

**REGULAR MEETING OF THE CITY COMMISSION**  
**April 22, 2013**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

A moment of silence was given in honor of former City Manager Jim Williams grandson who recently passed away and for those individuals who were injured or passed away this week in the Boston Marathon tragedy.

The invocation was provided by Senior Pastor Walter Jackson, First Baptist Church of Winter Park, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley  
Commissioner Steven Leary  
Commissioner Sarah Sprinkel  
Commissioner Carolyn Cooper  
Commissioner Tom McMacken

Also present:

City Manager Randy Knight  
City Attorney Larry Brown  
City Clerk Cynthia Bonham  
Deputy City Clerk Michelle Bernstein

**Approval of the agenda**

**Motion made by Commissioner McMacken to approve the agenda; seconded by Commissioner Sprinkel and approved by acclamation with a 5-0 vote.**

**Mayor's Report**

a. First Baptist Church of Winter Park's 100<sup>th</sup> Anniversary

Mayor Bradley proclaimed April 21, 2013 as the "First Baptist Church's 100<sup>th</sup> Anniversary Day." Senior Pastor Walter Jackson accepted the proclamation.

b. Employee of the Quarter – Sam Cruz, Assistant Division Chief of the Wastewater Treatment Division

Mayor Bradley recognized Assistant Division Chief Sam Cruz, Wastewater Treatment Division, as employee of the First Quarter 2013 and thanked him for his hard work and dedication.

c. Winter Park Historical Association Update

Executive Director Susan Skolfield, Winter Park Historical Association (WPHA), thanked the Commission for their continued support. She provided a brief PowerPoint presentation which illustrated their accomplishments and contributions to the community.

d. Proclamation – North American Occupational Safety and Health Week

Mayor Bradley proclaimed the week of May 5-11, 2013 as North American Occupational Safety and Health Week and May 8, 2013 as Occupational Safety and Health Professionals Day. Jennifer Zipeto, Central Florida Chapter of American Society of Safety Engineers, was present to accept the proclamation.

Mayor Bradley thanked staff for going above and beyond in making Earth Day and Arbor Day, Taste of Winter Park and Dinner on the Avenue events a huge success.

**City Manager's Report:**

City Manager Knight advised the community that recently there have been a number of burglaries in the area and that a great source of publicity is being distributed to alert the community. He said our local police department is very aware of the situation and have increased their presence in the local neighborhoods. He urged all residents to be on alert and take precautionary safety measures.

City Manager Knight advised that last week he had a follow up discussion with City Attorney Larry Brown, Stumpy Harris and Jan Carpenter the attorney for the Ravaudage CDD regarding property access within the CDD. During the discussion no one felt the need to issue a resolution; however, they all agreed that a city policy should be established which clearly defines the proper process and procedures regarding the various permits and approvals that will be required within the CDD. It was noted that Mr. Harris is to follow up with his clients to see if they would agree to this; the final details are still being worked out, and he will keep them posted.

**City Attorney's Report**

At the request of Commissioner McMacken, Attorney Brown summarized previously adopted picketing Ordinance No. 2886-12 which prohibits picketing within 50 feet of a City right-of-way where the target/resident's home is located and how it applied to the event that transpired this past weekend.

Discussion ensued regarding the City's current sign ordinance and if it addresses the size, content information and images that are being displayed on the signs. Attorney Brown said the adult entertainment ordinance could come into play if it relates to nudity or sexual behavior. He said he understands that some of the signs are upsetting due to their graphic nature but generally the courts have said these types of images are constitutionally protected.

### **Non-Action Item**

a. Financial Report – February 2013

Finance Director Wes Hamil provided the financial report and answered questions.

