



Fort Myers Beach Local Planning Agency

**Diamondhead Beach Resort
2000 Estero Blvd.
Fort Myers Beach, FL 33931**

Minutes**Tuesday, March 12, 2024****9:00 AM**

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

Members present: Chair Cereceda, LPA Member Boan, LPA Member Eckmann, LPA Member McLean, LPA Member Plummer, LPA Member Sudduth and LPA Member Vanasse.

Chair Cereceda welcomed new LPA Member McLean.

II. INVOCATION

Chair Cereceda.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

A. Local Planning Agency Regular Meeting - February 13, 2024

LPA Member Sudduth moved to approve the minutes; seconded by LPA Member Boan.

The motion carried unanimously.

B. Local Planning Agency Regular Meeting - February 27, 2024

LPA Member Sudduth moved to approve the minutes; seconded by LPA Member Boan.

The motion carried unanimously.

V. PUBLIC COMMENT

Jim Bowen, resident, discussed public beach access 41 at the Estero Island Beach Villas and the potential Pink Shell development. He requested that the town and county move access 41 from under their building to the property line north of their property to prevent unwanted trespassing and potential liability exposure.

VI. PUBLIC HEARINGS

Town Attorney Nancy Stuparich described the public hearing process. Town Clerk Baker confirmed that all items had been properly advertised. LPA Member Vanasse submitted a voting conflict form regarding Item B. and will abstain from voting. Town Clerk Baker swore in those providing testimony.

Morgan Hila, an attorney with Davies Duke reviewed her background in land use real estate law.

LPA Member Vanasse moved to accept her as an expert in her field; seconded by LPA Member Plummer

The motion carried unanimously.

A. Resolution 24-XX; VAR20240046, 718 Estero Blvd

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE VAR20240046, REQUESTING A VARIANCE FROM LDC TABLE 34-3 OF 15-FEET, PROVIDING A 10-FOOT FRONT SETBACK. THE LDC REQUIRES A SINGLE-FAMILY HOME IN RM ZONING DISTRICT TO PROVIDE A MINIMUM 25-FOOT STREET SETBACK, FOR THE PROPERTY LOCATED AT 718 ESTERO BOULEVARD; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Chair Cereceda read the title of the resolution. No ex parte communication disclosures.

Community Development Planner Sarah Propst reviewed the background of the request as stated on the yellow sheet. She noted that since the proposed cottage was larger than the previous one, the owner could not utilize the cottage code to rebuild. Staff recommended approval.

Attorney Hila utilized PowerPoint for her presentation. Slides included an aerial view, Placement of the CCCL, a Before Picture and Proposed Structure and Requested Variance.

No public comment.

LPA Member Sudduth moved to approve the request to accompany the two-and-a-half foot setback and the two-and-a-half foot side setback; seconded by LPA Member Eckmann.

The motion carried unanimously by roll call vote.

B. Resolution 24-XX; VAR20240027 - 250 Tropical Shores Way

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING VARIANCE VAR20240027, REQUESTING A 4-FOOT VARIANCE FROM SEC. 34-638(5)(A)(1) WHICH REQUIRES AN ADDITIONAL 12- FEET OF STREET SETBACKS FOR RESIDENCES WIDER THAN 65- FEET, INSTEAD PROVIDING AN ADDITIONAL 8- FEET OF STREET SETBACK FOR THE PROPERTY LOCATED AT 250 TROPICAL SHORES WAY; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S

ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Chair Cereceda read the title of the resolution. No ex parte communications were disclosed.

Community Development Senior Planner Jason Smalley reviewed the background of the request as stated on the yellow sheet. Staff recommended denial because the structure was a design choice and could be reduced to meet the code.

Ken Gallander from The Neighborhood Company represented the applicants. He utilized PowerPoint for his presentation. Slides included the Project Team, Presentation Overview, Background & Request, Property Location, Identified Setbacks, Front (West) Elevation, Right (South) Elevation, Findings and Conclusions and Conclusion.

No public comment.

