

TOWN OF WINDERMERE

Town Council Meeting Minutes

August 13, 2019

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley, Andy Williams, Chris Sapp, and Liz Andert. Town Attorney Heather Ramos, Town Manager Robert Smith, Police Chief Dave Ogden, Public Works Director Scott Brown, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated all Council members were present.

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)

All speakers signed in deferred to speak until the agenda item they were present for was heard.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS:

- a. Mayoral Proclamation declaring the third Friday in September as the Annual West Orange Healthy Selfie Day (Attachment-Mayor to Present)

Mayor O'Brien read and proclaimed September 20, 2019 as West Orange Healthy Selfie Day in the Town of Windermere.

3. TIMED ITEMS AND PUBLIC HEARING:

- a. ORDINANCE NO. 2019-05 (Attachment-Limiting hours for garbage pickup-Board Option)

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO HEALTH, SAFETY AND WELFARE; AMENDING THE TOWN'S CODE OF ORDINANCES TO ADD A NEW SECTION 28-8 TO CHAPTER 28 OF THE TOWN'S CODE OF ORDINANCES TO BE TITLED "PERMISSIBLE HOURS FOR GARBAGE COLLECTION"; PROVIDING THAT RESIDENTIAL AND NON-RESIDENTIAL GARBAGE MAY BE COLLECTED ONLY DURING THE HOURS BETWEEN 7:00 A.M. AND 10:00 P.M., EACH DAY OF THE WEEK; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING AN EFFECTIVE DATE.

Mayor O'Brien closed the Town Council meeting at 6:07pm and opened the Public Hearing regarding proposed Ordinance 2019-05. There being no public comments, Mayor O'Brien closed the Public Hearing and reconvened the Town Council meeting at 6:08pm. Member McKinley made a motion to approve Ordinance 2019-05. Member Andert seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

- b. First Public Hearing for First Amendment to Sunset Bay Developers Agreement (Attachments-DRB Recommends Approval 5-0)

TOWN OF WINDERMERE

Town Council Meeting Minutes

August 13, 2019

Mayor O'Brien closed the Town Council meeting at 6:09pm and opened the first Public Hearing regarding the first amendment to the Sunset Bay Developers Agreement. Mr. David Sharpe of 1027 Oakdale Street introduced himself. He then questioned what has been done to confirm that the HOA has done what their responsibilities are; berms, swales and infrastructure in place prior to the Town accepting the new agreement. Manager Smith reviewed the existing agreement, proposed changes, fourteen homes affected, lighting, berms and swales, and signage. There being no further public input, Mayor O'Brien closed the Public Hearing at 6:16pm and reconvened the Town Council meeting. Manager Smith explained that this is a first Public Hearing, no motion or vote is needed. The motion and vote will take place at the next Town Council meeting in September.

c. Resolution 2019-03 Of the Town of Windermere, Florida regarding Voting Requirements under Section 12.04 of the Town Charter for Rezoning

Mayor O'Brien introduced proposed Resolution 2019-03. There being no discussion, Member McKinley made a motion to approve Resolution 2019-03as presented. Member Sapp seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

d. Public Hearing Cases for Amendment to Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoing-111 W 5th Avenue and 119 W 5th Avenue

- i. An ordinance to amend the Town Center Design Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02) (Attachments-DRB Recommends Denial 5-0);**
- ii. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03) (Attachments-DRB Recommends Denial 5-0); and**
- iii. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04) (DRB Recommends Denial 4-1)**

Mayor O'Brien closed the Town Council meeting at 6:18pm and opened the Public Hearing regarding item d(i),(ii),(iii). He then stated the Member Williams has recused himself from any discussion on this item. Mayor O'Brien commented on the order of business, which will be Manager Smith, Mr. Brad Cornelius, and then the Public. Manager Smith explained that this Public Hearing is for two properties, 111 W 5th Avenue and 119 W 5th Avenue. He then explained that the first Ordinance will be removal of 111 W 5th Avenue and 119 W 5th Avenue from the Overlay District. He explained that the second Ordinance will change the map, and the third Ordinance would change the zoning of the property to commercial. Manager Smith stated that the type of "Use" is not up for discussion this evening. He then explained why the change

