARLTON KIRBY AS COUNCIL MEMBER OF THE VILLAGE OF LAZY LAKE TO SERVE UNTIL THE NEXT GENERAL ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (action item)

Mr. Carlton Kirby volunteered to fill the one Council position vacated by Ms. Catalano; Mr. Patrick Kaufman offered to fill the position to be vacated by Mr. Antony who will be sworn in as Mayor at the meeting to be held on September 24, 2018.

Motion made by Council Member S. Boisseau, seconded by ~~Council Member Antony~~, to adopt the resolution appointing Carlton Kirby as council member. In a voice vote, the motion passed unanimously.

Thereupon, Mr. Kirby was then sworn in by Mr. Doody in accordance with the Charter.

5.2 Introduction of Mr. Doug Blevins as possible candidate for City Clerk position (removed from agenda)

5.3 Reading of letter written by Mr. Coker to Wilton Manors concerning possible annexation

~~Motion made by Council Member Antony, seconded by Council Member S. Boisseau, to table this item to the September 24, 2018 meeting. In a voice vote, the motion passed unanimously.~~

5.4 Review of the Annual Financial Report for the Village as of 9/30/17

Motion made by Council Member Antony, seconded by Council Member S. Boisseau, to table this item to the September 24, 2018 meeting. In a voice vote, the motion passed unanimously.

5.5 A RESOLUTION OF THE VILLAGE OF LAZY LAKE, FLORIDA, DESIGNATING AND AUTHORIZING THE PROPER VILLAGE OFFICIAL AS THE AUTHORIZED SIGNATORY OF ALL THE VILLAGE'S BANK ACCOUNTS AND RELATED CHECKS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (action item)

Previously briefly discussed and deferred. Upon appointment of a new Mayor, this item will be readdressed at the September 24, 2018 meeting.

5.6 A RESOLUTION OF THE VILLAGE COUNCIL OF VILLAGE OF LAZY LAKE FLORIDA, APPOINTING _____ AS COUNCIL MEMBER OF THE VILLAGE OF LAZY LAKE TO SERVE UNTIL THE NEXT GENERAL ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (action item)

Item 5.6 previously discussed.

5.7 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, AMENDING THE GENERAL FUND BUDGET FOR FISCAL YEAR 2018; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (action item)

It was determined no amendments would be made.

5.8 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE OF _____ FOR THE VILLAGE'S GENERAL OPERATING FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (action item)

Item 5.8 previously discussed.

5.9 A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; DETERMINING AND FIXING THE AMOUNTS NECESSARY TO CARRY ON THE GOVERNMENT OF THE VILLAGE FOR THE ENSUING YEAR; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (action item)

Item 5.9 previously discussed.

5.10 Transportation Surtax Interlocal Agreement

Not addressed

6. Village Attorney Comments

- Another inquiry has been received from the Office of the Attorney General for documentation relative to the appointments process; an extension has been granted until October to respond
- The public records request from an organization in Tallahassee has been responded to and over 200 pages produced; an extension to respond has been granted to mid-October
- Ethics training must be completed within 120 days
- Mr. Doody will continue to follow-up on tendering of his resignation; September 24, 2018 will be his last meeting, opining that Florida laws which now require compliance by individual council members and municipalities are overcoming the ability of the Village to maintain its independence and integrity

7. Council Member Comments - none

8. Public Comments

Acting Chair Nyhuis then opened and closed public hearing as there was no one wishing to speak.

9. Adjournment

With no further business to discuss, the meeting adjourned at 7:55 p.m.

Administrative Assistant

Mayor, Village of Lazy Lake

Exhibit “14”

VILLAGE OF LAZY LAKE
SPECIAL MEETING AND 2ND BUDGET MEETING
MINUTES
2201 WILTON DRIVE, WILTON MANORS, FLORIDA
MONDAY, SEPTEMBER 24, 2018
7:00 P.M.

Roll Call

Village Council Present

Council Member Evan Antony
Council Member John Boisseau
Council Member Sally Boisseau
Council Member Ray Nyhuis
Council Member Carlton Kirby (via telephone at 7:15pm)

Also in Attendance

D.J. Doody, Esquire
Lisa Tayar, Administrative Assistant

The meeting was called to order by the Administrative Assistant at 7:02 p.m. It was determined that a quorum was present.