**Motion made by Commissioner Sprinkel to approve the report as presented; seconded by Commissioner Cooper and approved unanimously with a 5-0 vote.**

### **Consent Agenda**

- a. Approve the minutes of 4/8/13. – **PULLED FOR DISCUSSION, SEE BELOW**
- b. Approve the following purchase, contract and formal solicitation:
  1. PR 152050 for undergrounding of electric (IFB-1-2008) with Heart Utilities of Jacksonville; \$62,164.19.
  2. Piggybacking the Florida Sheriff's Association contract 11-10-1202 for Fire Rescue vehicles and other fleet equipment with Braun Industries, Inc., blanket purchase order for the purchase, and authorize the Mayor to execute the Piggyback Contract. – **PULLED FOR DISCUSSION, SEE BELOW**
  3. Award IFB-19-2013, Security, Access, and Monitoring at the Public Safety Complex, to Integrated Systems of Florida; \$48,000.
- c. Approve the membership of the Development Review Committee (DRC) for the Ravaudage project Planned Development (PD) to consist of the City Manager or Assistant City Manager and the department heads of Planning, Economic Development, Police, Fire, Public Works, Building, Water/Sewer Utilities, Electric Utilities and Parks and Recreation.

**Motion made by Commissioner Leary to approve Consent Agenda items 'b.1', 'b.3' and 'c'; seconded by Commissioner McMacken and approved unanimously with a 5-0 vote.**

Consent Agenda item 'a' - Approve the minutes of 4/8/13.

Commissioner Cooper requested to amend her statement on page 9 of the minutes regarding "Qualification Documents". **Motion made by Mayor Bradley to approve Consent Agenda item 'a' with the adjustment that Commissioner Cooper has suggested; seconded by Commissioner Leary and approved unanimously with a 5-0 vote.**

Consent Agenda item 'b.2' - Piggybacking the Florida Sheriff's Association contract 11-10-1202 for Fire Rescue vehicles and other fleet equipment with Braun Industries, Inc., blanket purchase order for the purchase, and authorize the Mayor to execute the Piggyback Contract.

City Manager Knight and Fire Chief James White addressed Commissioner Sprinkel's inquiry regarding the City's process of acquiring new vehicles. **Motion made by Commissioner Sprinkel to approve Consent Agenda item 'b.2'; seconded by Commissioner Leary and approved unanimously with a 5-0 vote.**

**Action Items Requiring Discussion**

a. Surplus of Blake Yard property

City Manager Knight explained that the Blake Yard property is approximately 0.44 acres and zoned PQP. The property is currently used as an electric lay down yard for electric distribution equipment/supplies awaiting installation.

On February 25, 2013 a Commission work session was held to discuss various City properties. With regard to the Blake Yard property there was no real consensus as to what should happen with it. Opinions varied from using it as parking, to leaving it as open space until we decide what to do with it, to putting it up for sale.

On March 27 the City received an email from Dan Bellows of Sydgan Corporation requesting the City consider swapping the Blake Yard property for the properties located at 741 and 751 Minnesota Avenue. Layouts of the potential uses of the Minnesota properties were provided by Mr. Bellows.

City Manager Knight advised that an appraisal has not been done for any of the three properties. He explained should the Commission be interested in this proposal or any other disposal scenario, the City will need to issue a notice of disposal for the Blake Yard property in order to receive proposals from interested parties. The notice does not obligate the City Commission to accept any proposals at this point in time and after the notice is over, the City may choose to reject all proposals. City Manager Knight answered questions.

A brief discussion ensued regarding the cost of advertising, the current zoning designation and the different types of offers that might be received.

Commissioner Cooper did not want to let go of this property since it is within walking distance of downtown and believed at this time it could be used for some sort of public use and future use for parking. Mayor Bradley expressed concerns based on recent City Commission discussions about a parking lot in a residential area. Mayor Bradley and Commissioner Leary felt that it would be advantageous to receive various proposals to see what we can get for this property since they are under no obligation.

**Motion made by Mayor Bradley to approve the process of a Notice of Disposal; seconded by Commissioner Leary.**

Forest Michael, 358 W. Comstock, provided several scenarios regarding the potential uses for this property.

John Skolfield, 358 Ultoria Avenue, felt that the City should retain the property for future use.

Joe Terranova, 151 N. Virginia Avenue, said it does not hurt to solicit offers but we should be cautious with disposing of City owned property.

Public Works Director Troy Attaway addressed Commissioner McMacken's concerns by providing clarity regarding the potential future use of Comstock Avenue since SunRail is proposing to close this street. A majority of the Commission agreed that we need to contact SunRail to find out their overall plans. Mayor Bradley said it would be helpful to have the City's downtown master plan when discussing these types of issues. The request was acknowledged.

Commissioner McMacken said he would like to receive the information from SunRail before issuing the Notice of Disposal. Commissioner Sprinkel said she is not ready to move forward at this time since there was no real consensus regarding the overall use of this property.