TOWN OF WINDERMERE

Town Council Meeting Minutes

August 13, 2019

on 119 W 5th Avenue is needed. He stated that the First Baptist Church owns 119 W 5th Avenue and the future land use for that property is Public Facilities. Manager Smith explained that only the Town or First Baptist Church would be able to utilize the 119 W 5th Avenue. He then explained the process that would need to be done if the properties were rezoned. Manager Smith stated that the residential property located at 111 W 5th Avenue is surrounded by public, civic, and commercial use. He then commented on the issue of residential designation surrounded by the other uses. Manager Smith explained what processes would need to be followed to change the zoning. He then stated that if the Town Council approves to move forward with a commercial rezoning, the Town Council may impose restrictions on the property and its uses. Manager Smith also stated that all current restrictions, codes, and guidelines will need to be met. He then commented on proposed Ordinance 2019-02 and 2019-03 and the processes and conditions that will be needed. Manager Smith stated that this would not set a precedence. He explained that each item/request is handled on a case by case basis. Manager Smith further explained that no approvals are needed this evening, as this is a First Reading for rezoning. He then stated that the Second Reading/Public Hearing will be at the September 10th Town Council meeting. Manager Smith then turned the floor over to Mr. Brad Cornelius. Mr. Cornelius introduced himself. He then stated that the three proposed Ordinances are related to each other. Mr. Cornelius then explained each proposed Ordinance and their process. He stated that 43 notices were sent out in the required 500' radius for the Small Scale Land Use amendment and the Rezoning as required. Mr. Cornelius stated that as of August 1, 2019, 8 responses in support for the Small Scale amendment were received, and 6 in opposition were received and very specific to all three Ordinances. He then commented on the rezoning request, 9 were received in support, and 5 in opposition. Mr. Cornelius stated that numerous comments were received after the deadline of August 1st and have been given to the Town Council. He stated that an additional 35 comments were received in support and 1 in opposition (previously received), all were from outside the Town limits. Mr. Cornelius stated that these items were presented to the Development Review Board as required. He then reviewed that meeting. Mr. Cornelius stated that the DRB did deny proposed Ordinance 2019-02 by a 5-0 vote, as well as Ordinance 2019-03. He then stated that proposed Ordinance 2019-04 was denied by a 4-1 vote. Mr. Cornelius commented on the encroachment of commercial to the residential area. Mayor O'Brien thanked Mr. Cornelius for his presentation. He then stated that he would move forward with the Public Hearing. Mayor O'Brien read the titles of proposed Ordinances 2019-02, 2019-03 and 2019-04 for the record. He then opened the floor to the public. First to speak was Mr. George Poelker of 405 W 3rd Avenue. He stated he is in favor of the proposed Ordinances but questioned if they are all approved, the current parking lot would change from residential to public facility? Mr. Cornelius explained that no changes will be made to the current lot designation of Public Facilities with the proposed Ordinances. Mr. Cornelius explained what would need to be done to change the overlay on the parking lot. Mr. Poelker questioned if the Ordinance should be done now for the future change. Next to speak was Mr. John Spears of 406 Forest Street. Mr. Spears thanked the Town Council members for volunteering for a "not so easy job," as well as the DRB members. He then commented on the years of work for the Town's Master Plan. Mr. Spears then commented on issues with the current parking lot. He then stated that he is not in favor of the proposed Ordinances. Ms. Renee Cingolani of 412 Forest Street introduced herself. She then commented on her history in Town, street closures, traffic, parking lots, noise, and events. She then requested to have the end of Forest Street closed off. Mr. Andy Cingolani of 412 Forest Street introduced himself. He then commented on traffic and parking issues. He then commented on the concern of signage for the new business. Mr. Cecil Robinson of 202 E 5th Avenue introduced himself.

