

REGULAR MEETING OF THE CITY COMMISSION
November 10, 2014

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:35 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Reverend Alison Harrity, St. Richards Episcopal Church, followed by the Pledge of Allegiance.

Members present:

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

Also present:

City Manager Randy Knight
City Attorney Larry Brown
City Clerk Cynthia Bonham

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

Mayor Bradley addressed the J. Stannard Baker award for safety that was presented to Chief Brett Railey at the International Association of Chiefs of Police international conference held in Orlando.

Mayor Bradley provided an update on the summit he attended held by Orange County Mayor Theresa Jacobs on Ebola preparation and spoke about the precautionary measures taken by the City. Fire Chief White spoke about what the Fire Department has done regarding vehicle decontamination.

City Manager's Report

City Manager Knight addressed the Library Facility Task Force meetings and the request from them to schedule a City Commission work session to review their report and receive feedback before the action item comes before the Commission on December 8 for final approval. After discussion, the meeting was scheduled for December 2 from 9:30 a.m. -11:00 a.m.

Commissioner Cooper asked about the following: public notices for DRC meetings (Planning Director Dori Stone explained the process); the concurrency annual infrastructure capacity report (City Manager Knight explained they are working on that); and the anticipated commuter rail costs based on the number of people boarding and track miles compared to the estimated costs set aside every year (City Manager reminded the Commission that we are not funding this for the first seven years. City Manager Knight will provide figures).

Commissioner Leary asked about quiet zones. City Manager Knight provided an update on the applications submitted. Further discussion ensued. Commissioner McMacken asked that the item under this report include other information as to the status with FDOT.

Commissioner McMacken addressed tree plantings. He stressed his preference of planting/re-planting oak trees. This will be an issue for discussion at a future agenda and will include the scheduling of plantings.

City Attorney's Report

No report.

Non-Action Item

a. Financial Report – September 2014

Finance Director Wes Hamil provided the preliminary September 2014 Financial Report that had not yet been audited.

Motion made by Commissioner Sprinkel to accept the financial report; seconded by Commissioner Cooper. The motion carried unanimously with a 5-0 vote.

Consent Agenda

- a. Approve the minutes of October 27, 2014.
- b. Approve the following Blanket Purchase Orders (BPO), purchases, and formal solicitations:
 1. BPO to Covanta Energy Marketing LLC for FY15 Bulk Power Supply, ITN-13-2013; \$3,500,000.
 2. BPO to Duke Energy for FY15 Transmission pursuant to Duke Energy Tariff, \$1,855,000.
 3. BPO to ENCO Utilities Services for FY15 O&M Electric Utility; \$3,000,000.
 4. BPO to Florida Power & Light Company for FY 15 Bulk Power Supply and Power Transmission; ITN-13-2013; \$11,270,000.
 5. BPO to Gainesville Regional Utilities (GRU) for FY15 Bulk Power Supply; ITN-13-2013; \$3,220,000.
 6. BPO to HDD of Florida for FY15 City-wide underground projects; IFB-8-2014; \$800,000.
 7. BPO to Heart Utilities of Jacksonville for FY15 City-wide underground projects; IFB-8-2014 and Jacksonville Beach Contract No. 1213-03; \$1,700,000.
 8. BPO to Orlando Utilities Commission for FY15 Bulk Power Supply and Power Transmission purchases; ITN-13-2013; \$5,365,000.
 9. BPO to Seminole Cooperative, Inc. for FY15 Bulk Power Supply purchases; ITN-33-2010; \$2,429,000.

10. BPO to Brown, Garganese, Weiss & D'Agresta for City Attorney; RFP-21-2009; \$345,000. **PULLED FOR DISCUSSION. SEE BELOW.**
 11. Purchase Order to Environmental Products of Florida for a 2015 KW Vactor RD Sewer Combo Truck; \$343,108.
 12. Purchase Order to Stuart C. Irby Company for Source Trans PME Padmount Switchgears; \$130,991.84.
 13. Award to A Budget Tree Service, Inc.; RFQ-25-2014, Tree Removal Services Dead/Diseased/High Risk; authorize the Mayor to execute the contract and approve all subsequent purchase orders.
 14. Award to Copytronics Information Systems; RFQ-26-2014, Copier Equipment and Services; and authorize the Mayor to execute the contract and approve all subsequent purchase orders; \$135,000.
- c. Cancel the December 22, 2014 Commission meeting due to the holidays.
 - d. Approve the amendment to the parking easement agreement with BFC Park Avenue, LLC for the Welbourne Avenue/Center Street compactor site.

Motion made by Commissioner McMacken to approve the Consent Agenda with the exception of Item b-10; seconded by Commissioner Cooper. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

Consent Agenda Item b-10: BPO to Brown, Garganese, Weiss & D'Agresta for City Attorney; RFP-21-2009; \$345,000.

Commissioner Sprinkel asked about the RFP process and addressed the need to justify to the public what we are getting for the legal fees expended. She asked about putting a process in place to look at recurring legal fees. She asked that the item be delayed so they can review the information sent to them today regarding the amount of fees paid out for the last year and then discuss this at a later time. Mayor Bradley expressed concerns with the amount of litigation in the past year.