**Upon a roll call vote, Mayor Bradley and Commissioner Leary voted yes. Commissioners Sprinkel, Cooper and McMacken voted no. The motion failed with a 3-2 vote.**

**Motion made by Mayor Bradley that we look at acquiring the piece of property to the north of Azalea Lane as a potential park acquisition; seconded by Commissioner Leary for discussion.**

Commissioner Cooper felt that the above motion is inappropriate at this time since it was not listed on the agenda for discussion.

**Motion made by Mayor Bradley that at the next Commission meeting they discuss looking at acquiring the piece of property to the north of Azalea Lane as a potential park acquisition; seconded by Commissioner Leary for discussion.**

Discussion ensued regarding the need to revisit the topic of all City owned properties to determine which ones could possibly be disposed of and/or if we should acquire other real property so as to expand some of our parks or recreational areas. Several Commissioners felt that a process needs to be created for the Notice of Disposal along with a true master plan to help with the visioning process.

**Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 5-0 vote.**

**Public Hearings:**

- a. Request of Trustco Bank: Conditional use approval: To add a drive-thru bank teller lane to the existing office building at 950 N. Orlando Avenue, zoned C-3.

Planning Director Jeff Briggs addressed the parking, traffic circulation and stacking, stormwater retention and landscape plan. He advised that the Planning and Zoning Board voted unanimously (7-0) to recommend approval to add a drive-thru bank teller to the existing office building. Mr. Briggs addressed questions related to the entrance of the property, the potential effects related to the Lee Road extension and parking allowances.

Ralph "Terry" Hadley, 1301 West Morse Boulevard, represented the applicant. He reiterated their plans and responded to inquiries about the property entrance.

**Motion made by Commissioner Cooper to approve the conditional use request; seconded by Commissioner Sprinkel.**

Commissioner McMacken explained why he believed the parking requirements in our code needs to be looked at. Mayor Bradley agreed. Mr. Briggs acknowledged the request.

Architect Eric Trabian, Trustco Bank, addressed questions pertaining to landscape upgrades and beautification enhancements.

**Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 5-0 vote.**

Tony Gray, 452 Sylvan Drive, distributed an article from the Wall Street Journal titled "The pension rate of return fantasy" and provided comment.

Joan Cason, 1915 Woodcrest Drive, felt that Congressman Mica should have been seated properly so that his back was not facing the audience during last week's work session regarding the post office.

A recess was taken from 5:05 p.m. to 5:19 p.m.

- b. Request of the Jewett Orthopedic Clinic on the properties at 930, 950 and 960 Minnesota Avenue:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF MEDIUM-DENSITY RESIDENTIAL TO PARKING LOT ON THE PROPERTIES AT 930, 950 AND 960 MINNESOTA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF MEDIUM DENSITY MULTI-FAMILY (R-3) DISTRICT TO PARKING LOT (PL) DISTRICT ON THE PROPERTIES AT 930, 950 AND 960 MINNESOTA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

Attorney Brown read both ordinances by title. Mayor Bradley and Commissioner McMacken recused themselves from voting due to a conflict of interest; see Form 8B attached.

Planning Director Jeff Briggs advised that the Planning and Zoning Board voted unanimously (7-0) to approve the comprehensive plan future land use map change and zoning change with the condition that the parking lot not be leased for any alternate commercial use, such as off-site restaurant parking. Mr. Briggs answered questions including the potential height of the separation wall. He also noted that the interior landscape plan for the parking lot will comply with code.

**Motion made by Commissioner Leary to accept the first ordinance (comprehensive plan) on first reading; seconded by Commissioner Sprinkel.**

**Motion made by Commissioner Leary to accept the second ordinance (zoning) on first reading; seconded by Commissioner Sprinkel.**

Ex-parte communications were provided regarding the zoning change. Mayor Bradley said that he told the applicant that he might have a potential conflict so he did not talk to the applicant about this specifically; Commissioners Leary and Sprinkel said there was nothing to report; Commissioner Cooper spoke to staff; Commissioner McMacken spoke to the City Attorney in regards to his potential conflict.

Selby Weeks, Klima Weeks Civil Engineering, spoke on behalf of the applicant and said the Jewett Orthopedic Clinic is committed to remain as a community member.