TOWN OF WINDERMERE

Town Council Meeting Minutes

August 13, 2019

He then commented on the four lots near his home that are currently in the overlay. Mr. Robinson commented on his concern with setting a precedence. He then stated he is not in favor of these Ordinances. Mr. Andrew McGhee of 226 Butler Street introduced himself. He then commented that as a resident who would like to see more businesses in town, he is in favor of the change. Mr. McGhee stated that he would like to have more opportunities to stay in Town with his family and enjoy dinners/activities. Mr. Joseph Ata of 5 Pine Street introduced himself. He then stated that he agrees with the comments from Mr. McGhee and urges the Town Council to approve the Ordinances. Mrs. Jill Ata of 5 Pine Street stated she agrees with the proposed Ordinances. Mr. Neal Chambliss of 117 Palm Street introduced himself. He then commented on current businesses he has seen come to Town. Mr. Chambliss stated those businesses had to follow a process and the newly proposed should do the same. He then stated that he is in favor of the proposed Ordinances. Ms. Kristen McGhee of 226 Butler Street introduced herself. She stated that she is in support of the Ordinances. Ms. Debora Fahmy of 435 Butler Street signed in but did not wish to speak. Mr. Mohamed Fahmy of 435 Butler Street introduced himself. He stated he is not in favor of the proposed Ordinances. Mr. Fahmy then questioned if the Town would be interested in purchasing 111 W 5th Avenue. He then stated that a better solution is needed. Manager Smith explained that the septic system that is utilized for the abutting businesses is located on the back of 111 W 5th Avenue. He then stated that it would not be beneficial for the Town to purchase the property. Discussion was made regarding parking. Mr. Bill Molland of 230 W 5th Avenue signed in but did not wish to speak. Ms. Theresa Schretzman-Myers of 2713 Tryon Place introduced herself. She then stated that she was present to represent the trees. Ms. Schretzman-Myers then commented on an inspection she did on the trees. She then stated she would defer to the residents that would be affected directly. Ms. Schretzman-Myers commented that trees needed to be replanted where they were removed for the parking lot. She then requested that the trees be protected and preserved. Ms. Schretzmann-Myers stated that she is in favor of making the downtown vibrant while protecting the historic live oaks. Mr. David Sharpe of 1027 Oakdale Street deferred to speak. Member Sapp questioned if the trees were protected in the Master Plan. Mr. Cornelius stated yes. Ms. Maria Liberman of 41 Pine Street introduced herself. She then stated that she would like to see more businesses that can be utilized by residents. Ms. Liberman commented that the current traffic issue is with cut-thru traffic, not local. She then stated she is in favor of the rezoning. Mr. Stephen Withers of 712 Main Street and a Development Review Board Member introduced himself. He then questioned if the Town's Ordinance regarding chain businesses had been changed. Mr. Cornelius stated he would research the Ordinances for clarification. Some discussion followed. Ms. Jennifer Roper of 425 Magnolia and a Development Review Board member introduced herself. She then questioned when the property zoning changed to commercial. Manager Smith stated that in 2018 a Comprehensive Plan amendment was done. Mr. Cornelius explained why the change was made. Some discussion followed. Ms. Roper commented that when the parking lot was being discussed, the property owners of 111 W 5th Avenue could have commented on the position it was going to put on their lot. She then commented on the current Master Plan and possibility of amending it. Mr. Frank Chase of 935 Oakdale Street introduced himself. He stated he agreed with Ms. Roper's comments and that the Master Plan needed to be reviewed. Mr. Cornelius was speaking and is in-audible. Mr. Chase commented on removing certain sections of the Master Plan. There being no further public comments Mayor O'Brien closed the public Hearing at 7:46pm and reconvened the Town Council meeting. Mayor O'Brien stated that there will not be a motion or vote on this item at this meeting but further discussion by the Council can be made. Member Martini thanked everyone for their comments and input. He then questioned if the zoning remained residential,

TOWN OF WINDERMERE

Town Council Meeting Minutes

August 13, 2019

could a Business Tax Receipt be obtained. Manager Smith explained that a Home Business Tax Receipt could be obtained. He then stated that there are strict restrictions for one. Member Martini questioned if the parking needed to be on site. Mr. Cornelius explained that the Town Council would have approved whether parking is on or off site, request a reduced requirement, and/or pay the Town. Discussion followed regarding commercial square footage, parking requirements and septic. Member Andert stated that if restrictions are placed on the property, she would like the restrictions to be indefinite. Mr. Cornelius stated that the restrictions will run with the land, not the business. Member Sapp thanked Manager Smith and Mr. Cornelius for their assistance with this item. He then commented on the current Master Plan. Manager Smith questioned Member Sapp if he would be agreeable to allow him to send Member Sapp's questions to the Mayor and remaining Town Council members. Member Sapp was agreeable. Manager Smith stated he would have the questions attached to the next agenda. Member McKinley questioned if the questions could be sent prior to the next agenda. Manager Smith stated he would send them out prior to the next agenda. Some general discussion followed. Manager Smith reminded everyone that this item will be heard September 10th, at 6:00pm in the Town Hall.

Mayor O'Brien recessed the meeting to allow residents/public to exit the meeting. He then reconvened the meeting at 8:06pm.

