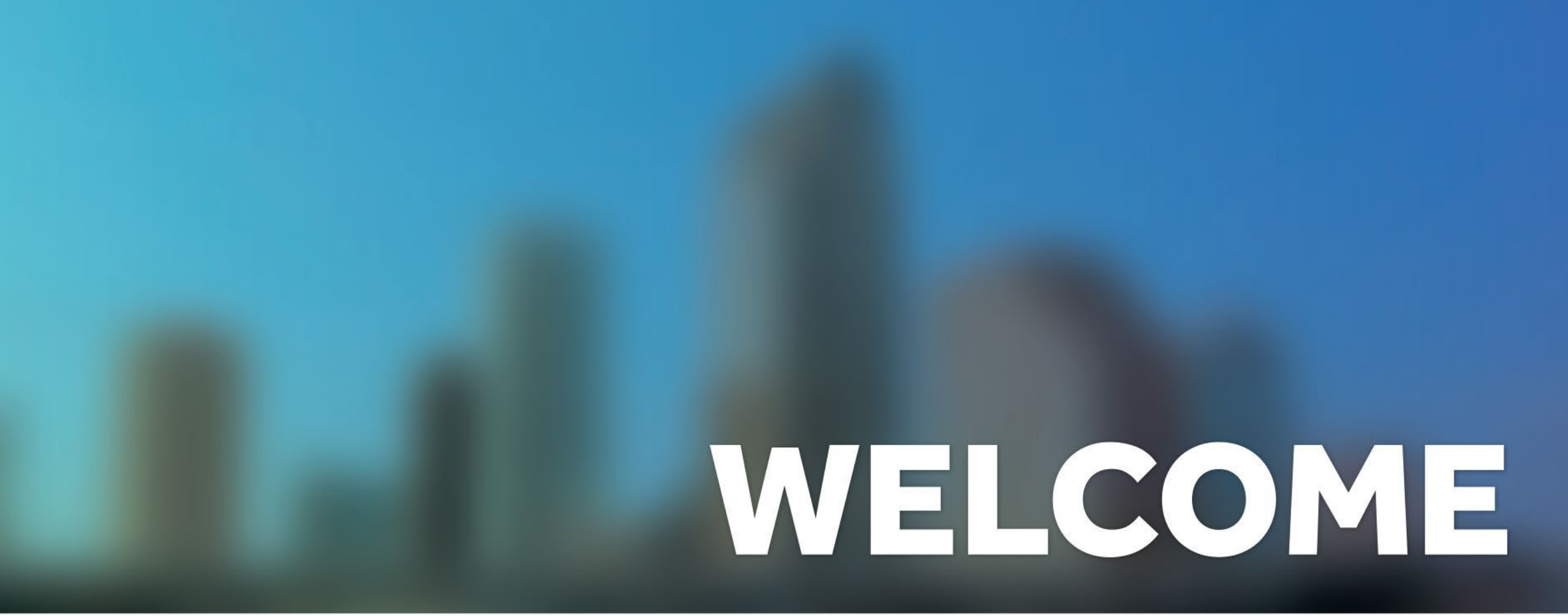


Natural Resources Advisory Committee
10/20/26

City of Tampa Florida

Florida's Sunshine Law and State & Local Code of Ethics

Presentation to Natural Resource Advisory Committee

by Camaria Pettis-Mackle, Assistant City Attorney

PRESENTATION OUTLINE

- Public Meetings / Sunshine Law
- Public Records Law
- State and Local Code of Ethics

Sunshine Law

- Legal References:
  - Article I, Section 24, Florida Constitution
  - Section 286.011, Florida Statutes
  - Section 286.0114, Florida Statutes
  - Government-In-The-Sunshine Manual

Sunshine Law-How Does It Apply?

The Advisory Team is a Sunshine body because you will make recommendations regarding the Urban Forest Management Plan.