LPA Member McLean questioned whether the code should be changed to allow flexibility for the architectural detail. Planner Propst replied that some of the language in the code would be reviewed. LPA Member Plummer commented that it was important that the design was not a big box, even though a different design could fit on the property. She felt the town should stress the importance of architectural design. LPA Member Sudduth agreed and thought the design of the house looked great.

LPA Member Sudduth moved to approve the request with the findings and conclusions and the staff conditions of approval; seconded by LPA Member Boan.

The motion carried unanimously by roll call vote, with LPA Member Vanasse abstaining.

C. Resolution 24-XX; SEZ20230302 - 450 Harbor Court

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH FLORIDA APPROVING/ APPROVING WITH CONDITIONS/ DENYING SPECIAL EXCEPTION SEZ20230302, REQUESTING CONSUMPTION ON PREMISES FOR A RESTAURANT WITH A BAR/ COCKTAIL LOUNGE THAT IS VISIBLE FROM THE EXTERIOR OF THE RESTAURANT PER SEC. 34-1264(B)(2)A.3., FOR THE PROPERTY LOCATED AT 450 HARBOR COURT; PROVIDING FOR CLARIFICATIONS AS NECESSARY; PROVIDING FOR CONFLICTS OF LAW, SCRIVENER'S ERRORS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Chair Cereceda read the title of the resolution. Ex parte communications: LPA Member Plummer visited the establishment and spoke to the owner, but not about the case, LPA Member Vanasse visited the establishment, spoke to the owner, Kara Stewart and residents about the issue and Chair Cereceda received messages and she noted several letters were submitted. Planner Propst reviewed the background of the request as stated on the yellow sheet. She noted the temporary permit was approved on June 8, 2023. Staff suggested seven conditions of approval if the LPA approved the request.

Planner Propst stated that one of the reasons for denial was due to the number of complaints from the community. Chair Cereceda read the conditions of

approval.

Lisa Lahners, applicant, distributed documents. She indicated that she hired Kara Stewart to help with the application and process to come into compliance. She stated the bar/cocktail lounge was not visible from the public streets or residences. She noted that the location of the live music had been adjusted and the musicians had been moved to the corner to play towards Matanzas Bridge. She described how they monitored the decibel readings on their property. She added that a privacy wall and plants were installed to help soften the sound and enclose the open space. She stated they had live music daily and were not open past 9:00 p.m. She shared how they arrived at the beach and hoped to eventually move into a brick-and-mortar building.

LPA Member Plummer asked what her plans were in six months. Ms. Lahners stated that she was looking at other locations and agreed not to use the stage for entertainment. She explained why they had amplified music and how the shipping containers would be removed before extreme weather events.

Public comment:

Lindsey Ofiaro, resident, worked for the owners of the Rude Shrimp and commented that they were great people.

John Samuelson, resident, stated that he had the right to enjoy his property and was not against music. He noted that the owners did not reply to him after he wrote a letter to complain, and he felt they were bullies. He did not think the area needed another bar.

Emily Samuelson, resident, added that she lost her trust in the owners and hoped future complaints would be responded to quickly.

Nick Becker, owner of Cruising Tikis, operated out of Moss Marina and supported the owners. He rarely heard their music and he was their closest neighbor. He added that the music was easy listening and described how they gave back to the community.

Jim Ink represented Freeland Holdings and stated their project was not quite ready to present, but it would be soon. He explained that the Rude Shrimp was part of their plans and were good tenants. He felt that the Rude Shrimp mitigated the sound and he supported their application.

Bob Grabo lived on the water and stated the music did not affect them. They enjoyed having the music and the restaurant. He commented that it was not too loud to have a conversation. He added that people in the big house nearby made more noise than the Rude Shrimp.

Christy Hennesey, resident, commented they were quiet people and did not enjoy loud music, but they were happy that the Rude Shrimp was there.

They loved the food and the owners. The patrons were not loud or rude and it was not a late night spot. She added that her friends who lived nearby also liked living there and were happy with the owners. She listed the numerous bars that were visible from the street.

