



AGENDA
CITY COMMISSION
REVISED AGENDA 2/22/2016
CITY HALL COMMISSION CHAMBERS
300 W. Plant Street
Winter Garden, Florida

REGULAR MEETING

February 25, 2016

6:30 p.m.

CALL TO ORDER

Determination of a Quorum

Opening Invocation and Pledge of Allegiance

1. **APPROVAL OF MINUTES**

Regular Meeting Minutes of February 11, 2016

2. **PRESENTATION** - Chickens in the backyard

3. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCE**

A. **Ordinance 16-21**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, DECLARING AND IMPLEMENTING A TEMPORARY MORATORIUM UNTIL AUGUST 31, 2016 ON THE ACCEPTANCE PROCESSING AND CONSIDERATION OF APPLICATIONS FOR DEVELOPMENT ORDERS AND BUILDING PERMITS FOR PROPERTIES ADJACENT TO EAST PLANT STREET BETWEEN DILLARD STREET AND STATE ROAD 429 (WESTERN BELTWAY); PROVIDING FOR POSSIBLE EXTENSION OR EARLY TERMINATION OF THE TEMPORARY MORATORIUM BY ORDINANCE OR RESOLUTION; PROVIDING FOR NON-CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE - Community Development Manager Pash

4. **REGULAR BUSINESS**

A. Recommendation to approve Development Agreement for 13100 West Colonial Drive; O'Reilly Auto Parts – Community Development Manager Pash

B. Appointments to the Architectural Review and Historic Preservation Board – City Manager Bollhoefer

C. ***Resolution 16-02**: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING RESOLUTION NO. 15-04 RELATING TO OPENING INVOCATION PROCEDURE AND POLIICIES; CLARIFYING METHODS AND CRITERIA UTILIZED FOR COMPILING AN INCLUSIVE DATABASE OF THE RELIGIOUS CONGREGATIONS AND OTHER GROUPS AND ORGANIZATIONS WITH AN ESTABLISHED PRESENCE IN THE CITY OF WINTER GARDEN; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE – City Manager Bollhoefer

5. **MATTERS FROM PUBLIC** (*Limited to 3 minutes per speaker*)

6. MATTERS FROM CITY ATTORNEY – Kurt Ardaman

7. MATTERS FROM CITY MANAGER – Mike Bollhoefer

8. MATTERS FROM MAYOR AND COMMISSIONERS

ADJOURN to a Regular Meeting on March 10, 2016 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, 1st floor

NOTICES:

In accordance with Florida Statutes 286.0105, if any person decides to appeal any decision made by said body with respect to any matter considered at such meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City of Winter Garden does not prepare or provide such record.

Any opening invocation that is offered before the official start of the Commission meeting shall be the voluntary offering of a private person, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Commission or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Commission Chambers or exit the City Commission Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance. (Reference Resolution 15-04)

	Those needing assistance to participate in any of these proceedings should contact the City Clerk's Office at least 48 hours in advance of the meeting (407) 656-4111 x2254.		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained at the meeting from the Information Technology Department (407) 656-4111 x5455.
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CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

February 11, 2016

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. An Opening Invocation and Pledge of Allegiance were given.

Present: Mayor John Rees, Commissioners Bob Buchanan, Kent Makin, Robert Olszewski and Colin Sharman

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Assistant City Manager of Administrative Services Frank Gilbert, Assistant City Manager of Public Services Don Cochran, Community Development Director Ed Williams, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Fire Chief Matt McGrew, IT Director Chad Morrill, Police Chief George Brennan, and Community Development Manager Stephen Pash

1. **APPROVAL OF MINUTES**

Motion by Commissioner Olszewski to approve the regular meeting minutes of January 28, 2016 as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

2. **FIRST READING OF PROPOSED ORDINANCE**

A. **Ordinance 16-21:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, DECLARING AND IMPLEMENTING A TEMPORARY MORATORIUM UNTIL AUGUST 31, 2016 ON THE ACCEPTANCE PROCESSING AND CONSIDERATION OF APPLICATIONS FOR DEVELOPMENT ORDERS AND BUILDING PERMITS FOR PROPERTIES ADJACENT TO EAST PLANT STREET BETWEEN DILLARD STREET AND STATE ROAD 429 (WESTERN BELTWAY); PROVIDING FOR POSSIBLE EXTENSION OR EARLY TERMINATION OF THE TEMPORARY MORATORIUM BY ORDINANCE OR RESOLUTION; PROVIDING FOR NON-CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 16-21 by title only. Community Development Manager Pash stated that the City has been working with the City of Ocoee to create a master plan for current and future development near the State Road 429 exchanges; as well as Plant Street and Franklin Street. He expressed a need to establish design guidelines for the protection of this corridor, for public health, safety and welfare. In anticipation of the adoption of the State Road 429 Master Plan, staff requests approval of a temporary moratorium through August 31, 2016. This is in relation to the accepting, processing, and consideration of building permits and development applications.

Mr. Pash specified properties on the map that would be affected by this moratorium. The guidelines should be completed within six months, if not, a temporary extension would be requested. Staff believes this is in the best interest of the City and recommend approval of the Ordinance. Mr. Pash acknowledged Economic Development Director Tanja Gerhartz to address the economic impacts.

Commissioner Makin confirmed with Mr. Pash that the Master Plan and the moratorium were adopted on Monday night by the City of Ocoee.