Motion made by Commissioner McMacken to approve Consent Agenda Item b-10; seconded by Commissioner Cooper. Commissioner Cooper addressed the importance to review all professional services contracts. No public comments were provided. **The motion carried with a 4-1 vote with Commissioners Leary, Sprinkel, Cooper and McMacken voting yes. Mayor Bradley voted no.**

Commissioner Sprinkel asked that we move forward with reviewing all professional contracts in a timely manner. There was a consensus to put this on a future agenda.

Action Items Requiring Discussion

a. Presentation and approval – Scope of services for visioning

Planning Director Dori Stone addressed the background of this item. On September 22, the city hosted a ULI Technical Assistance Panel (TAP) to help the city prepare a scope of services for a citywide visioning exercise. The three panelists interviewed the City Commissioners and listened to the input from the community meeting in preparing the scope of services found in the report provided this evening. She spoke about portions of the report including the need to establish a steering committee to manage the visioning process. She recommended the approval of the scope of services and to direct staff to prepare an RFP for consultant services.

Motion made by Mayor Bradley to direct staff to prepare an RFP for consultant services based on the scope that ULI has presented and that we also ask staff to present a process for the selection and creation of the steering committee; seconded by Commission McMacken for discussion.

Commissioner McMacken addressed the selection of the steering committee and the need to make sure that when this is finalized to include enough meetings because of the large amount of public involvement. Ms. Stone clarified the meaning of districts as indicated in the report.

Commissioner Cooper expressed what was important to her concerning the order in which the public forums are done and what should be included in all forums; asked that the assessment of community values be placed to the top; make sure the integrated shared vision is not crafted by only that neighborhood when looking at all the neighborhoods; to make sure we are surveying our Winter Park residents and business owners; and to change social media to public outreach because of the ones who do not have computers. She asked the Commission to think about the definition of the steering committee's roles and responsibilities and the language of the survey questions. She expressed the importance of deciding policies now and if this is not a survey of Winter Park residents, businesses and property owners she is not interested in spending the funds.

Commissioner Sprinkel complimented the report and that it reflected what they heard from the Commissioners. She disagreed with Commissioner Cooper in that she saw the report as not being comprehensive and is not in any order but contains a list of what to look for and expected the RFP to be inclusive of what is listed in the document and much more. She asked to adopt what we have this evening.

The following spoke on this item:

Pete Weldon, 700 Via Lombardy, spoke about the importance to make sure the residents understand this. He asked if this moves forward to include a meaningful

educational component that addresses the realities of development in a simple form so things are not misunderstood.

Marty Sullivan, 901 Georgia Avenue, expressed the need for an integrated vision.

Jeffrey Blydenburgh, 204 Genius Drive, agreed to expedite the visioning session to determine what the City wants it to be and what it will look like and to involve the entire City.

Sally Flynn, 1400 Highland Road, did not believe we were looking for a new vision but are trying to get the citizens involved first before anyone tells them what it is supposed to be.

Commissioner Cooper asked if we can reserve the ability for any new Mayor or Commissioner that is elected to also add people into the steering committee if we are in the process of doing the work. It was clarified that the motion was to bring back what a steering committee looks like and they do not even know who will be on the steering committee yet. Ms. Stone stated she will bring back some concepts and will work with Purchasing regarding the RFP with her goal to have the RFP to them by the December meeting or the first meeting in January.

The motion carried unanimously with a 5-0 vote.

b. West Fairbanks Business Façade Program

Planning Director Dori Stone introduced the pilot program for a West Fairbanks Avenue Façade Grant Program. She explained the Economic Development Advisory Board discussed this when they did the ULI TAPS Panel on West Fairbanks but it was not the right time to do it because of the construction and road improvements going on at that time. She commented that now is the time to move forward and they want this to be a one year pilot project and they have funds budgeted for this.

Ms. Stone elaborated on the intent of the program to incentivize property and business owners to reinvest in the exterior of their buildings with a primary focus on what can be seen from the public right-of-way. The program encourages a partnership between the local business and municipality as a 75%/25% matching grant up to \$5,000. Eligible enhancements focus on hardscape improvements including, but not limited to, storefronts, signs and painting. Examples of ineligible improvements include roofs, landscaping and other personal property and equipment.

Commissioner Leary commented that he is not interested in supporting this if it costs more to enforce the program. Ms. Stone stated she will let the Commission know what this entails and would like to start this fairly soon.

Mayor Bradley asked what else we are waiting on to happen on West Fairbanks and that he would be more comfortable if this came from the W. Fairbanks businesses. He stated he needed to understand how this program connects with the other things that have happened that have appeared to have slowed down since the paving. Ms. Stone elaborated on the improvements that have been completed. Mayor Bradley spoke about attending the opening of the CRA Business Façade Program that did not have a lasting impact. He commented he is not opposed to doing things economically there but would like to see the W. Fairbanks businesses come along equally with the City and for other things to happen on West Fairbanks first before investing in this program. Commissioner Leary addressed the businesses already investing in W. Fairbanks and that it may help other businesses who cannot come forward with that type of investment and that it is a good partnership.

Motion made by Commissioner Cooper to approve a pilot façade grant program limited to West Fairbanks from Orlando Avenue to I-4 (West Fairbanks Business Façade Program); seconded by Commissioner Sprinkel.