Leah A. Moyer, 1001 Minnesota Avenue, inquired as to the size of the trees that are to be installed. Mr. Briggs responded.

**Upon a roll call vote on the first ordinance (comprehensive plan), Commissioners Leary, Sprinkel and Cooper voted yes. The motion carried unanimously with a 3-0 vote. Mayor Bradley and Commissioner McMacken abstained from voting.**

**Upon a roll call vote on the second ordinance (zoning), Commissioners Leary, Sprinkel and Cooper voted yes. The motion carried unanimously**

**with a 3-0 vote. Mayor Bradley and Commissioner McMacken abstained from voting.**

- c. RESOLUTION NO. 2123-13: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE DESIGN OF THE BROOKSHIRE ELEMENTARY SCHOOL NEIGHBORHOOD SIDEWALKS (BRECHIN DRIVE, DUNBLANE DRIVE, KIMBRACE PLACE).

Attorney Brown read the resolution by title.

Public Works Director, Troy Attaway explained that in April 2011 the City applied for a Safe Routes to School Grant for sidewalk enhancements in the Brookshire neighborhood. In July 2011, the grant was approved for FDOT fiscal year 2015; however, the City requested that FDOT move the funding to an earlier date (February 2013). To date, FDOT is working to advance the funding as well as adjusting the construction schedule. Mr. Attaway answered questions and provided a preliminary site plan illustrating where the proposed sidewalks would be installed. He noted that this part of the grant application applies to the design phase and that the construction phase will come forward in the next few months for approval.

**Motion made by Mayor Bradley to adopt the resolution; seconded by Commissioner Sprinkel for discussion.**

Traffic Manager Butch Margraf explained that the property owners approached the City and asked for assistance with the grant application/program and that in order for the grant to be established all of the appropriate partners need to be in place (the City, the neighbors, the school and Metro Plan Orlando).

Concerns were raised by Commissioner Cooper regarding the proposed site plan and if any trees would need to be removed in order to accommodate the installation of sidewalks. Mr. Attaway said the sidewalks will be routed around the trees.

Commissioner Sprinkel felt that the Commission should be involved in the approval process of the design plan and then it should be presented to the Pedestrian and Bicycle Safety Board for input. Mr. Margraf agreed and explained the overall process. He noted that the design plan will be included in the construction phase of this grant application which will come back to the Commission for approval. He noted that staff will coordinate with the City's arborist to not impact the existing trees and that staff will provide the safest design route for pedestrians and bicyclists.

Michele Gerber, 507 Brechin Drive, expressed her support because of the numerous children that walk or bike to school.

Mayor Bradley said he appreciates staff's assistance with obtaining state funding and wanted them to be aware of other necessary sidewalks so they can act on it.

**Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- d. ORDINANCE NO. 2909-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTION 58-6 TO REVISE THE PROCEDURES FOR AMENDMENTS TO THE COMPREHENSIVE PLAN, REPEALING SECTION 58-7 REGARDING DEVELOPMENT AGREEMENTS ADOPTED PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AMENDING POLICY 1-1.1.3 AND REPEALING POLICY 1-1.1.5 OF THE CITY'S COMPREHENSIVE PLAN OF THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE ELEMENT TO REMOVE THE REQUIREMENT OF SUPERMAJORITY OF VOTES FOR ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION, AND CONFLICTS; PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney Brown read the ordinance by title.

**Motion made by Mayor Bradley to adopt the ordinance; seconded by Commissioner Sprinkel.**

Planning Director Jeff Briggs advised that on January 28, 2013, the City Commission approved the first reading of the ordinance to resolve the Comprehensive Plan supermajority conflict with the City Charter. Following approval, the amended ordinance was sent to the State of Florida Department of Economic Opportunity for comment per Chapter 163, Florida Statutes and no comments or objections were received.

**Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 5-0 vote.**

- e. ORDINANCE NO. 2917-13: AN ORDINANCE TO AMEND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" IN THE FUTURE LAND USE ELEMENT SO AS TO ADD NEW POLICY TEXT AND A NEW FUTURE LAND USE CATEGORY RESTRICTED AND LIMITED TO PARKING LOT USE TO CORRESPOND TO THE PARKING LOT (PL) ZONING DISTRICT, PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. Second Reading

Attorney Brown read the ordinance by title.