Economic Development Director Gerhartz explained that economic development is about selling a vision, seizing opportunities, leveraging resources, and building partnerships. The City can seize an opportunity by putting in place design guidelines that will benefit everyone for decades. She explained the purpose of having guidelines for the East Plant Corridor and noted that this is the best opportunity to create wealth and jobs for our community, as well as recruit businesses. She shared that an economic development consultant from Austin, Texas stated that we have the opportunity to create a high end, high tech business park along the State Road 429. Also expressed was that this was the best interchange in which to do it. For the last few years, the City has been putting in motion all of those steps and laying the foundation. Approximately six months is needed to put the design guidelines in place in order to move forward in creating jobs and bringing these businesses to our community.

Commissioner Sharman shared his thoughts of this being a good idea and expressed that he thought the mall took longer than six months.

Mayor Rees wondered if six months would be enough time. City Manager Bollhoefer shared that staff could always come back to the City Commission for an extension, but believes six months is sufficient.

Commissioner Makin asked about the length of the City of Ocoee's moratorium. Mr. Bollhoefer replied that he thinks it is six months.

Mayor Rees offered the public a chance to speak on this item. Hearing and seeing none, he closed the public comments.

Motion by Commissioner Makin to approve Ordinance 16-21 with the second reading and public hearing being scheduled for February 25, 2016, with the moratorium in place for six months. Seconded by Commissioner Buchanan and carried unanimously 5-0.

3. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCE**

- A. **Ordinance 16-17:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 15-69, THE CITY OF WINTER GARDEN FISCAL YEAR 2015-2016 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 16-17 by title only. Finance Director Zielonka stated that this is a carry forward budget for projects not completed in 2015. This ordinance provides for the appropriations this year. Ms. Zielonka also noted that the advertisement date for the second reading was incorrect and will need to be held in March.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Sharman to approve Ordinance 16-17 with the second reading and public hearing scheduled for March 10, 2016. Seconded by Commissioner Makin and carried unanimously 5-0.

4. **REGULAR BUSINESS**

- A. **Resolution 16-01**: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA REGARDING REIMBURSEMENT OF CERTAIN COSTS RELATING TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW DOWNTOWN PARKING GARAGE; AND PROVIDING AN EFFECTIVE DATE

Finance Director Zielonka stated that this Resolution is the official intent to reimburse the general fund. Right now the general fund is providing for the cost of the parking garage. The City will seek funding and once the funds are in, they will reimburse the general fund.

Mayor Rees asked if there were any concerns with the CRA generating enough revenue to reimburse the general fund. Ms. Zielonka responded no. Mr. Bollhoefer also noted that for our new loan, staff is looking at refinancing some of the City's old debts. Ms. Zielonka noted that the City is able to refinance some of the 2006 revenue bonds, which will generate approximately \$400,000.

Motion by Commissioner Sharman to adopt Resolution 16-01. Seconded by Commissioner Buchanan and carried unanimously 5-0.

- B. **Recommendation to approve Final Plat for Hickory Hammock Phase 2C**

Community Development Manager Pash stated that this is the final plat for the Hickory Hammock Phase 2C subdivision to re-plat 28 single family lots. This plat is consistent with the approved Planned Unit Development and has been reviewed by the Development Review Committee (DRC) and approval is recommended.

Motion by Commissioner Olszewski to approve Final Plat for Hickory Hammock Phase 2C. Seconded by Commissioner Sharman and carried unanimously 5-0.

C. **Recommendation to approve Site Plan for 13100 West Colonial Drive; O'Reilly Auto Parts**

Community Development Manager Pash stated that this is O'Reilly's Auto Part store located at 13100 W. Colonial Drive. They are proposing to build a 17,600 square foot auto parts store, 37 parking spaces, and inside amenities. Staff recommends approval subject to conditions of the DRC report.

Commissioner Olszewski stated that we are all defenders of property rights and asked what the City can do to encourage a diversity of businesses that would come to a major intersection like this one. Mr. Bollhoefer replied that staff has worked very hard to bring diversity and stated that the best we can do is be very proactive; which the City has been. He stated that when certain companies see these corner opportunities they jump in as fast as possible. It would be very difficult, if not impossible, to really stop someone if they meet the zoning requirements.

There was discussion on the number of the same types of businesses in this area.

Motion by Commissioner Olszewski to approve site plan for 13100 West Colonial Drive: O'Reilly Auto Parts, subject to conditions. Seconded by Commissioner Sharman and carried unanimously 5-0.

D. **Recommendation to approve Development Agreement for 13100 West Colonial Drive; O'Reilly Auto Parts**

Community Development Manager Pash stated that this is the Development Agreement for the O'Reilly Auto Parts which prohibits the delivery trucks from using Magnolia Street. It also limits the size of trucks coming in. It is designed to limit the impact to the residential neighborhood behind it as well as make sure there is no damage to our landscaping. He noted that this agreement is similar to another one that the City has done which contains a provision for a \$500 fine and a \$25,000 bond.

Motion by Commissioner Olszewski to approve development agreement for 13100 West Colonial Drive as submitted; O'Reilly Auto Parts. Seconded by Commissioner Sharman and carried unanimously 5-0.

E. **Recommendation to approve awarding three Community Development Block Grants (CDBG) for Housing Rehabilitation to BSE Construction Group for 526 South Boyd Street (Gentry), 500 Seminole Street (Vernosky), and Pat Lynch Construction for 638 Bethune Avenue (Oliver), contingent upon receiving Site Specific Releases from the State Department of Economic Opportunity**

David Fox of Fred Fox Enterprises stated that they are recommending the award of 526 South Boyd Street, the sole bidder being BSE Construction Group in the amount of \$43,576. Also, the award of 500 Seminole Street rehabilitation of the CDB grant to BSE Construction Group who was sole bidder for \$58,588.