Ms. Stone stated she will report back to the Commission with the outcome after the pilot has run its course. No public comments were made.

Upon a roll call vote, Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. Mayor Bradley voted no. The motion carried with a 4-1 vote.

Citizen public comments (items not on the agenda)

Nancy Shutts, 2010 Brandywine Drive, spoke in opposition to the Dr. Phillips Performing Arts Center (DPAC) interlocal agreement from the last meeting and the commitment for funding over 10 years that was approved.

Pat McDonald, 2348 Summerfield Road, opposed the DPAC funding as budgeted.

Kathryn Grammer, 200 S. Interlachen Avenue, opposed the DPAC funding.

A recess was taken from 5:13 to 5:30 p.m.

Public Hearings:

- a. ORDINANCE NO. 2982-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CONVEYANCE OF THE CITY OWNED PROPERTY LOCATED AT 300 NORTH PENNSYLVANIA AVENUE PURSUANT TO THE PROPOSAL APPROVED BY THE CITY COMMISSION ON SEPTEMBER 22, 2014, SUBJECT TO RESERVATION OF EASEMENTS; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. Second Reading

Attorney Brown read the ordinance by title. **Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Sprinkel.** No

public comments were made. **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.**

b. Request of Jewett Orthopedic Clinic:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 1245 ORANGE AVENUE, WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. **Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner McMacken.** No public comments were made. **Upon a roll call vote, Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. Mayor Bradley expressed a conflict of interest and did not vote. The motion carried with a 4-0 vote.**

c. Request of DePugh Nursing Home:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 500 W. MORSE BOULEVARD, WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. **Motion made by Commissioner Leary to accept the ordinance on first reading; seconded by Mayor Bradley.** No public comments were made. **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. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE ADOPTED BUDGET AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2013 – 2014 BY PROVIDING FOR CHANGES IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY First Reading

Attorney Brown read the ordinance by title. **Motion made by Commissioner Cooper to accept the ordinance on first reading; seconded by Commissioner Sprinkel.** No public comments were made. **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.**

e. RESOLUTION NO. 2147-14: A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA IN SUPPORT OF THE PROPOSED "ALL ABOARD FLORIDA" PRIVATELY OWNED, OPERATED AND MAINTAINED INTERCITY PASSENGER RAIL SERVICE BETWEEN DOWNTOWN MIAMI AND THE ORLANDO INTERNATIONAL AIRPORT BEING DEVELOPED BY FLORIDA EAST COAST INDUSTRIES, LLC; AND FURTHER URGING

THE GOVERNOR, FLORIDA DEPARTMENT OF TRANSPORTATION, ENTERPRISE FLORIDA AND OTHER AGENCIES TO SUPPORT THE PROJECT AS NECESSARY.

Attorney Brown read the resolution by title. **Motion made by Mayor Bradley to adopt the resolution; seconded by Commissioner Sprinkel.** No public comments were made. Commissioner Cooper stated she did not have enough information on this particular project so she would be voting against it. Commissioner McMacken expressed a conflict of interest and did not vote. **Upon a roll call vote, Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioner Cooper voted no. The motion carried with a 3-1 vote.**

- f. RESOLUTION NO. 2148-14: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, APPROVING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE RAVAUDAGE DEVELOPMENT; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

(Background information from packet): Benjamin Partners, Ltd. has made a request to amend the adopted Ravaudage Development Order as granted by the Orange County Board of County Commissioners on May 24, 2011. Since the property still maintains county land use and zoning, the Annexation Agreement with the city provides for the review process to mirror Orange County. Through this process, staff has met as a Development Review Committee (DRC) to review all the requested amendments to the existing adopted Development Order. This amendment request has been determined to be a significant change to the Development Order which requires a public hearing by the City Commission.

DRC has also reviewed two separate projects as part of the Ravaudage plan which includes a 55 unit project with David Weekly Homes and a 296 unit project for American Land Venture. Both of these projects triggered policy issues that are addressed later in this item. The American Land Venture project is requesting two setback variances from the Development Order that must go to the City Commission for consideration. DRC is not permitted to grant any variance or waivers to the approved Development Order.

Planning Director Dori Stone provided background and stated she would like for the applicant to present since the City is simply making recommendations on their application. She explained the DRC process and the meetings held so far.

The following highlights the various Development Order changes (correlated by Development Order number) that were requested by the developer. The city's Amended and Restated Development Order numbering was used for this review. The DRC action is under the Condition number.

Ms. Stone elaborated on the two major changes to the Development Order being requested this evening: 1) to reduce a setback for buildings up to four stories to a zero setback rather than the 15 feet the development order had; and 2) a six story new height requirement instead of the four story height requirement. She also addressed

the policy questions this evening which is a consideration of something that would be akin to our linkage fee to address his affordable housing component in Orange County which required 10% of affordable housing in his project. The applicant also asked to use our parks impact fees instead of putting park and recreation space on his property (Orange County has required him to do 2 ½ acres per 1,000 residents of parkland). She stated he has the ability to incorporate that in his site which he is doing in the second application tonight. She stated that DRC recommended approval of the overall changes to the Development Order adding a couple of conditions by DRC which would include smart signalization on 17-92 on two intersections as well as supporting bike share opportunities on his site to coordinate with what we have downtown that the developer consented to.