Sunshine Law applies to meetings of two (2) or more members of the Advisory Team when discussing matters that may **foreseeably come before the Advisory Team**

All discussions, deliberations, and formal action of the Advisory Team as a board must be done in the Sunshine (on the dais/in the public meeting)

All Advisory Team meetings are open to the public at all times

- "Reasonable" notice of all meetings must be provided
- Meeting minutes must be taken by the clerk to the Advisory Team
- Minutes must be open for public inspection
- Public must have a reasonable opportunity to be heard on a proposition before the Advisory Team takes action

Sunshine Law-Application

- Applies to meetings of two (2) or more members of a single board when discussing matters that may **foreseeably come before the board**
  - Don't engage on Facebook to exchange/discuss matters that may come before the Advisory Team
  - Don't call other fellow Team members to discuss Advisory Team business
  - Improper use of email can violate Sunshine/public meetings law
    - Do not email or copy other Advisory Team members on emails relating to Team business
    - Do not hit 'reply to all' when you receive an email to entire Team from staff

Sunshine Law-Violations

- State Attorney prosecutes alleged violations
- What are the penalties for a violation?
  - If one violates state law, fined up to $500.00
- If one knowingly violates, charged with a second-degree misdemeanor
  - Fined up to $500.00
  - Imprisoned up to 60 days

Public Records Law

- Legal References
  - Article I, Section 24, Florida Constitution
  - Chapter 119, Florida Statues
  - Government-In-The-Sunshine Manual

Public Records Law-What Is It?

What is a *public record*?

- Public records are prepared or created to perpetuate, communicate, or formalize knowledge relating to City business
- A public record is any record made or received in connection with the transaction of City business

General Rule:

- "Every person has the right to **inspect or copy** any public record made or received in connection with the transaction of official business by a public body."

Public Records Law-What Is Included?

- A public record includes all documents, papers, letters, books, tapes, emails, texts -- regardless of physical form or characteristics
- Remember – A public record is a record made or received in connection with transaction of official agency business; used to perpetuate or communicate knowledge
- So, a public record is not limited to traditional written documents
  - Letters, emails, memos, maps, books, text messages, recordings – all are public records
  - Blogs, tweets, or other social media used for the purpose of transacting official Advisory Team business creates a public record

Public Records Law-How to Handle

- Public records stored on private computers or cell phones are still public records
  - Members are advised not to use your personal computer or cell phone for public business, including text messages

- Reminder -- Email and text messages are public records
  - Team members should not use personal email account or personal cell phone for Advisory Team business
  - Use a separate email account for Advisory Team business only
  - Copy City staff liaison with all Advisory Team-related business

Public Records Law-What Is Included? Excluded?

- City is the records custodian and will provide records to the public upon request
  - Provide City staff liaison a copy of all your public records
  - Records are maintained in accordance with law
  - Retention period is determined by the State and applies to all public record
  - Even exempt documents must be retained by the City
- Public records law contains many exemptions
  - City staff is the records custodian; identifies exemptions upon receipt of a public records request
  - Unfinished drafts are not exempt if they have been shared
  - Purely personal correspondence that **does not** involve official business is not a public record

Public Records Law-What Happens With Violations?

- State Attorney will prosecute alleged violations
- What are the penalties for violation?
  - If one violates, fined up to $500.00
  - If one knowingly violates, subject to removal from board and may be charged with a 1st degree misdemeanor

Ethics

State Code of Ethics -- Part III, Chapter 112, Florida Statutes

City of Tampa Ethics Code – Chapter 2, Article VIII, City of Tampa Code of Ordinances

- Standards of Conduct (s. 112.313, F.S., and Article VIII, Chapter 2, City Code.)
- Disclosures (s.112.3145, F.S., and Section 2-518, City Code)

Ethics-What Are They?

- Standards of Conduct for officers and employees (includes advisory board members):
  - No solicitation or acceptance of gifts with expectation of influence
  - No unauthorized compensation for officer or his/her spouse or minor child
  - Cannot corruptly (FS) or intentionally (City Code) misuse the public position
  - May not disclose information not available to the general public
  - Cannot do business with one's own agency*
  - Conflicting employment or contractual relationship*

  *May be waived for advisory board members.

Ethics-How Are They Monitored?