Mayor Rees addressed the information provided and noted that the money ran short before getting to Mary Taylor. Mr. Fox stated that there will be about \$40,000 short to address her home.

Motion by Commissioner Olszewski to approve awarding three Community Development Block Grants (CDBG) for Housing Rehabilitation to BSE Construction Group for 526 South Boyd Street (*Gentry*), 500 Seminole Street (*Vernosky*), and Pat Lynch Construction for 638 Bethune Avenue (*Oliver*), contingent upon receiving Site Specific Releases from the State Department of Economic Opportunity. Seconded by Commissioner Sharman and carried unanimously 5-0.

F. Recommendation to approve three change orders for CDBG Housing Rehabilitations; 754 Klondike Street (*Noble*) for \$750, 770 Klondike Street (*Mullins*) for \$750, and 1100 East Bay Street (*Williams*) for \$4,500

Mr. David Fox stated that there are three change orders; one for 754 Klondike Street. During the environmental release process the State requested that a sound barrier fence be placed between the property line and the railroad tracks. The cost from the contractor is \$750; for Annie Mullins, \$750 for the Central Florida Renovation. The third is for 1100 East Bay Street, Construction 360. The interior walls were constructed with sheet rock in the framing; the proposed cost is \$4,500.

Motion by Commissioner Olszewski to approve three change orders for CDGB Housing Rehabilitations for 754 Klondike Street for \$750, 770 Klondike Street for \$750 and 1100 East Bay Street for \$4,500. Seconded by Commissioner Makin and carried unanimously 5-0.

Mr. Fox shared that with the award of these last three homes, the City has met its twelve home rehabilitation agreement. Commissioner Olszewski asked if the City is able to reapply or do we have to wait. Mr. Fox responded that these home rehabilitations have to be completed before applying again.

G. Recommendation to formally adopt the State Road 429 Master Plan Report dated September 15, 2015

Economic Development Director Gerhartz referred to the review of this document in a joint workshop held with the cities a few months back. Formal approval of this document is being requested so implementation can begin. This document lays the groundwork for the design guidelines and standards that they will start work on immediately. City Manager Bollhoefer shared that staff has worked with a lot of the property owners and there was a lot of support as evidenced by the lack of objections over the moratorium ordinance.

Motion by Commissioner Buchanan to approve the State Road 429 Master Plan Report dated September 15, 2015 as submitted. Seconded by Commissioner Makin and carried unanimously 5-0.

H. **Recommendation to approve awarding contract to Shelley's Septic Tank, Inc. for a ten year period for wastewater treatment plant biosolids management services with pricing to range from \$45.00 to \$57.27 per wet ton**

City Manager Bollhoefer postponed this item until the next meeting.

5. **MATTERS FROM PUBLIC**

Tiffany Kelly, 1620 E. Bay Street, Winter Garden, Florida, Executive Director of the Morning After Center for Hope and Healing, a non-profit organization based in Winter Garden. Ms. Kelly shared that their primary focus is child-to-parent violence. They are having a youth event at Zanders Park called "Just be a Kid" in an effort to foster healthy relationships between the youth in the area as well as law enforcement. She thanked Commissioner Olszewski and City Manager Bollhoefer on behalf of the West Orange Junior Warriors. She stated she called the City because of her concern regarding their agreement to rent Walker Field, at a discount, for their games. However they did not meet the necessary quota for the discount. They have been assured they will discuss a possible solution in the future and she wanted to personally express her thanks.

6. **MATTERS FROM CITY ATTORNEY** – There were no items.

7. **MATTERS FROM CITY MANAGER**

A. **Golf cart discussion**

City Attorney Ardaman shared that there are some questions under Florida Law about golf cart legislation. He intends to ask the State Attorney General for an opinion on whether child restraints and seat belts are applicable, along with some other issues. He suggested deferring any decision until after a response is received from the Attorney General. *It was the consensus of the Commission to postpone this matter as requested.*

B. **Discussion on Architectural Review and Historical Preservation Board (ARHPB) membership**

City Manager Bollhoefer stated he has distributed the interest applications for appointment to this board. He will e-mail the appointment guidelines by Monday. He would like to address this matter at the next meeting. *It was the consensus of the Commission to postpone this matter until the next meeting.*

- He is still working on the events policy. Changes will be brought to the City Commission.
- A draft ordinance for bars on windows was previously distributed and he has not received any comments so he will probably draft an ordinance for the City Commission's review.
- During his lunch the other day, a group was discussing chickens in backyards and he anticipates it will come up in Winter Garden. Therefore, he would like to have the City Attorney obtain a copy of the City of Orlando or the City of Maitland's ordinance, which he believes is the same, to distribute for review at the next meeting. There was minor discussion on this issue.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Olszewski shared that Florida Hospital Winter Garden officially opens this Monday.

Commissioner Buchanan shared that he attended the Farmer's Market, while selling tickets for the Evening at the Pops on March 19, 2016, and it is apparent the market continues to grow.

Mayor Rees invited everyone to the Blues & BBQ event this Saturday downtown.

The meeting adjourned at 7:02 p.m.