Attorney Kim Booker, representing Applicant Benjamin Partners, stated they are available for questions and would like to reserve a time for comments.

Questions were asked by the Commissioners. Commissioner Leary asked about affordable housing/workforce housing and contributions being made in lieu of providing the housing. Ms. Stone responded she believed that can be an amendment to the Development Order that a condition would be added upon agreement by the applicant that the City would be able to apply an amount similar to our current linkage fee. It was clarified that the Development Order only speaks to affordable housing at this point.

Commissioner Sprinkel expressed concerns with going from four to six stories and that she would like to trade off rather than increase. Ms. Stone explained the areas they are requesting the increase to six stories. Commissioner Cooper expressed concerns with the front setbacks being reduced to zero feet and asked if this applies to all the properties within the 35 acres. Ms. Stone said it did not and that the zero setback is only applicable to four stories or less. Other questions were answered by Ms. Stone. The removal of the Lynx super stop transfer station was also a concern of Commissioner Cooper. Further discussion ensued regarding the locations of the proposed six stories, the need for parkland on this project, what staff learned from the DRC process and that the DRC meetings have been open to the public.

Motion made by Commissioner Cooper to accept this request with the exception of conditions 12 and 13 relative to front setbacks, condition 12 relative to building heights, and condition 23 relative to the Lynx super stop transfer station. Motion failed for lack of a second.

The following spoke regarding this hearing:

Montye Plank, 1112 Turner Road, spoke in opposition because of traffic concerns and the change of approval conditions.

Pete Weldon, 700 Via Lombardy, asked if the proposed changes go through what is the minimum and maximum residential unit volume. Ms. Stone responded. He stated he would like to have a better understanding of this.

Kim Allen, 1800 W. Fawsett, expressed concerns with the absence of trees because of zero setbacks. She addressed the need for green space and the importance of design.

Bee Epley, 151 N. Orlando Avenue, addressed the need for green space.

Heidi Savage, 933 Lewis Drive, opposed the height adjustment from four to six stories and the setback along the rear because her property is adjacent.

A representative from Conklin, Porter and Holmes (CPH) addressed the issue of trees, pedestrian and landscaping for this project and that they will produce a great project.

Discussion ensued regarding how to handle each condition. There was a consensus to take them one at a time for discussion and vote on each one separately.

Condition #2: This will provide for the ability to incorporate changes and amendments as may be granted by the Winter Park City Commission.

DRC Recommendation: Approval

Motion made by Mayor Bradley to approve condition #2; seconded by Commissioner Leary. No discussion. 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.

Condition #4 and #6: These amendments will eliminate the requirement for a Master Stormwater Management Plan for the Ravaudage development and allows the project to impact the conservation areas designated on the land use plan without mitigation.

The Applicant has opted to prepare the required stormwater plan and requisite permitting on an incremental development plan submission basis. As evidenced by current on-site construction, an on-site stormwater management plan has been implemented to accommodate Phase One, bounded by Orlando Avenue, Lee Road, Bennett Avenue, and Glendon Parkway, which includes the Ale House restaurant, parking and other surface improvements as well as other future construction in this phase. Future development plan phases shall include/incorporate additional stormwater plans. Current plans have been permitted through the St. Johns River Water Management District (SJRWMD) with permit #: 40-095-128708-1 issued on: April 5, 2012. The Applicant has complied with wetland and/or conservation area thru the issuance of the SJRWMD permit #: 40-095-128708-1. Stormwater management will need to be permitted prior to the approval of any additional phases of the project.

DRC Recommendation: Approval

Motion made by Mayor Bradley to approve conditions #4 and #6; seconded by Commissioner Sprinkel. No discussion. 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.

Condition #7: This amendment allows outdoor retail sales and special events with limitations. Applicant has agreed to follow City protocol for outdoor sales, temporary/permanent structures and special events per City Code.

DRC Recommendation: Approval subject to conformance with the City's zoning regulations for outdoor sales and special events.

Motion made by Commissioner Leary to approve condition #7; seconded by Commissioner Sprinkel. No discussion. 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.

Condition #12 (c): This is a change to the PD commercial code. This amendment would allow the street front setbacks to be reduced from fifteen (15 ft.) to zero (0 ft.) and is limited to buildings up to four stories only. The development order is modified to read: Building setbacks for all interior/exterior streets shall be a maximum of 15' in lieu of 30' with a minimum of 0'. All other rights-of-way shall have a minimum sidewalk width of 10'. No building shall encroach into the right-of-way. This condition is only applicable to buildings with a maximum height of four stories.

DRC Recommendation: Approval subject to allowing this setback only on projects within the Ravaudage Master Plan that are planned up to four-story buildings.

Motion made by Commissioner McMacken to deny condition #12(c); seconded by Commissioner Cooper. Discussion ensued regarding Orange County and Winter Park's setbacks. Commissioner McMacken expressed his objection that this does not include a setback for the 3rd and 4th floors. Commissioner Leary asked if we put in a setback for the 3rd and 4th floors if he would agree to that. Commissioner McMacken agreed.