BUDGET 2ND HEARING

1. A) Adoption of Final Millage for FY 2018-2019
 B) Public hearing
 C) Adoption of Resolution

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, ADOPTING A FINAL MILLAGE RATE OF 4.7940 FOR THE VILLAGE'S GENERAL OPERATING FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (*action item*)

Mr. Doody reported the required ad had appeared in the newspaper on Saturday (September 8, 2018) in accordance with Florida Statutes.

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, to adopt the millage rate of 4.7940. In a roll call vote, the motion passed unanimously (4-0).

Public hearing was then opened and closed as there was no one wishing to speak on this item.

Motion made by Council Member Nyhuis, seconded by Council Member Antony, to adopt the Resolution for a millage rate of 4.7940. In a roll call vote, the motion passed unanimously (4-0).

2. A) Adoption of Final Budget for FY 2018-2019
 B) Public Hearing
 C) Adoption of Resolution

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; DETERMINING AND FIXING THE AMOUNTS NECESSARY TO CARRY ON THE GOVERNMENT OF THE VILLAGE FOR THE ENSUING YEAR; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (*action item*)

Public hearing was then opened and closed as there was no one wishing to speak on this item.

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, to adopt the Resolution adopting final budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019. In a roll call vote, the motion passed unanimously (4-0).

SPECIAL MEETING AGENDA

1. Approval of Meeting Minutes - September 12, 2018 Regular Meeting (*action item*)

Motion made by Council Member S. Boisseau, seconded by Council Member Antony, to approve the minutes of the September 12, 2018 meeting. In a voice vote, the motion passed unanimously.

2. Consent Agenda - Ratification of Invoices Paid (*action item*)

- GCDE invoice #21711 in the amount of \$830.75
- Broward County Environmental Protection & Growth Management Inv #EL10000480 in the amount of \$807.52
- City of Fort Lauderdale Fire Rescue Services #AR1800925 in the amount of \$2,806.47
- Coker & Feiner Inv #110 in the amount of \$637.50
- Prototype invoice #18-00402 in the amount of \$537.00

Motion made by Council Member J. Boisseau, seconded by Council Member Antony, to approve the consent agenda. In a voice vote, the motion passed unanimously 4-0.

Council Member Antony then tendered his notice of resignation from the Council, creating a vacancy. At this time, the quorum in attendance consisted of Council Member S. Boisseau, Council Member J. Boisseau, and Council Member Nyhuis.

Upon Nomination and Motion made by Council Member Nyhuis, seconded by Council Member S. Boisseau, Patrick Kaufman was appointed to fill the vacancy on the Council until the next general election. In a voice vote, the motion passed unanimously 3-0.

3. Old Business

3.1 A RESOLUTION OF THE VILLAGE COUNCIL OF VILLAGE OF LAZY LAKE FLORIDA, APPOINTING PATRICK KAUFMAN AS COUNCIL MEMBER OF THE VILLAGE OF LAZY LAKE TO SERVE UNTIL THE NEXT GENERAL ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (*action item*)

Motion made by Council Member S. Boisseau, seconded by Council Member J. Boisseau, to adopt the Resolution. In a voice vote, the motion passed unanimously 3-0.

Subsequent to Mr. Doody confirming the qualifications of Mr. Kaufman to serve on Council, Mr. Kaufman was sworn in and given the oath of office by Mr. Doody. The quorum then consisted of four: the aforementioned Council Members now including Council Member Kaufman.

3.2 A RESOLUTION OF THE VILLAGE COUNCIL OF VILLAGE OF LAZY LAKE FLORIDA, APPOINTING EVAN ANTONY AS MAYOR OF THE VILLAGE OF LAZY LAKE TO SERVE UNTIL THE NEXT GENERAL ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (*action item*)

Council Member Kirby was then contacted via telephone to join the meeting. The quorum then consisted of five; the aforementioned Council Members now including Council Member Kirby (via telephone).

Motion made by Council Member S. Boisseau, seconded by Council Member J. Boisseau, to appoint Evan Anthony as Mayor of the Village of Lazy Lake.

Mr. Doody then confirmed the qualifications of Mr. Antony to serve on Council as Mayor. For the record, Mr. Antony stated he has lived in Lazy Lake at 2150 Lazy Lane since October 31, 2014, and then moved in 2016 to 40 Northeast 24th Street, residing there to the present time.

In a roll call vote, the motion passed unanimously (5-0).