Howie Hoffman, resident, stated that his softball team lost the Shamrock restaurant, but the Rude Shrimp picked up the sponsorship. He described how good the owners were and encouraged everyone to eat there.

Barry Lawrence, resident, entertainer and sound expert, stated the sound

levels were no louder than any other place on the beach. He lived close and did not hear their music; however, he clearly heard the concerts held at Bayside. He felt the people who complained had a vendetta against the owners. He disagreed with the complaints.

Diane Grabo, resident, felt the noise complaints were unfounded. She heard the bands at Snug Harbor and private boats blasting music. She described the other noises in the area and commented that one could have a conversation, listen to nice music and eat while at the Rude Shrimp.

Marcus Free lived on the water, enjoyed the music at the Rude Shrimp and felt the complaints were a vendetta. He remarked that the complaints by one person were meritless and unfounded. He said the owners had never violated the sound ordinance. He felt they should be approved.

Dale Bonnema, resident, questioned why it took so long to address his complaints. He stated that he met with Lisa last summer and she refused to change the setup to help with the noise and Gary told him to put earplugs in and have a drink. He commented that the Rude Shrimp should not be compared to The Whale. He remarked that Moss Marina owned the SOB property and felt the real issue was that Moss Marina wanted to drag Times Square and the Lani Kai to his location. He indicated that everyone had lost a lot, but his neighborhood was quiet, and he did not want a bar in his neighborhood. He asked that they not allow music if the application was approved.

Jay Bonnema, resident, thanked the LPA and the staff for their hard work. She noted that zoning protected their rights and Moss Marina was not downtown. She questioned why the Rude Shrimp was allowed to operate without a permit for months. She stated that the sound carried over the water and even though the boats played loud music, they were not permanent.

Jay Birsch, resident, went to the Rude Shrimp because the place made him happy and was fun. He commented it was an outstanding place and that the owners were involved in the community. He felt that the six-month end date should be a review instead.

Dawn Thomas, resident, explained why she supported the Rude Shrimp. She encouraged the LPA to work with businesses and develop compromises and solutions to grow the community. She noted that the bar was only visible from the parking lot at Moss Marina and they were allowed to have a restaurant with music. She added that the Rude Shrimp would improve their space when the Coast Guard moved. She urged the LPA to support the business.

Ron Benak, resident, supported the Rude Shrimp and he questioned the bar part since it faced the back bay. He felt they had a good plan to address the neighborhood's concerns, but he disagreed with the end date of six months.

Steven Park, resident, musician and social media influencer, played at the Rude Shrimp and loved the owners.

He stated that someone who watched him sing online booked a vacation to see the dolphins. He explained how he checked his sound and described his equipment. He noted that he sang at a level where people could hear themselves talk.

Dennis Carda, business owner, explained what she had to do to get an E2

visa. She stated that residents did not add to the economic value of the town like the Rude Shrimp did.

Robin Oaksatwood, her father lived next to the Bonnema's, commented that it was a quiet residential neighborhood. She agreed that the owners reeled in the music, but the partygoers yelled and cheered. She stated they were families and would like protection in their homes. She indicated that it sounded like the owners were good people, but that had nothing to do with loud music in their backyard.

Amy Loughrey, resident, explained why she supported the Rude Shrimp. She described how they contributed to the community, they were not a late-night venue and they respected the neighbors. She commented that they were in a brick-and-mortar before Ian and were looking to build again. She believed that they were aligned with rebuilding the island and asked that they be approved. She noted they could not hear the person singing when they ate. She acknowledged that balancing resident and tourist needs was difficult and hoped the LPA would consider their request. She did not think the six months were needed.

Kara Stewart addressed the six-month condition and asked that it be extended. She suggested that the owners could forward any complaints instead of having to come back in six months.

Pedro Gomez supported the Farmer's Market and felt the Rude Shrimp worked well in the area.

Chris Hayes, professional yacht captain, moved his operation to Moss Marina. He described his experience with loud venues and he felt the Rude Shrimp provided a good vibe. He wanted to see them have an opportunity to make money.