Applicant Dan Bellows addressed his proposal that he said is going to give the proper scale and further described the area.

Upon a roll call vote, the motion to deny failed with Mayor Bradley and Commissioners Leary, Sprinkel, and McMacken voting no. Commissioner Cooper voted yes. The motion failed with a 4-1 vote.

Motion made by Commissioner McMacken that the recommendation of the DRC be accepted with the following condition that the third and fourth floors of any development be set back using a one-to-one (1:1 feet) ratio from the first two floors, seconded by Commissioner Leary. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Condition #13 (c): This is a change to the PD residential code that mirrors the request in the commercial code. This amendment would apply only to buildings up to four stories and would allow building setbacks for all interior/exterior (all other R-O-W's) streets to be a minimum of 0' in lieu of 20' with a maximum setback of 25'. The minimum of 0' shall apply to back of sidewalk with a minimum sidewalk width of 10'. No building shall encroach into the right-of-way.

Both Condition #11(c) and #12(c) allow for a compact urban development within a planned community. The applicant's parcel yield and intensity is not affected by this setback range and the impact will be on four-story development within the PD itself. This type of development pattern meets the pedestrian and urban form that the developer is hoping to achieve.

DRC Recommendation: Approval subject to allowing this setback only on buildings up to four stories in height.

Motion made by Commissioner Cooper to deny condition #13(c); seconded by Commissioner McMacken. Upon a roll call vote, the motion to deny failed with Mayor Bradley and Commissioners Leary, Sprinkel, and McMacken voting no. Commissioner Cooper voted yes. The motion failed with a 4-1 vote.

Motion made by Commissioner McMacken that we accept DRC's recommendation with the condition that the third and fourth floors be set back using a one-to-one (1:1 feet) ratio from the first and second floor, seconded by Commissioner Leary. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Condition #12 (e and f): This amendment as requested would allow an increase in the building height of the area designated with a four story maximum building height to be increased to a six story maximum building height, provided the location is setback 200 feet from Lee Road. A revised Urban Form: Proposed Building Height Zones exhibit is attached for clarification. This exhibit is an amendment to Sheet C-5 Urban Form Templates in the Development Order.

The applicant states that the purpose of this request is to provide maximum flexibility to parcel developers with respect to product placement, visibility and massing. This request does not increase project density or intensity nor does it increase building

heights throughout the project. The proposal calls for a reduction on buildings heights in the area bounded by Morgan Lane, Lewis Drive, Loren Avenue and Bennett Avenue. It would allow for an increase of up to two additional stories on a case-by case basis for projects located within a certain Ravaudage area. Additionally, said specific height increase request shall be reviewed by staff and approved by City Commission. No six story buildings shall be located within 200 feet of the Lee Road right-of-way unless otherwise authorized by City Commission.

DRC Recommendation: Approval with conditions requiring a setback of 200 feet from Lee Road and Orlando Avenue with a maximum height of 87 feet.

Motion made by Mayor Bradley to approve condition #12(e and f) with the condition that there is a 50' foot setback off of Bennett for the six story piece; seconded by Commissioner Leary.

Applicant Dan Bellows spoke about the annexation agreement allowing them to go through this process and can ask to modify but that the agreement says they cannot be reduced in what his entitlements currently are. He explained that American Land Ventures is present regarding the aesthetics of the project as well as Kim Booker who will address legal points. He said currently they are allowed the 15' setback off Bennett and believed the zero setback is appropriate. He disagreed going from 15' to 50'.

Motion amended by Commissioner Sprinkel that if we move from four to six stories in one area that the two stories added be removed from another area where they are allowed in the development; seconded by Mayor Bradley.

Mr. Bellows further spoke about the 50' foot setback as included in the motion and that they looked at the site where it would go as related to being six stories adjacent to Bennett Avenue and that they are only asking for a 2' 2" variance.

After public comments, Attorney Kim Booker addressed the height conditions and that they are prepared to allow an allocation for a reduction in areas that are eight stories to six stories in exchange for the four stories to six stories based on the footprint of the building. There be an equal amount of square footage that would be reduced in the remainder of the area designated for up to eight stories (addresses conditions 12 (e and f)). She clarified that they would agree to this if the Commission does not approve the 50' setback. She stated the developer is also willing to go to the 1:1 foot ratio (four story area where they are seeking the zero setback) which would allow the 3rd and 4th stories to have a setback based on the height of the 1st and 2nd stories as a compromise. She stated that Ravaudage is entitled to eight stories and they are asking to move that around and that they are not asking for additional entitlements. She spoke about the DRC creating and adding the 200' setback to assure that the four stories would be part of that portion fronting on Lee Road and 17-92 which is part of this Development Order as a change. In conclusion, she addressed the open space and that building massing allows you to preserve or conserve additional green space which is what they are trying to do.

Mr. Stone wanted to clarify condition 12(e). She stated the DRC will not allow them to walk in and suddenly change something from one to four to one to six stories. They would expect an amendment back through the height map in order to get that approved and taken back through a public hearing. She wanted to make sure the applicant was not under the impression that gives them the flexibility to adjust two stories one way or another without going back through an amendment to the height map. Mr. Bellows stated that this amendment gives them the right to ask.