4. CONSENT AGENDA:

- a. **Town of Windermere Arbor and Treebute Date Approvals: January 16-18, 2020. (Tree Board Recommends Approval)**
- b. **Windermere Police Department Foundation 3rd Annual St. Patrick's Day Celebration and Officer Robert "Robbie" German remembrance Saturday 4-8pm March 14, 2020 (Board Option)**
- c. **Windermere Craft Beer Fest Saturday 4-8pm October 12, 2019 (DBC Recommends Approval)**
- d. **Cops & Bobbers Fishing Event 7:30-12pm September 21, 2019 (Attachment-Board Option)**
- e. **Agreement between the School Board of Orange County, Florida and the Town of Windermere Police Department for School Resource Officer Program**

Mayor O'Brien introduced the consent agenda. Member Andert questioned if the agreement for item "e" could be made public for parents. Manager Smith stated that the agreement is a public record. Member Andert stated she would like the agreement to be more accessible to the parents/public. Manager Smith stated he could have the agreement placed on the website. Mayor O'Brien suggested a FAQ page for the agreement. Member Sapp made a motion to approve the consent agenda as presented. Member Martini seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

TOWN OF WINDERMERE

Town Council Meeting Minutes

August 13, 2019

5. NEW BUSINESS:

a. MINUTES

- i. Town Council Meeting Minutes July 9, 2019 (Attachments-Staff Recommends Approval)
- ii. Town Council Workshop Meeting Minutes July 23, 2019 (Attachment-Staff Recommends Approval)

Member Andert made a motion to approve the Town Council minutes as presented. Member McKinley seconded the motion. Roll call vote was as follows; Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

c. APPOINTMENTS: COMMITTEES AND BOARDS

- i. Development Review Board: William Yeager (Attachment-DRB Recommends Approval)

Member Martini made a motion to appoint William Yeager to the Development Review Board. Member McKinley seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

d. CONTRACTS AND AGREEMENTS

Due to time and the remaining public in attendance, Mayor O'Brien requested to hear the items below in order on public member present. Town Council agreed. Mayor O'Brien selected item "iii" Marina Bay Stormwater Pond Repairs first for discussion.

- iii. Marina Bay Stormwater Pond Repairs (Attachments-Staff Recommends)

Mayor O'Brien introduced this item. Public Works Director Scott Brown explained past repairs that have been done to the existing pond. He further explained that approval is needed to reinstall of the underdrain system. Director Brown explained that this is assist in having a drier system that is needed. He then reviewed the bidding process. Member McKinley questioned if this is the same drain that the Town has worked on in the past. Director Brown stated yes. After some discussion was made, Member McKinley made a motion to approve the pond repairs not to exceed \$85,000.00. Member Williams seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

Mayor O'Brien stated that the next item would "iv" Willows Road project.

TOWN OF WINDERMERE

Town Council Meeting Minutes

August 13, 2019

iv. Willows Road Milling & Resurfacing Approval (Attachments-Staff Recommends)

Director Brown reviewed the proposed project. He commented on trees in the right of way and their root systems which are causing damage to the road and sidewalks. Director Brown stated that the Town needed to have their Arborists assess the conditions. Some discussion followed regarding the trees in the right of way. Manager Smith stated for the record, "that the X's placed on the trees were not done by the Town." Mayor O'Brien questioned who did it. Manager Smith stated it is unknown. He also stated that other trees around Town were marked as well. Mayor O'Brien questioned how many trees would be affected. Director Brown stated approximately 21. He then commented that the entire subdivision's trees will be reassessed. Director Brown explained that the \$20,000.00 will be removed from the bid documents as the Town will be working with an Arborist. Member Martini questioned if the trees will be replaced. Director Brown stated trees will not be replanted in the right of way. Discussion followed regarding trees, tree removal, and costs. Member McKinley made a motion to approve the Willows road milling and resurfacing project not to exceed \$660,000.00. Member Martini seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

Manager Smith stated that Mr. Cornelius is present for item "v". Mayor O'Brien moved item "v" forward.

v. Renewal of Agreement for On Call Land Planning Services: Wade Trim

Manager Smith stated that he would highly recommend approval of the agreement renewal. Director Brown also commented highly on Wade Trim and the renewal of the agreement. Member McKinley made a motion to approve the agreement renewal with Wade Trim. Member Andert seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

Mayor O'Brien requested to move item b(i) Town Facilities forward.

a. OTHER ITEMS FOR CONSIDERATION:

i. Town Facilities Concept Approval (Attachments-Board Option)

Mayor O'Brien introduced this item. Manager Smith stated that a motion and vote is needed. He explained that this item was brought forward after many workshops and meetings. Member McKinley made a motion to approve Concept 1. Member Sapp seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

i. RFP 2019-03 Bayshore Drive Drainage Improvements: Not to Exceed \$65,000 (Attachments-Staff Recommends Gregori Construction Inc.)