Public comments closed.

LPA Member Plummer questioned whether the Rude Shrimp was moving to where the Coast Guard station was. Ms. Lahners replied that they were unable to because it was not zoned commercial. Chair Cereceda questioned whether she had received complaints since the music was moved. Ms.

Lahners indicated that it seemed to be working well.

LPA Member Vanasse was happy to receive more information and details in the proposal, but he felt the application had a lot of gaps. He indicated it was an approved use and they had a permit. It was a restaurant and not a bar, which was allowed in the zoning district. The issue was that the bar faced the exterior, but there was a process for special exceptions. He thought it was an acceptable use and there were mitigation measures to address potential noise issues. He supported a review period.

LPA Member Eckmann stated that the bar faced the bay and was in a commercial marina. He understood the neighbors' noise concerns, but he agreed with LPA Member Vanasse that if the seven conditions were enforced, they would appear to be of acceptable use.

LPA Member Plummer addressed the feelings in the room. She felt if everyone

respected each other, there would be a way for the neighborhood to come together. She thought the six-month review was very important and questioned whether a better barrier could be added as a condition. She would like a hurricane exit plan as a condition and another condition to prohibit entertainment at the current stage location.

She suggested putting the four revenue chairs on the stage and encouraged everyone to think before they speak to each other.

LPA Member Boan questioned whether the 50% food requirement was being met. He noted that it was a temporary use and they were trying to rebuild the town. He did not mind extending the six months and agreed they should add a condition for an evaluation plan.

LPA Member McLean thought steps had been made to mitigate the situation and supported the six-month review to ensure they were still working with the neighbors. He suggested that the current location of the music be codified.

LPA Member Eckmann agreed with the six-month review.

Chair Cereceda stated that she was not anti-Rude Shrimp. A temporary permit was issued, but they did not have everything they needed to have the temporary permit. Then, the noise issues with the neighbors came up. She was most troubled about the neighbor who lost her trust and noted that noise was challenging to deal with because it was very subjective. She hated to see Mr. and Mrs. Bonnema be vilified because they were trying to live their life. She felt the six-month review was necessary. She sympathized with the neighborhood but approved the special exception for the bar, which was before them. The noise element had to be mitigated by the owners.

Discussion was held regarding adding conditions for a hurricane evacuation plan and the speakers had to be positioned away from the residential neighborhood. LPA Member Sudduth commented that this was a request for a visible bar and had nothing to do with noise and they were using that to impose conditions. LPA Member Plummer supported the conditions to give people faith. LPA Member Vanasse stated that it was a temporary setup and they needed to address issues quickly.

LPA Member Vanasse moved to recommend approval with the conditions identified by staff except the six-month review process instead of an end date, incorporate an evacuation plan and a recommendation that the speakers be directed away from residents and toward the commercial marina and the six-month review would require coming back to the LPA and to renew the special exception; seconded by LPA Member Boan.

The motion carried unanimously by roll call vote.

VII. ADMINISTRATIVE AGENDA

Operations and Compliance Director Frankie Kropacek stated that after 18 months, it was time to look at how and who was applying for temporary use permits.

He indicated that ordinances had to align with businesses and residents, but currently, they do not. He noted that they had to be consistent and fair to both

groups. He added that the bottom line on the island was compliance, which his department was trying to achieve. LPA Member Plummer stated that temporary use permits were intended for businesses here before Ian but lost their building. Director Kropacek replied that the intent was never transmitted into the ordinance, but the old ordinance was being modified to make it stronger and fair. He addressed CBD products and indicated they did not include THC and were sold in many places. The mobile vendor selling CBD checked all the boxes and was granted a temporary permit. He stated that they had to be more vigilant and aware of the surroundings that would be impacted.

LPA Member Plummer questioned when people would have to clean up their yards and buildings. Director Kropacek explained that the guidelines in place did not work and had to be changed, including retraining staff with a focus on education. He noted that about 50 properties were derelict and the building official was now involved in the process. He described how BASE was renamed and retrained and how they made code compliance more legitimate.