Upon a roll call on the amendment (that if we move from four to six stories in that area that the two stories that are additional be removed from the other place where they are allowed in the development), Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The amendment to the motion carried unanimously with a 5-0 vote.

Mayor Bradley clarified the main motion above to reflect that condition #12 (e and f) would be any place where four story buildings in this specific area with a setback from 200' from Lee Road would be provided. In addition, there is a 200' setback from 17-92 and then a 50' setback from Bennett and the other conditions put in by the DRC include a maximum height of 87 feet.

Upon a roll call vote on the main motion as amended (to include the 50' setback off of Bennett), Commissioners Leary, Sprinkel, Cooper and McMacken voted no. Mayor Bradley voted yes. The motion failed with a 4-1 vote.

Motion made by Commissioner Leary to accept the DRC recommendation as presented with the amendment of the two stories that was previously approved, seconded by Commissioner Sprinkel. Mayor Bradley addressed his preference of not allowing six story buildings on Bennett Avenue. Mr. Bellows clarified the area in question and that it is 200' in from the roadway. There was further discussion. Mr. Bellows pointed out that the parcel in question is across from an industrial area on Bennett Avenue. Should the Commission approve this parcel they would not come and ask for another six story building on Bennett Avenue all the way to Monroe that is not 50' feet off the roadway.

Bee Epley, 1570 Hillcrest Avenue, asked what this is going to look like visually and opposed the six stories.

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

Condition #14 (b): This amendment allows the required parking to be up to 350 feet from the building(s) it serves in lieu of the 300 foot maximum distance

previously granted by Orange County. Staff believes this distance is still walkable for the users.

DRC Recommendation: Approval

Motion made by Mayor Bradley to approve condition #14(b); seconded by Commissioner Leary. 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.

Condition #17: This amendment eliminates the requirement to submit a Planning Context Study.

The applicant provided the Planning Context Study to Orange County and the City thus there has been compliance.

DRC Recommendation: Approval

Motion made by Mayor Bradley to approve condition #17 (DRC recommendation to eliminate this requirement); seconded by Commissioner McMacken. 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.

Conditions #18, #19, #20 and #21: The applicant has asked that the city delete Conditions 1 through 21 based on the fact that the applicant has submitted all the required studies to Orange County to study traffic and mitigation methodology. The applicant has also implemented or planned for the necessary mitigation measures for future traffic impacts as outlined in each study. The developer will also be responsible to traffic monitoring for the signalization of Glendon Parkway and Orlando Avenue as well as Bennett Avenue and Lee Road. While staff recognizes the analysis that took place as part of the development approval, staff had concerns over the signalization along Orlando Avenue and a desire for the developer to participate in a systematic renovation of the signals from Lee Road to Morse Boulevard.

Recognizing that this development is part of other redevelopment underway along Orlando Avenue, the developer did agree to participate in a proportionate share of the costs of smart technology along Orlando Avenue. DRC recommends adding a condition to the Development Order that addresses this contribution.

An additional issue regarding bike trails and bike connectivity was addressed in the city's DRC meeting. The developer expressed support for bike trail and bikeway activities. Staff recommends adding a condition to the Development Order that addresses this item.

DRC Recommendation: Remove Conditions #18, #19, #20 and #21 and add the following condition: New Condition #32: The developer will contribute a proportionate share of the costs of intersection traffic signalization technology upgrades through a phasing of the project. These upgrades will apply to significantly affected intersections based on a mutual determination by the Developer's traffic engineer and the City's transportation traffic engineer with the developer's share not to exceed 25.5% for five intersections.

Motion made by Mayor Bradley to approve conditions #18, #19, #20 and #21 to remove them per the DRC recommendation and to add new condition #32; seconded by Commissioner McMacken. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Condition #22 (a) (b) (c) (d) and (e): Condition 22 (a) is replaced with language from the Annexation Agreement that includes the intersection requirements as well as all the traffic analysis that must be completed and the timing of that analysis for signal evaluation. Section 22 (b) (c) (d) and (e) implements requirements for a street grid system. Future traffic will warrant the need for a signalized intersection at both Glendon Parkway and Orlando Avenue as well as Bennett Avenue and Lee Road. None of the modifications to the traffic analysis affects that requirement. At such time as the threshold is reached for traffic signal warrant studies to begin, the applicant, the City and FDOT can evaluate the best location for future traffic signals.

DRC Recommendation: Approval, subject to removing the references to Solana Avenue from 22 (a), (b) and (d)

Ms. Stone addressed (c) and (e) that reflects Glendon Parkway which is overridden by the requirements in the annexation agreement; all of these reference the Glendon Parkway project and moving from Solana to Glendon on the intersection. He no longer had the ability to put in an intersection at Solana and Orlando Avenue so they moved that down to Glendon Parkway.

Motion made by Mayor Bradley to accept the DRC's recommendations for condition #22 (a-e); seconded by Commissioner Sprinkel. 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.

Condition #23: This amendment eliminates the requirement to accommodate or provide any locations or stops for LYNX service for the development as part of the mobility strategy or provide opportunity for a review of this change by LYNX. City staff examined the existing super stop at Denning Drive and Webster Avenue and believes that this is the best location for a super stop in Winter Park. Staff felt that the

developer should give consideration to a transit stop and pedestrian way if a new SunRail station is approved as part of the master development plan. The developer is willing to work with Lynx to accommodate appropriate bus stop locations along Lee Road and Orlando Avenue.