- State Commission on Ethics investigates complaints of violations of FS
  - Penalties vary for violation of State Code of Ethics
- Tampa Ethics Officer investigates complaints relating to the Tampa Ethics Code and brings investigation to Ethics Commission
  - Penalties include suspension or removal from office

Resources

Florida Commission on Ethics

Ethics.state.fl.us

Florida Attorney General's Office

myfloridalegal.com

City of Tampa Ethics Code

Available at Municode.com

Contact information

Assistant City Attorney:

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Natural Resources Advisory History



2009	2013	2017–18	2022	2024	Today
Steering committee	UFMP adopted	NRAC begins	City Planning restarts NRAC	NRAC formalized	UFMP update

The Urban Forest Management Plan (UFMP) recommended creation of an advisory committee consisting of the City's community and professional experts to support implementation of the UFMP

NRAC's Advisory Role

Community and professional expertise supports the Urban Forest Management Plan



Review data



Recommend priorities



Advise on strategy



Review progress

NRAC's Advisory Scope

NRAC Recommends		City Authority
Policy and process improvements	→	Permits and enforcement
Priorities and proposed actions	→	Individual tree cases
Community input to the UFMP	→	Funding and final decisions

NRAC works with the Internal Technical Working Group (ITWG)

NRAC Responsibilities

Collaborate with the Internal Technical Working Group (ITWG)

- **Identify and prioritize issues**
- **Recommend UFMP strategies**
- **Review implementation annually**



Tampa's Urban Forest Decision Process



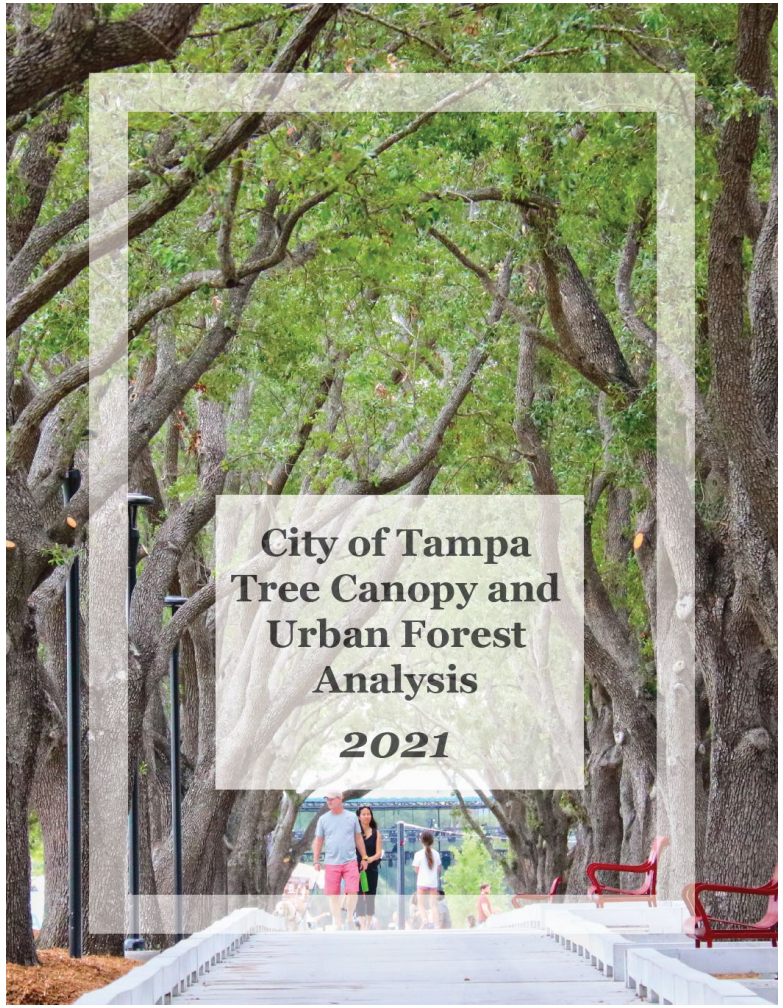
NRAC Topics and Schedule

Meeting	Focus	Main Outcome
October 20, 2026	Orientation	NRAC's role
January 19, 2027	Urban Tree Canopy Analysis	History of Tampa's Urban Forest 2006 - 2021 Tree Canopy Analysis 2025 Post Storm Canopy Analysis
March 16, 2027	Urban Forest Management Plan (UFMP)	Overview of the components of the UFMP
May 18, 2027	Actions and Performance	Review performance indicators, accomplishments and remaining action items
July 20, 2027	New Recommended Actions and Priorities	Identify any new priorities and recommended actions from the current UFMP
TBA	UFMP Update Scope Discussion	Discuss scope of work for the UFMP update and next steps

Your Homework

Review the 2021 Urban Ecological and Tree Canopy Analysis

- Purpose of the Tree Canopy Analysis
- Canopy Coverage
- Social Science Study





Questions?