Mr. Antony was then sworn in and given the oath of office by Mr. Doody.

Motion made by Council Member Nyhuis, seconded by Council Member S. Boisseau, to adopt the Resolution appointing Evan Antony as Mayor. In a roll call vote, the motion passed unanimously (5-0).

Item 3.4 was then moved up on the agenda.

3.4 Reading of letter written by Mr. Coker to Wilton Manors concerning possible annexation

Mayor Antony read the letter into the record written by Mr. Coker to Kerry Ezrol dated July 31, 2018. Discussion continued regarding inviting Mr. Coker to attend another Council meeting, obtaining the opinions of the residents in regard to annexation, and the process for annexation before the Florida Legislature.

Motion made by Council Member S. Boisseau, seconded by Council Member J. Boisseau, to have Mr. Coker attend the next meeting. In a voice vote, the motion passed unanimously 5-0.

3.3 Update on 2230 Lazy Lane tree removal and discussion with Broward County; reading of letter dated September 7, 2018 from Peter Burke, Broward County Tree Preservation Program

Mayor Antony reported that he has spoken to Mr. Burke who advised that a resolution will be worked out subsequent to investigation of the complaint. Lazy Lake will have no further authority until the investigation is completed.

Mr. Joe Fodera provided pictures of the trees being cut, alleging that they are on Village property. He

then read into the record the August 17, 2018 letter from Herbert Dell, Esq. to Ms. Linda Catalano.

3.5 Continued utilization of police services during meetings

The decision was made to continue having a police presence during Council meetings.

4. New Business

4.1 Swearing in of the Mayor and new Council Member - previously done

4.2 Council Member compliance with Village Charter and Code

Mr. Doody will be meeting with the new Council Members individually to explain the Sunshine Law, ethics requirements, and Florida law.

Mr. Fodera indicated that this matter was put on the agenda at his request to address Article 4, Section 2 of the Charter, handing out a notice of violation issued by the County re: 2150 Lazy Lane. Mr. Doody explained that in this case Village Charter provisions are superseded by State law. Council Member Nyhuis pointed out that the property owner had not been properly notified, no action could be taken by the Council, and the violation will have to be dealt with through the County.

4.3 Requesting counsel draft a letter to Severin Trent requesting copies of all documents in their possession relating to the Village received or generated during the time they rendered services to the Village of Lazy Lake

The Village Administrative Assistant will be reviewing and organizing the documents which are in the Village's possession.

4.4 Future safety and beautification projects

Mayor Antony expressed his desire to implement a program to begin installation of a landscaped gateway to the Village by hiring a planner to draw elevations, to include a defined walkway and fence. He would like all of the residents to have input. Council Member J. Boisseau suggested putting up a mirror at the entrance to reflect oncoming traffic. He also had suggestions for fencing types, as well as putting in video cameras. An updated survey and permits will need to be obtained for installation of a fence. Proposals will need to be solicited from at least 3 firms prior to any work being done. Further discussion will continue at the next meeting.

Mr. Fodera expressed his concerns for his and his wife's personal safety regarding threats made by one of the residents. Mayor Antony will investigate further into what the Village can legally do to resolve that matter.

Motion made by Council Member J. Boisseau, seconded by Council Member S. Boisseau, to have Mayor Antony find three engineering firms as soon as possible to put together the necessary documentation needed to proceed with the beautification program.

4.5 Finalizing use of Village email service for all members of Council

Mayor Antony requested that the two new Council Members as well as any others not yet connected, work with the Administrative Assistant to access their Village email accounts.

4.6 Hard copies of agenda and supporting documentation to be mailed to Council for review prior to meetings

Mayor Antony requested that hard copies of the agenda and supporting documentation be provided to all Council Members prior to the meetings for the foreseeable future.

4.7 Reimbursement for Council Member John Boisseau and Council Member Sally Boisseau travel costs to attend September meetings

Council Member S. Boisseau requested reimbursement of travel costs for having to return to the Village in order to attend the meeting on September 12, 2018 regarding implementation of the millage rate in order for there to be a quorum.

Motion made by Council Member Nyhuis, seconded by Council Member Kaufman, to reimburse John and Sally Boisseau in the amount of \$835.15. In a roll call vote, the motion passed 3-0 (with Council Members S. Boisseau and J. Boisseau recused from voting on this item due to a conflict).