APPROVED:

Mayor John Rees

ATTEST:

City Clerk Kathy Golden, CMC

ORDINANCE NO. 16-21

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, DECLARING AND IMPLEMENTING A TEMPORARY MORATORIUM UNTIL AUGUST 31, 2016 ON THE ACCEPTANCE PROCESSING AND CONSIDERATION OF APPLICATIONS FOR DEVELOPMENT ORDERS AND BUILDING PERMITS FOR PROPERTIES ADJACENT TO EAST PLANT STREET BETWEEN DILLARD STREET AND STATE ROAD 429 (WESTERN BELTWAY); PROVIDING FOR POSSIBLE EXTENSION OR EARLY TERMINATION OF THE TEMPORARY MORATORIUM BY ORDINANCE OR RESOLUTION; PROVIDING FOR NON-CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, as provided in section 2(b), Article VIII of the Constitution of the State of Florida and chapters 163 and 166, Florida Statutes, the City of Winter Garden (the “City”) enjoys all home rule authority, police power, land development and zoning authority, governmental and proprietary powers necessary to conduct municipal government and perform municipal functions, and the City may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, the City has retained Real Estate Research Consultants, Inc. to perform a master planning study for the SR 429 corridor and such study should be completed shortly; and

WHEREAS, there is a need to create a global vision for the development and redevelopment of properties located adjacent to East Plant Street between Dillard Street and SR 429 (Western Beltway) and depicted in the map attached hereto as **Exhibit “A”** (the “Study Area”) and incorporated herein; and

WHEREAS, the City staff is in the process of evaluating the Study Area to create a global vision for development and redevelopment, and shortly thereafter will prepare and process a proposed ordinance(s) amending the Comprehensive Plan and City zoning and land development regulations affecting the permitted uses, conditional uses, prohibited uses, supplemental standards, design standards and other development regulations governing properties within the Study Area; and

WHEREAS, the City wishes to place the public and all parties on notice that it is considering such land development regulation amendments and creating a temporary moratorium on the acceptance, processing and consideration of applications for development orders and building permits concerning properties located within the Study Area; and

WHEREAS, pursuant to the pending legislation doctrine set forth in *Smith v. City of Clearwater*, 383 So. 2d 681 (Fla. 2d DCA 1980), the City declares and implements the pending ordinance doctrine concerning the zoning and land development regulations governing properties located within the Study Area.

WHEREAS, the City Commission in good faith determines that this Ordinance is in the best interest of the City and its residents and promotes the health, safety and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA AS FOLLOWS:

Section 1. Intent. The above recitals are hereby adopted as the legislative purpose of this Resolution and as the City Commission’s legislative findings.

Section 2. Moratorium. The City hereby places a temporary moratorium (suspension) on the acceptance, processing and consideration of all applications for development orders, development permits and building permits for all properties within the Study Area until August 31, 2016, unless terminated earlier by the City Commission. Provided however, building permit applications for the interior modification of existing structures that do not affect or alter the current use, intensity or density of property or change the total square footage of the structures on such property are excepted from such temporary moratorium. For the purposes of this Ordinance, the terms “development order” and “development permit” mean the same as defined by Section 163.3164, Florida Statutes. The moratorium established by this Ordinance may be extended or terminated early by adoption of an ordinance or resolution of the City Commission.

Section 3. Non-Codification. Given the temporary nature and effect of this Ordinance, it is the intent of the City Commission that this Ordinance will not be codified.

Section 4. Severability. If any portion of this Ordinance is determined to void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall take effect immediately upon adoption.

FIRST READING this _____ day of _____, A.D. 2016.

SECOND READING AND PUBLIC HEARING this _____ day of _____, A.D. 2016.

FINAL READING AND ADOPTION this _____ day of _____, A.D. 2016.

**City Commission
City of Winter Garden, Florida**

John Rees, Mayor

ATTEST:

Kathy Golden, City Clerk

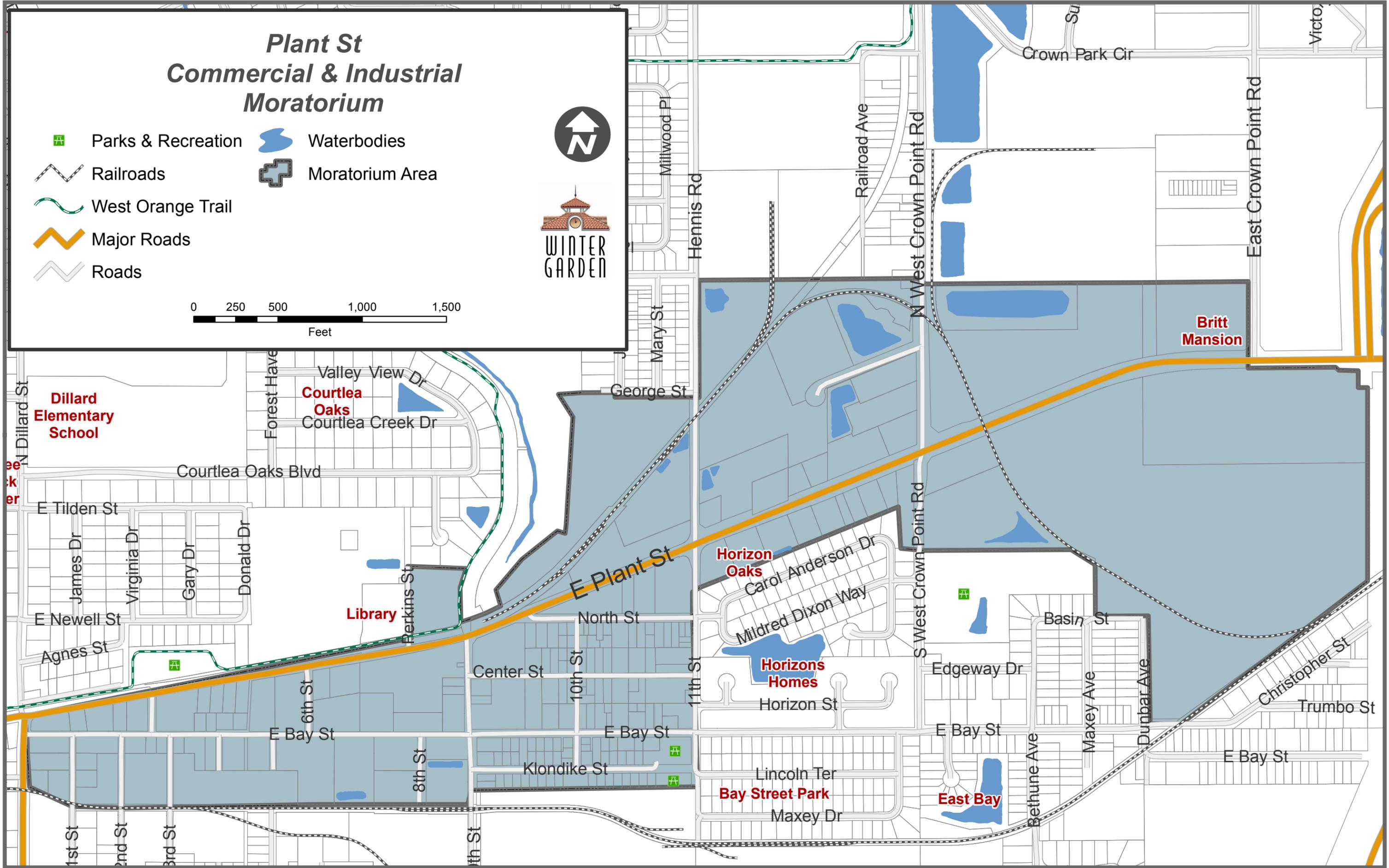
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Exhibit "A"

Study Area

Plant St Commercial & Industrial Moratorium

-  Parks & Recreation
-  Waterbodies
-  Railroads
-  Moratorium Area
-  West Orange Trail
-  Major Roads
-  Roads



THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Steve Pash, Community Development Director

Via: Mike Bollhoefer, City Manager

Date: February 19, 2016

Meeting Date: February 25, 2016

Subject: Developers Agreement

O'Reilly Auto Part Store

13100 West Colonial Drive (0.875±Acres)

Parcel ID #26-22-27-8108-00-060

Issue: There have been some minor changes to the previously approved Developers Agreement and staff wanted to present those changes to Commission for approval.

Discussion:

The attached Developers Agreement is to prohibit trucks from using Magnolia Street for ingress and egress from the site and to limit delivery trucks to a maximum size of 40 feet in length. Also, the Developers Agreement provides for a \$500.00 per violation penalty and a \$25,000.00 letter of credit to cover any damage caused by any violation to the truck restrictions.

Recommended action:

Staff recommends approval of the Developers Agreement.

Attachments/References:

Location Map

Developers Agreement

Legend



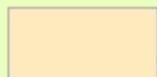
NOT TO SCALE



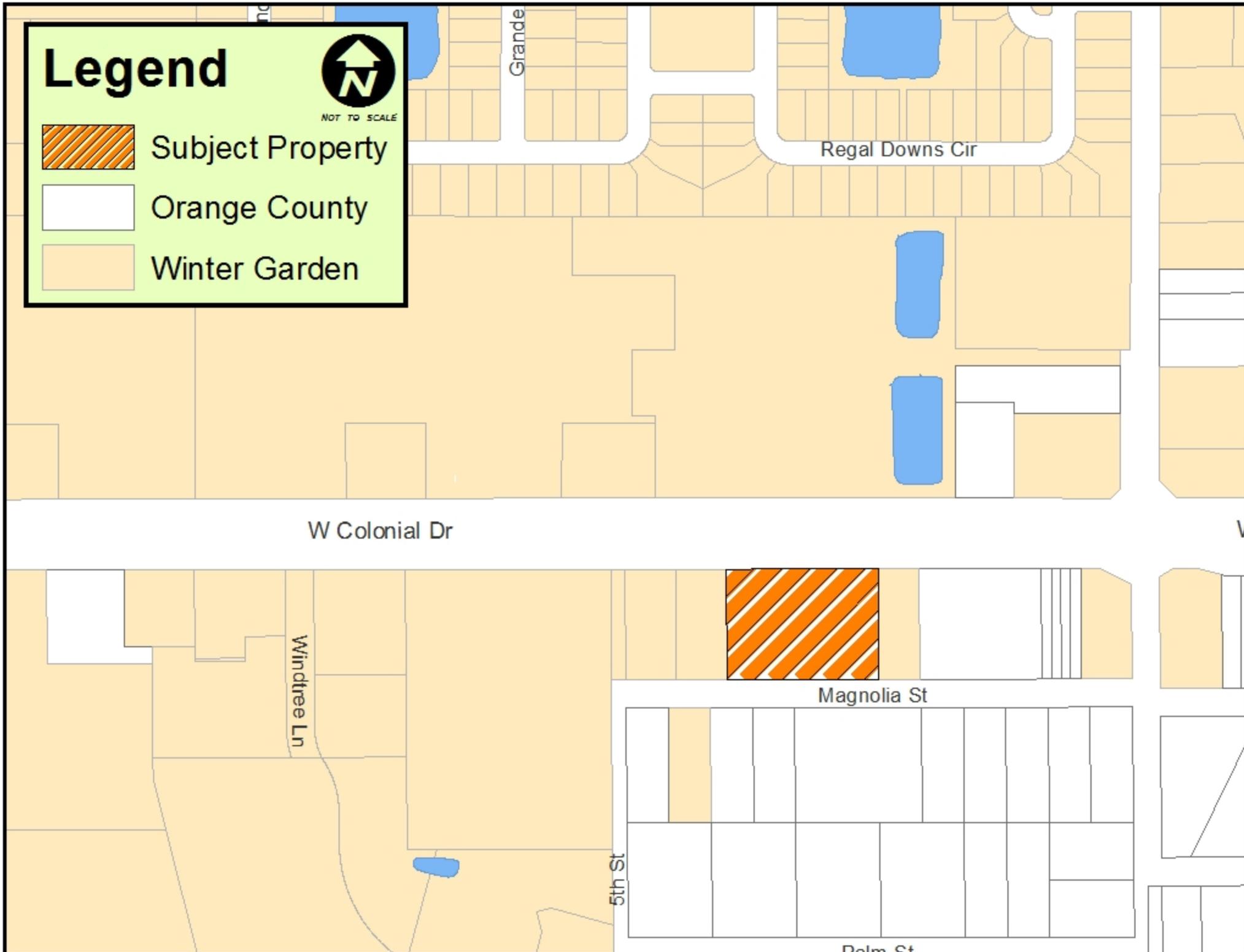
Subject Property



Orange County



Winter Garden



After Recording Return to:

City of Winter Garden
Attn: City Clerk
300 West Plant Street
Winter Garden, Florida 34787

Orange County Tax Parcel ID Number:
26-22-27-8108-00-060

DEVELOPER'S AGREEMENT
(13100 W. Colonial Drive)

THIS DEVELOPER'S AGREEMENT (the "**Agreement**") is made this 11th day of February, 2016, by and among the CITY OF WINTER GARDEN, FLORIDA, a Florida municipal corporation (the "**City**"), O'REILLY AUTOMOTIVE STORES, INC. (the "**Developer**"), and R.D. KEENE, INC. f/k/a LAKE BUTLER GROVES, INC (the "**Owner**").

RECITALS:

- A. Owner is the fee simple owner of that certain 0.875+/- acre of real property generally located on 13100 W. Colonial Drive in Winter Garden, Orange County, Florida, being more particularly depicted and described on **Exhibit "A"** (the "**Subject Property**"); and
- B. The Subject Property is zoned C-2 arterial commercial district; and
- C. This Agreement is not a statutory development agreement pursuant to Chapter 163, Florida Statutes (Florida Local Government Development Agreement Act); and
- D. The Developer desires to develop a portion of the Subject Property as an O'Reilly's Auto Parts store to be used as a retailer and distributor of automotive replacement parts and accessories (the "**Project**"); and
- E. Developer shall comply with all provisions of the City of Winter Garden Code of Ordinances ("**Code**") in the development of the Subject Property in addition to conditions of development approvals by the City; and
- F. Development of the Project remains subject to certain approvals by the City, including, but not limited to, issuance of building permits, certificates of occupancy and certificates of completion, all in accordance with applicable laws, codes, ordinances, regulations, permits, statutes, and approvals; and
- G. Development of the Subject Property as proposed requires the Developer to perform certain obligations and provide for certain mitigation of impacts of such development in order to comply with the Code, Comprehensive Plan and state law and otherwise address the impacts generated by the Project, all as more particularly provided in this Agreement; and

H. The Developer acknowledges that satisfaction of the obligations required herein, which are necessary to serve the Project and the Subject Property, will be of direct benefit to the Developer and the Subject Property.

NOW, THEREFORE, for and in consideration of the above premises, the promises and provisions contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Developer and the City agree as follows:

1. **Recitals.** The above Recitals are true and correct and are incorporated herein as material provisions of this Agreement.

2. **City Approvals.** In addition to the requirements and obligations of the Developer herein, the development of the Subject Property and the Project shall be subject to the Code requirements, the approved site plan, and other development orders and permits for the Project and Subject Property, including the conditions of such development orders, approvals and permits.

3. **Truck Size Restriction.** No delivery trucks or other vehicles delivering or dropping off parts, inventory or other items, or otherwise servicing the Subject Property (collectively "**Delivery Vehicles**"), which trucks or other vehicles exceeding WB-40 (40 feet in length) may access the Subject Property, no delivery trucks are allowed to use Magnolia Street to ingress or egress to and from the Subject Property, and delivery trucks are not allowed to drive over the median and landscaping improvements within Colonial Drive except within the designed travel lanes and directional median cut (the "**Truck Restrictions**").

4. **Developer Policy; Delivery Records.** Developer shall set up and maintain during the effectiveness of this Agreement an internal policy relating to delivery of parts, inventory or other items, or service to the Subject Property (the "**Developer Policy**"). The Developer Policy shall require Delivery Vehicles to enter the Subject Property by traveling west on Colonial Drive. The Developer Policy shall require the manager on duty to keep records documenting how each driver of a Delivery Vehicle accesses the Subject Property for every time such access occurs ("**Delivery Records**").