New Condition 23 (a) (b): The applicant will provide a bike share facility within the Ravaudage project by the completion of the second residential development. Additional bike share facilities are encouraged throughout the Ravaudage project.

DRC Recommendation: Approval with a language modification that allows the developer to include a transit stop and pedestrian way for a SunRail stop.

Motion made by Commissioner Cooper to deny the recommendation and removal of the Lynx super stop and transfer station from his development agreement; seconded by Commissioner McMacken.

Ms. Stone stated that Lynx put this condition in the development order to put in a super stop location but with no specific location or time. There was further discussion. Mr. Bellows stated he has no problem leaving this in.

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

Condition #28: This amendment would eliminate the requirement for a minimum of 300 residential units which would alter the original vision for Ravaudage as a "mixed use" development.

The Applicant states that their building program consists of residential, hotel, commercial/ retail and office. It is the intent to develop specific uses that reflect and respond to market forces. As a result if market forces do not favor residential then the applicant does not want to be mandated to include 300 units. As detailed later, mandating residential does not match the strategic goals of the City.

DRC Recommendation: Approval

Motion made by Mayor Bradley to approve condition #28 as recommended by the DRC; seconded by Commissioner Sprinkel. 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.

Condition #29: This amendment would change the internal traffic lanes from 11 to 12 feet in width.

DRC Recommendation: Approval

Motion made by Mayor Bradley to approve condition #29 as recommended by the DRC; seconded by Commissioner Leary. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel and Cooper voted yes. Commissioner McMacken voted no. The motion carried with a 4-1 vote.

Condition #30: This amendment would not require intersection crosswalks to be elevated from street height.

DRC Recommendation: This item did not go through DRC, but the city's Public Works Department recommends removal of this condition for several reasons. There appears to be no significant impact to driver behavior when passing over these raised pedestrian crossings and groundwater will pool around them causing road deterioration over time.

Motion made by Mayor Bradley to approve condition #30 as recommended by the DRC; seconded by Commissioner Sprinkel. 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.

Policy Issues

(The next four paragraphs were pulled from the staff report to explain the policy issues). The developer is proposing a six story, 296 unit multi-family project at Ravaudage, subject to approval of several Development Order conditions. At DRC, there were several other outstanding issues related to the approved development plan found on Page C-4 that require policy direction. While these apply to this specific project, other projects within the development will be affected by the decisions of the Commission.

Policy #1): In Item 13, under Project Notes, recreation shall be provided at a rate of 2.5/1000 population. Orange County allows on-site recreational improvements to count towards the recreational requirements. For this project, the developer is required to provide 1.63 acres of parkland. The developer has met this requirement using his on-site recreational uses such as tennis courts, a weight room and public space around the project. In lieu of counting on-site recreation, the developer is interested in paying the parks impact fees (\$2000/unit) to cover his recreation needs for the entire Ravaudage project. The fee would be paid as residential units are constructed and the overall on-site requirement to have parklands would be optional based on the fee payment. If the Commission chooses not to allow him to mitigate using this fee, he will be required to provide 2.5 acres/1000 population for all residential development within the Ravaudage master plan.

Policy #2): In Item 7 found under Project Building Program notes, Orange County requires that at least 10% of the multi-family residential units built in the project shall be certified affordable housing. The developer has offered to pay the city's Affordable Housing Trust Fund fee of \$.50/square foot for each multi-family unit in lieu of the requirement to lease 10% of all multi-family units as certified affordable housing. To be consistent with the terms of the Annexation Agreement, the Commission's options are only to accept the payment or require the developer to provide the affordable housing units.

After consultation with Orange County and the City Attorney's office, the attached resolution is the mechanism that will be used to adopt any amended Development Order to the Ravaudage Planned Development. The Development Order will be revised to reflect any Commission decisions on the modifications and changes that have been requested or proposed by the Commission including codification and additions. Any future amendments to this Development Order will be adopted in the same manner. This is consistent with Orange County procedures. (End of staff report)

Ms. Stone addressed the policy issues that the developer has asked to bring forward. She spoke about policy #1 regarding recreation that is explained above that the developer would prefer to pay the parks impact fees (\$2000/unit) to cover their recreation needs for the entire Ravaudage project. She stated the recommendation of staff is to provide parkland on site.

No action was taken on Policy #1 after discussion. Commissioner Cooper addressed her preference to have public parkland where people do not have to pay to play.

Regarding policy #2 above, Ms. Stone provided a summary and explained the options to be consistent with the terms of the annexation agreement. She stated that staff would be interested in an amendment to this that the money could be used for either affordable or workforce housing units and the fee in lieu of would be the same as our linkage fee.