6. Village Attorney Comments

Mr. Doody expressed his appreciation for having had the opportunity to represent the Village, and is looking forward to helping with the transition to the new Council.

7. Council Member Comments - none.

8. Public Comments - none.

9. Adjournment

With no further business to discuss, the meeting adjourned at 8:25 p.m.

Administrative Assistant

Mayor, Village of Lazy Lake

Exhibit “15”



BROWARD OFFICE OF THE INSPECTOR GENERAL

November 27, 2018

Honorable Evan Anthony
Mayor, Village of Lazy Lake
edixieman@aol.com
2250 Lazy Lane
Lazy Lake, Florida 33305

Dear Mayor Anthony:

This office has reviewed your letter dated November 9, 2018, which you submitted as the Village's response to my request letter of July 9, 2018.

I write this letter to inform you that your letter has led us to assume that the Village, as of November 9, 2018:

- Did not conduct any review for processes to enable the Village to comply with the laws cited in the OIG memorandum issued to the Village on August 21, 2014 (a copy of which was included with our July 9 letter);
- Does not plan to promulgate any written policy or procedure on any of the processes referenced in that memorandum;
- Does not plan to have any process or procedure for providing public notice of Village Council meetings, for responding to public records requests, for appointing individuals to the Village Council, or for conducting Village elections; and
- Does not have any procedural or legal basis for reappointing any current sitting Council members, beyond the Village Council voting to appoint them again.

Should you wish to provide information or evidence to the contrary, please do so on or before January 15, 2019. Without hearing from you by that time, we will proceed accordingly.

Sincerely,



John W. Scott
Inspector General

cc: Quentin E. Morgan, Village Attorney
quentin.morgan@brinkleymorgan.com

Exhibit “16”



BROWARD OFFICE OF THE INSPECTOR GENERAL

by U.S. mail and email to quentin.morgan@brinkleymorgan.com

December 20, 2018

Mr. Quentin E. Morgan
Village Attorney, Lazy Lake
Brinkley Morgan
1 SE Third Avenue, 23rd Floor
Fort Lauderdale, FL 33394

Dear Mr. Morgan:

We are in receipt of your letter dated December 19, 2018, which addressed the Inspector General's letter of November 27, 2018 to Lazy Lake Mayor Evan Anthony (with a copy to you), informing the village that, without hearing further, the OIG would be following up the referenced investigation on or after January 15, 2019.

We understand the new circumstances in which the village finds itself and also appreciate your account of what the village has done since November 27th. For these reasons, we will proceed on or after March 1, 2019, as you requested in your letter.

Separately, this office has open matters on certain 2017 training requirements, 2017 training certifications, and 2017 Forms 1 that include village council members' training and disclosures among those of other elected officials in the county, and we intend those to be ongoing. Thus, our staff will continue to be in contact with the involved village council members regarding those matters.

Thanks to you and the village for your continued cooperation.

Sincerely,


Carol "Jodie" Breece
General Counsel

Exhibit “17”



Quentin E. Morgan, Esq.
quentin.morgan@brinkleymorgan.com

One Financial Plaza
100 SE 3rd Avenue, 23rd Floor
Fort Lauderdale, Florida 33394
(954) 522-2200
(954) 522-9123 Facsimile

2255 Glades Road, Suite 414E
Boca Raton, Florida 33431
(561) 241-3113
(561) 241-3226 Facsimile

501 North Federal Highway
Lake Park, Florida 33403
(561) 863-5400
(561) 863-3420 Facsimile

www.brinkleymorgan.com

Please reply to Fort Lauderdale

February 27, 2019

John W. Scott
Inspector General
Broward Office of the Inspector General
One North University Drive, Suite 111
Plantation, FL 33324

Via E-mail and U.S. Mail

Re: Village of Lazy Lake

Dear Mr. Scott:

This correspondence serves as an update to the continuing efforts of the Village of Lazy Lake (the "Village") towards making the changes in the areas outlined by the OIG in its letter of November 27, 2018. As you may know, our Firm was retained to represent the Village on November 9, 2018 and in that capacity we have been present at two (2) Village Council meetings. Please note the update as follows:

1. As you are aware, the Sunshine Law requires that local government meetings be conducted with reasonable notice. The law contains no precise definition of "reasonable notice". Lazy Lake's land area is approximately .02 square miles and is developed in its entirety with single family homes and is without a Community Center and surrounded entirely by the City of Wilton Manors. Thus, its meetings occur outside within a mile of its boundary in Wilton Manors consistent with § 166.0213(1), Florida Statutes. As such, it is my understanding that notices are being provided by e-mail to the residents of the Community. To provide improved notice, the Village has purchased a public Notice Board that we have been advised has been placed at the entrance wall to the main ingress/egress point of the Community. For the Village, this method may be better than newspaper advertising, or solely providing notice by e-mail/oral because it is our understanding from the Council that the residents in the Community can see the Notice Board due to its location. Additionally, the Village Council now requires that notices for Village meetings have at least three (3) days' notice posted on the public Notice Board. The Village also is posting a sign that shows that the private parking lot adjoining the meeting location is available for public parking

for the meetings. The Village also is placing a sign at the entrance to the meeting room to make clear that the meeting will take place inside.¹ The entrance door is accessible by the public and is not locked. Since being retained by the Village, there have been quorums present at the December 2018 and February 2019 Council meetings where we have represented the Village. The Village also has retained the Broward Sheriff's Office to have a Sheriff Deputy attend each meeting to maintain order. While there was no January 2019 meeting, the foregoing additional reforms were implemented for the Village's February 19, 2019 meeting. There were non-elected members of the Community present at each of the meetings.

2. The Village has made significant strides in centralizing its public records. While there have not been any public records requests that we have assisted the Village with since we have been representing the Village, I have been informed by the Village that it now has its public records inside of the Village office which is at the same location that it holds its Council meetings. The office has a copier should there be a need to make copies of documents following an inspection of any records. Also, and while not required by the public records law, a good amount of the existing "paper records" have now been digitized and there is now an ongoing effort to continue to digitize some of the records of the Village. This will hopefully allow the opportunity for quicker responses to any public records request.
3. As pointed out by the OIG, the Village has very limited resources and managing those resources is an ongoing effort by the Council. That being said, the Village has hired a consultant to assist the Village with "village clerk" type duties as well as other administrative duties. I have been advised, that the consultant has been helping organize adopted resolutions, ordinances, policies, procedures, and processes which go back to the incorporation of the Village. This is a big project but it is also my understanding that the consultant has been working with the Mayor on identifying those documents with the intent to review and discuss with the Council. This effort may prevent any unintended consequences such as conflicts or inconsistencies that could occur with the adoption of new resolutions, ordinances, policies, procedures, and processes. The Mayor and the Council have been working hard for the Village and understand that this an ongoing effort that they must prioritize and modernize, if necessary.
4. After reviewing state elections procedures with Mayor Anthony in December, Mayor Anthony and I had a brief conversation in December with John Way at the Broward Supervisor of Elections Office regarding the upcoming 2020 election cycle for the Village. At Mr. Way's request, Mr. Way and Mayor Anthony will be meeting following the March 2019 election cycle for other local governments to discuss, among other things, deadlines for qualifying periods and ballot initiatives for the Village. The plan going forward will be made, reviewed, and discussed by the Council.

¹ Attached are specimen photos of the parking sign and the meeting location sign at the entrance of the parking lot and meeting entrance respectively.

**PARKING
FOR
THE VILLAGE
OF LAZY LAKE
MEETING**

NO
WAY
NRS

THE VILLAGE
OF LAKE
COUNCIL
MEETING
TONIGHT

The Mayor and Council understand the importance of the issues raised by the OIG and I have advised them that these issues should be discussed during the Council meetings as they deem necessary and appropriate. It is my understanding that Mayor and Council are all fully cooperating with the OIG and I have impressed upon them the need to continue to do so. Although our Firm has only had two (2) official Council meetings, I believe that the Village has come a long way in this short time to address the issues that could have been addressed since we have been retained. I believe this demonstrates the Village's desire to resolve any governance issues that were outlined by the OIG. The Council knows that this is an ongoing matter and will continue to work to address the concerns of the OIG.

Please note that on March 1, 2019, I will be leaving the law firm of Brinkley Morgan. At this time, the Firm will continue to represent the Village, with Donald J. Lunny Jr., Esq. being the attorney within the Firm that will be the contact person for the Village.

Respectfully submitted,



Quentin E. Morgan
For the Firm

Attachments

Cc: Carol "Jodie" Breece, OIG General Counsel
Mayor Anthony
Village Council
Donald J. Lunny, Jr., Esq.

[56]018862-18001