5. **Enforcement.** Violation of the Truck Restrictions provided in Section 3 and 4 of this Agreement constitutes a breach of this Agreement and may be enforced by the City's Code Enforcement Division, other enforcement provisions contained in the City Code or allowed by law, and through civil litigation.

6. **Violations; Procedure.** If the Truck Restrictions provided in Section 3 of this Agreement are violated, the Developer shall pay the City a five-hundred dollar (\$500) fine per violation. This fine and payment thereof does not relieve the Developer of compliance with the other provisions of this Agreement.

7. **Repairs.** Developer shall be responsible for all repairs to damage to the Colonial Drive median and related improvements, including without limitation the asphalt, concrete median and curbs, decorative brick, striping, signage, landscaping, irrigation and poles, all as described on the attached Exhibit "B" as exists as of the Effective Date of this Agreement and all future modifications thereto ("**Access Improvements**"), which damages are caused by any violation of the Truck Restrictions or delivery trucks accessing the Subject Property riding over or hitting the Colonial Drive median improvements. In the event the Access Improvements are

damaged, the Developer shall be deemed to have caused a violation of the Truck Restrictions unless Developer submits to the City, within five (5) business days of request from the City, Delivery Records demonstrating that the Delivery Vehicles accessing the Subject Property have not violated the Truck Restrictions. If the City disputes the accuracy or validity of the Delivery Records or has evidence reflecting a Truck Restrictions violation, not later than five (5) business days following the City's receipt of the Delivery Records, the City shall provide the Developer with the reasons for any disagreement by the City with the Delivery Records, together with any supporting documentation, which determination by the City shall be final. In the event the City fails to respond within the time period set forth above, the Delivery Records shall be deemed conclusive and the Developer shall not be required to repair the Access Improvements for that occurrence. All repairs required hereunder shall be promptly completed but in no event more than ten (10) business days after commencement thereof, or if the damage is of a nature that it cannot be completely repaired within the ten (10) business day period, Developer shall begin repairing the damage within the ten (10) business day period and thereafter repair the damage within a reasonable time. Except for the foregoing, the City shall continue to maintain the Colonial Drive in accordance with the City's current maintenance obligations.

8. Performance Guarantee. Developer shall, as a condition precedent to obtaining final site plan approval, provide to the City an irrevocable letter of credit with reasonably acceptable to and in favor of the City, or cash payment to be held by the City in escrow in the amount of twenty-five thousand and no/100 dollars (\$25,000.00). Such irrevocable letter of credit or cash deposit shall be established to provide the City with adequate assurance that the Developer will cover the costs of any necessary repairs as provided in Section 7 of this Agreement. If the irrevocable letter of credit or cash deposit is drawn, in whole or in part, the Developer shall replace or replenish same to the full \$25,000 within ten (10) days of such drawing. This \$25,000.00 amount is being held for security and is not a cap on Developer's liability.

9. Compliance with Law. Nothing in this Agreement shall allow, or be construed to allow the Developer or Developer's successors and assigns to avoid or delay compliance with any or all provisions of the City's Comprehensive Plan, the Code, City resolutions and other requirements pertaining to the use and development of the Subject Property.

10. Indemnity. Developer hereby indemnifies and holds City and its elected and appointed officials, employees and agents harmless from and against any and all claims, disputes, lawsuits, injuries, damages, attorneys' fees (including trial and appellate fees), costs and experts' fees, interest and all adverse matters in any way arising out of or relating to the Developer's and its officers', employees' and agents' negligent acts, negligent omissions, negligence, negligent misrepresentation and default under this Agreement, or any combination thereof, arising from or related to the Developer's exercise of (or failure to exercise) the rights or obligations of the Developer under this Agreement and for the risk assumed by Developer under this Agreement.

11. Validity. If any portion of this Agreement is finally determined by a court of competent jurisdiction to be invalid, unconstitutional, unenforceable or void, the balance of the Agreement shall continue in full force and effect.

12. Notices. Any notices required or permitted under this Agreement, and copies thereof, shall be addressed to the City, the Owner, and the Developer at the following addresses or at such other addresses designated in writing by the party to receive notice.

City: City Manager
City of Winter Garden
300 West Plant Street
Winter Garden, Florida 34787
and electronic mail to mbollhoefer@cwgdn.com

With a required copy to:
City Attorney
City of Winter Garden
300 West Plant Street
Winter Garden, Florida 34787
and electronic mail to ardaman@fishbacklaw.com and
dlangle@fishbacklaw.com

Owner: Rex McPherson
R.D. Keene, Inc.
800 North Orange Avenue, Suite 400
Orlando, Florida 32801
and electronic mail to rexmcp@rdktrust.com

Developer: Jeremy Bass
O'Reilly Automotive Stores, Inc.
233 South Patterson Avenue
Springfield, MO 65802
And electronic mail to jbass@oreillyauto.com

With a required copy to:
Legal Department
O'Reilly Automotive Stores, Inc.
233 S. Patterson Avenue
Springfield MO 65802

Notices shall be either: (i) personally delivered (including delivery by Federal Express or other overnight courier service) to the addresses set forth above and where provided by electronic mail, in which case they shall be deemed delivered on the date of delivery; or (ii) sent by certified mail, return receipt requested, in which case they shall be deemed delivered on the date shown on the receipt unless delivery is refused or intentionally delayed by the addressee, in which event they shall be deemed delivered on the date of deposit in the U.S. Mail. If no address is provided for the Developer above, then the address of Developer's registered agent on file with the Florida Department of State Division of Corporations shall be Developer's address for notice purposes.