TOWN OF WINDERMERE

Town Council Meeting Minutes

August 13, 2019

Mayor O'Brien introduced this item. Director Brown reviewed the proposed project and proposed bids. He then stated that staff is recommending the approval of Gergori Construction with a not to exceed \$65,000.00. After some brief discussion was made, Member Martini made a motion to approve Gregori Construction with a not to exceed \$65,000.00. Member McKinley seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

ii. RFP 2019-05 Park Avenue Drainage and Sidewalk Improvements: Not to Exceed \$260,000 (Attachments-Staff Recommends Barracuda Building Corp)

Mayor O'Brien introduced this item. Director Brown stated that \$125,000.00 of this project should come back to the Town from Orange County Utilities. He then commented on the laws regarding utility companies' responsibilities. Director Brown explained that the County will pay for the relocation of the 6" pipe. He stated that there has been water accumulation in the area. Director Brown stated that the sidewalks and cross walk will be addressed as well. Member Sapp questioned the length of time for interruption of water service. Director Brown stated that a jumper will be put in place, therefore there will not be any interruptions in water service. Member McKinley made a motion to approve the Park Avenue Drainage and Sidewalk Improvements with a not to exceed \$260,000.00. Member Sapp seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

b. FINANCIAL:

6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien reported on the Mayors/Managers Luncheon he attended and Mayor Deming's Penny Sales Tax for transportation.

7. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Mr. Smith reported on the Transportation meeting he attended, and the upcoming Special meeting on August 27th.

b. TOWN ATTORNEY HEATHER RAMOS – No report.

c. CHIEF DAVE OGDEN – Chief Ogden reported that school is back in session. He then reported on upcoming meeting with Butler Chain Advisory Board, MSDA meetings, and the upcoming Cops and Bobbers event. Mayor O'Brien requested that the Chief get a clarification on the Noise Ordinance on the lakes when he attends the BCAB meeting. He then thanked the PD for their work at the 5th Avenue dock. Some discussion followed.

d. PUBLIC WORKS DIRECTOR SCOTT BROWN – Mr. Brown thanked the Council for approving the projects. He then reported on the roads/washouts, Parks and Recreation projects, reflective panels for the boat-docks, and the beacons for the crosswalks. Member Andert stated she would like to have "It's the Law" sign put up at the crosswalk. Some discussion followed regarding 133 Main Street and the equipment there. Some discussion followed regarding the lot split of 133 Main Street. Mayor O'Brien pointed out a few potholes that need attention. Director Brown stated that Orange County Water Department installed a water line under Maguire Road. He further stated that he has contacted the County and they will be out to fix the problem. Some discussion followed.

Member McKinley recognized staff for all their hard work. Mayor O'Brien thanked the Town Council as well.

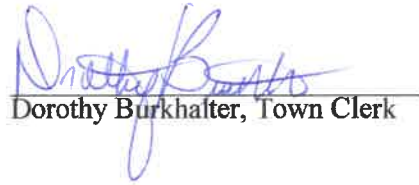
TOWN OF WINDERMERE


Town Council Meeting Minutes

August 13, 2019

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 8:56pm.


Dorothy Burkhalter, Town Clerk


Jim O'Brien, Mayor

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

LAST NAME—FIRST NAME—MIDDLE NAME Williams Loren Robertson	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Windermere Town Council
MAILING ADDRESS 903 Rosser Rd	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Windermere	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY Orange	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 8/13/2019	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 to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Loren "Andy" Williams, hereby disclose that on August 13th, 20 19 :

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

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, Robert Williams, Lavina Williams (111 5th Ave LLC);
- 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 subsidiary, or sibling 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:

Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning - 111 W 5th Avenue and 119 W 5th Avenue. The property at 111 W 5th Avenue is owned by an LLC that is owned by Robert Williams & Lavina Williams (Relatives).

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

8-13-19
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.