**Motion made by Commissioner Leary to adopt the ordinance; seconded by Commissioner McMacken.**

Planning Director Jeff Briggs advised that on February 11, 2013, the City Commission approved the first reading the ordinance to establish a new "Parking Lot" Future Land Use category. Following approval, the amended ordinance was sent to the State of Florida Department of Economic Opportunity for comment per Chapter 163, Florida Statutes and no comments or objections were received.

**Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 5-0 vote.**

**City Commission Reports:**

a. Commissioner Leary

Commissioner Leary thanked staff for a great weekend of City events.

Commissioner Leary mentioned that over the weekend there were several children selling candy after hours on Park Avenue and asked if they are allowed to do so. City Manager Knight said they are not permitted and that our Code Enforcement Department is addressing the situation.

b. Commissioner Sprinkel

Commissioner Sprinkel said someone at the Dinner on the Avenue event made a suggestion for the City to create a memory book containing photos of yearly events for the residents to purchase.

Commissioner Sprinkel said that after seeing a presentation on pedestrian safety she felt that the City needs to examine the statistics of the fluorescent green paint that is being used for the pedestrian crosswalks.

c. Commissioner Cooper

Commissioner Cooper mentioned the sidewalk safety issues and the need to keep the lines of communication open so that the residents are fully aware of what is going on.

d. Commissioner McMacken

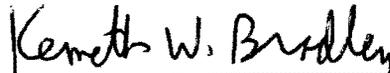
Commissioner McMacken said the Taste of Winter Park event was terrific.

e. Mayor Bradley

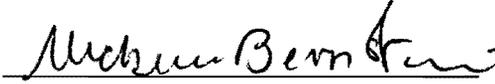
Mayor Bradley advised that he will be bringing forward the annual board appointments at the next meeting on May 13.

Mayor Bradley thanked the Police Department for their continuous efforts in battling home burglaries in the area and urged everyone to be extra vigilant during this time.

The meeting adjourned at 5:56 p.m.

  
\_\_\_\_\_  
Mayor Kenneth W. Bradley

ATTEST:

  
FOR City Clerk Cynthia S. Bonham

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Bradley Kenneth Wayne</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Winter Park City Commission</i>
MAILING ADDRESS <i>1612 Elizabeth's Walk</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>Winter Park      Orange</i>	NAME OF POLITICAL SUBDIVISION: <i>Winter Park, Florida</i>
DATE ON WHICH VOTE OCCURRED <i>April 22, 2013</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## 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 equally 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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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 otherwise may participate 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 other side)

## 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, Kenneth W. Bradley, hereby disclose that on April 22, 20 13:

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

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 a surgical center I am a board member of, by ~~whom I am retained~~; or

inured to the special gain or loss of \_\_\_\_\_, which

is the parent organization or subsidiary of a principal which has retained me.

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

The staff report indicates this parking plan maybe used for an ambulatory surgery center. The (ASC) in question / potentially may be built. I am a board member of said ambulatory surgery center.

April 23, 2013  
Date Filed

Kenneth W. Bradley  
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME <b>McMACKEN THOMAS JAMES</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>CITY COMMISSION</b>
MAILING ADDRESS <b>1821 SHILOH LANE</b>	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 <b>WINTER PARK      ORANGE</b>	NAME OF POLITICAL SUBDIVISION: <b>SEAT 4</b>
DATE ON WHICH VOTE OCCURRED <b>22 APRIL 13</b>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## 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 equally 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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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 otherwise may participate 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 other side)

**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, THOMAS J. MACKER, hereby disclose that on 22 APRIL, 2013:

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

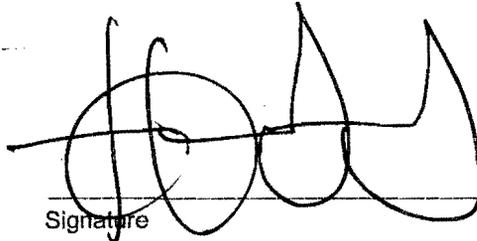
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

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

JEWETT CLINIC COMP PLAN, WIFE IS EMPLOYED BY ARCHITECTURAL FIRM WORKING ON PROJECT.

22 APRIL 13

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.