

For your information, please see the below email sent on 2-8-17 to Council President Spencer from City Attorney Lysia H. Bowling.

Thank you.

Janet Matteson
Legal Assistant
City Attorney's Office
E-mail jmatteson@cityofpensacola.com
(850) 435-1618



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From: Lysia Bowling
Sent: Wednesday, February 08, 2017 8:23 PM
To: Brian Spencer <bspencer@cityofpensacola.com>; Don Kraher <DKraher@cityofpensacola.com>
Subject: Potential Applicability of F.S. 286.0115 and City Code Sec. 2-1-3 to Reconstruction of Nonconforming Structures at 1812 and 1814 E. Lakeview Avenue 2/9/2017 Agenda Item

Dear Council President Spencer:

I am aware of discussions among you and members of the public relating to the above-referenced item on the February 9, 2017 City Council Meeting agenda, to the extent that I have kindly been copied on certain email communications over recent days.

As you know, the aforementioned item is for City Council to request a legal opinion from me regarding the matter of the reconstruction of nonconforming structures at 1812 and 1814 Lakeview Avenue.

Indeed, I have not yet conducted sufficient research to support or render an opinion on the matter. However, the potential or possibility exists that City Council may be called upon to act in a quasi-judicial capacity regarding this land use matter. As such, we are reminded that maintenance of the proper standards on the part of City Council in the performance of their quasi-judicial functions is of the highest importance and requires adherence to the legal requirements for disclosure of ex parte communications with local governmental officials which relate to quasi-judicial action pending before the official under F.S. 286.0115 and City Code Sec. 2-1-3, as may become applicable.

Thank you,

Lysia H. Bowling
City Attorney
222 W. Main Street
Pensacola, Florida 32502
E-mail lbowling@cityofpensacola.com
(850) 435-1615



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