VIII. LPA MEMBERS ITEMS/REPORTS

LPA Member Plummer thanked everyone for the parade on Saturday.

LPA Member Boan thanked Chair Cereceda for taking their concerns to the town council.

Chair Cereceda thanked businesses who cleaned up their properties, including the Red Coconut, London Bay and The Goodz. She thanked everyone for going the extra mile to keep their properties clean.

No items from other members.

IX. LPA ATTORNEY ITEMS/REPORTS

Town Attorney Stuparich provided information regarding the expedited review of non-controversial variances. The draft ordinance will come to the LPA for review and then to the town council. She added that she would bring back the temporary use permit to address.

A. Development Agreement with Deviations

Town Attorney Stuparich reviewed the draft resolution and attachments included in the information packet. She stated that this was the process, not the agreement. Mark Price, who purchased the Red Coconut, described the difference between the PD (planned development) process and the development agreement with deviations. He stated that the PD process cost more money and time, which added to the owners' bottom line. Town Attorney Stuparich addressed questions by LPA Member Vanasse regarding properties with multiple variances, rezoning and providing relief to Mom & Pop businesses. He questioned how one could have a development agreement without going through rezoning.

Town Attorney Stuparich referred to the first paragraph to answer his question. LPA Member Vanasse stated it addressed a site plan with deviations but not the other two options. Town Attorney Stuparich agreed but noted it was more than what they had now. LPA Member Vanasse commented that the other two options had to be addressed in the near future. Town Attorney Stuparich

indicated that the other two options were not included because they were statutory.

Chair Cereceda questioned whether the town had the legal ability to determine which businesses qualified as a Mom & Pop business. LPA Member Vanasse felt they could qualify and quantify based on scale and noted that zoning was a discriminatory process. Town Attorney Stuparich will forward the draft resolution to the town council and request that they discuss concerns brought up by LPA Member Vanasse.

Planner Propst addressed the development agreement provision authorizing administrative amendments to the site plan, provided it does not increase height, density and intensity. Town Attorney Stuparich will provide clarification. LPA Member Boan provided comments regarding language in the procedures.

LPA Member Boan moved to forward it on with comments by Town Attorney Stuparich with the understanding that she will provide answers to questions and issues by LPA Member Vanasse will be discussed; seconded by LPA Member Boan.

The motion carried unanimously.

X. COMMUNITY DEVELOPMENT ITEMS/REPORTS

No items.

XI. ITEMS FOR NEXT MONTHS AGENDA

Items will be addressed at the special meeting on Thursday.

XII. ADJOURNMENT

LPA Member Sudduth moved to adjourn; seconded by LPA Member Plummer. The motion carried unanimously.

The meeting was adjourned at 1:03 p.m.

Minutes adopted as presented, April 9, 2024; Motion by LPA Member Plummer and seconded by LPA Member Boan. Passed 6-0.



Amy Baker, Town Clerk

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Venasse Patrick</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>LPA</i>
MAILING ADDRESS <i>5711 Lauder St</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>Fort Myers Beach</i> <i>LEE</i>	NAME OF POLITICAL SUBDIVISION: <i>Town of FMB</i>
DATE ON WHICH VOTE OCCURRED <i>March 3, 2024</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Patrick Vanasse, hereby disclose that on March 3, 20 24:

(a) A measure came or will come before my agency which (check one or more)

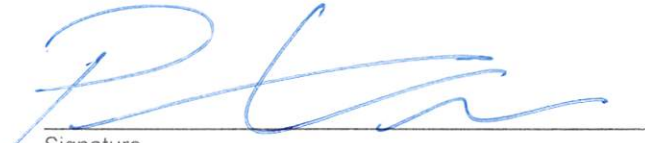
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of 250 Tropical Shares, by whom I am retained; or my firm
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of conflicting interest in the measure is as follows:

my business partner is representing the applicant for agenda item B.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3/12/24
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.