Motion made by Commissioner Sprinkel to allow the applicant to pay the fee as opposed to allocating his units as affordable housing or workforce housing; seconded by Commissioner Leary. No public comments were made. **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.**

Attorney Brown read the resolution by title. **Motion made by Mayor Bradley to adopt the resolution with the amendments (that will change in Exhibit 'A');** **seconded by Commissioner Leary.** No public comments were made. **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.**

g. Request of Benjamin Partners, Ltd. and American Land Ventures, Inc.:

Approval of setback amendments for the fifth and sixth floors of the proposed six story, 296 unit apartment project to be located 2' 2" into the required street setback on Bennett Avenue and 10' 2" into the required setback on Loren Avenue.

The developer is asking for two amendments to the Development Order for the setbacks for the American Lands project, located along Loren Avenue to the south, Bennett Avenue to the east and Lewis Drive to the west. The Development Order requires 15' for side setbacks. The first setback for 2.2 feet is at the corner of Bennett Avenue and Morgan Lane. The second setback is for 10.2 feet along Lewis Drive and Morgan Lane. The width of Lewis Drive is 70'.

Planning Director Dori Stone explained that this is not in the entitlements of the Ravaudage project (the request for six stories and the two setbacks being asked for on this property). She explained that on the side of the project facing Bennett Avenue they are required to have a 15' setback and that the applicant is asking for a 2.2 foot setback on the west side of Bennett and is asking for a 4'10" setback facing Lewis Avenue. She explained that the six stories was not previously granted so from a DRC perspective this project is not approvable at this point because they have not reviewed this as a four story project. Mayor Bradley stated there is no context for them to hear it but they can request the setbacks for a four story building.

Motion made by Mayor Bradley to approve the setbacks for a four story building on the corners of Lewis Drive and Morgan Lane; seconded by Commissioner Sprinkel.

Mr. Bellows asked if there is a mechanism to agree to let this one site go to six stories and keep everything as requested except the Mayor's position of the 50' setback on Bennett that they would agree to be 25' back. He stated if the Commission still wants the 50' he would like to move forward to get a vote for a six story building for this site and would not be asking for the variance. The developers have said they can make this work. Commissioner McMacken expressed his frustration with the applicant asking for changes without bringing an updated site plan and stated he would not vote on this piece meal.

After further discussion, **a motion was made by Commissioner Leary to table, seconded by Commissioner Cooper. Upon a roll call vote, Commissioners Leary, Cooper and McMacken voted yes. Mayor Bradley and Commissioner Sprinkel voted no. The motion carried with a 3-2 vote.**

City Commission Reports:

a. Commissioner Leary

Commissioner Leary addressed the urban coyote problems upcoming meeting scheduled with Orange County, the great Veterans Day event, and the DPAC opening.

b. Commissioner Sprinkel

Commissioner Sprinkel addressed Chalk in the Park, the Peacock Ball, Mead Garden event and the Crealde event. She spoke about the need to improve the streetlights on Palmer Avenue.

c. Commissioner Cooper

Commissioner Cooper addressed the donation of her monthly salary to the 'Feed the Need' Winter Park team, the Peacock Ball, the closing of the Mount Vernon Inn, the Veterans Day ceremony, Winter Park hosting the Florida League of Cities awards banquet on November 21, and her Coffee Talk last week.

d. Commissioner McMacken

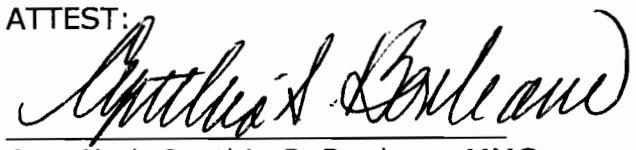
No report.

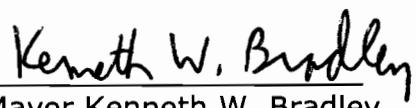
e. Mayor Bradley

No report.

The meeting adjourned at 8:30 p.m.

ATTEST:


Cynthia S. Bonham
City Clerk Cynthia S. Bonham, MMC


Kenneth W. Bradley
Mayor Kenneth W. Bradley

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

LAST NAME—FIRST NAME—MIDDLE NAME McMACKEN THOMAS JAMES	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE GR COMMISION		
MAILING ADDRESS 1821 SHILOH LAKES	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:		
CITY WINTER PARK	CITY ORANGE	CITY	<input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED 10 NOVEMBER 4	NAME OF POLITICAL SUBDIVISION: WATSON		
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input checked="" 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

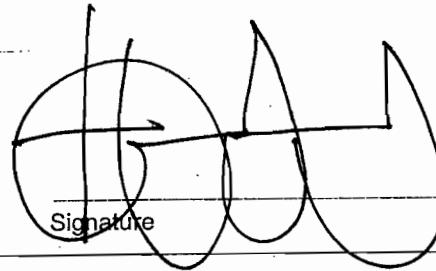
TOM MACKEN, hereby disclose that on 10 November, 2014:

(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, and employer AECom;
 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:

10 November 14
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME BRADLEY Kenneth Wayne	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Winter Park
MAILING ADDRESS 1612 Elizabeth's Walk	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 Winter Park	COUNTY Orange
DATE ON WHICH VOTE OCCURRED November 10, 2014	NAME OF POLITICAL SUBDIVISION: Winter Park
	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 November 10, 20 14:

(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:

I serve on the Board of Physician's Surgery Center. The Surgery Center is being built on property that this utility easement impacts.

November 10, 2014
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.