13. Attorney's Fees. In any lawsuit between the parties to this Agreement arising from this Agreement, each party shall bear their own respective attorneys' fees and costs.

14. Entire Agreement. This Agreement embodies the entire understanding of the parties with respect to the matters specifically enumerated herein, and all negotiations, representations, warranties and agreements made between the parties are merged herein. The making, execution and delivery of this Agreement by all parties have been induced by no representations, statements, warranties or agreements that are not expressed herein. There are

no further or other agreements or understandings; written or oral, in effect between or among the parties related to the subject matter hereof.

15. Interpretation. None of the parties shall be considered the drafter of all or any portion of this Agreement for the purposes of interpreting all or any portion of this Agreement, it being recognized that all parties have contributed substantially and materially to the preparation of this Agreement.

16. Binding Effect and Successors. This Agreement shall run with the Subject Property and the rights and the obligations under this Agreement shall benefit, burden, and bind the successors, heirs and assigns of all parties to this Agreement. The rights granted to Developer under this Agreement relate specifically to the Subject Property and are not permitted to be transferred to any other property.

17. Local Development Approvals and Permits. Notwithstanding anything herein to the contrary, all development of the Project shall be in compliance with all applicable federal, state, county and municipal laws and ordinances, rules and regulations (including, but not limited to, the City's land development regulations, zoning requirements and comprehensive plan). Unless expressly authorized or granted herein, nothing in this Agreement shall constitute or be deemed to constitute or require the City to issue any approval by the City of any rezoning, Comprehensive Plan amendment, variance, special exception, final site plan, preliminary subdivision plan, final subdivision plan, building permit, grading, stormwater drainage, engineering, or any other land use or development approval. Nor shall this Agreement be deemed to reduce, eliminate, derogate from or otherwise adversely affect any such approvals, permissions or rights. These and any other required City development approvals and permits shall be processed and issued by the City in accordance with procedures with respect to same as otherwise set forth in the Code and subject to any conditions of approval thereof. Nothing in this Agreement shall constitute or be deemed to constitute a limitation, restriction or any other type of waiver of Owner's or Developer's right or ability to seek a rezoning, comprehensive plan amendment, variance, special exception, site plan, preliminary subdivision plan, final subdivision plan, or any other land use or development approval.

18. Authority. Each party represents and warrants to the other parties that it has all necessary power and authority to enter into and consummate the terms and conditions of this Agreement, that all acts, approvals, procedures, and similar matters required in order to authorize this Agreement have been taken, obtained, or followed, as the case may be, and that, upon the execution of this Agreement by all parties, this Agreement shall be valid and binding upon the parties hereto and their successors in interest and assigns. In the event Developer fails to meet Developer's obligations under this Agreement, no further development (including without limitation the issuance of permits, review of applications, or construction) of the Subject Property shall continue until such obligations are met.

Furthermore, Owner represents and warrants to City that it is the fee simple owner of the Subject Property, free and clear of any encumbrances including but not limited to mortgages, liens or easements, or, in the event an encumbrance exists, Owner and Developer at Developer's sole cost, shall obtain the necessary joinders and consents and subordinations to this Agreement (and documents called for herein) or releases from the appropriate parties with an interest in the Subject Property. Developer shall provide to City, certified surveys, title reports or other documents evidencing said ownership interest.

19. Effective Date. This Agreement shall become effective upon execution by the last of the parties (the "**Effective Date**").

20. Breach. In the event of a breach, default, or violation of one or more of the provisions herein by the Developer or the City, the violating party shall be given ten (10) days to cure such violation upon receipt of written notice of the violation from a non-violating party. In the event such violation is not cured within said period, the City or the Developer, as the case may be, shall have the right to pursue any and all legal and equitable remedies available provided by law.

21. Amendment. This Agreement may be amended, modified or cancelled by mutual consent of the parties hereto as represented by a written document executed by the City, the Owner and the Developer.

22. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Exclusive venue in any action to construe or enforce the provisions of this Agreement shall be in the circuit court of and for Orange County, Florida.

23. Recording. Within fourteen (14) days after the execution of this Agreement by the parties, the City shall record this Agreement with the cost thereof to be borne by the Developer.

24. Non-Waiver of Sovereign Immunity. Nothing contained in this Agreement nor in any instruments executed pursuant to the terms of this Agreement shall be construed as a waiver or attempted waiver by the City of its sovereign immunity or of any other privilege, immunity and defense of the City or any of its officials, employees and agents under the Constitution and laws of the State of Florida.

25. Informed Execution. This Agreement is entered into voluntarily by the Developer without duress and after full review, evaluation and consideration by the Developer. Developer is represented by counsel, or alternatively, has been afforded an opportunity to retain counsel for review of this Agreement.

26. Reimbursement. On or before ten (10) days after the date of invoicing, Developer shall reimburse the City for all the City's direct costs, expenses and fees incurred relating to the review, processing, inspection, and regulation (or any combination thereof) of applications related to the Project, including without limitation, the City's consultants', engineers' and attorneys' fees, concerning the preparation of this Agreement and for other development review expenses in accordance with Chapter 88, City of Winter Garden Code of Ordinances.

27. Time is of the Essence. Time is hereby declared to be of the essence in the performance of the duties and obligations of the respective parties to this Agreement.

28. Captions. The captions or section headings of this Agreement are provided for convenience only and shall not be deemed to explain, modify, amplify or aid in the interpretation, or meaning of this Agreement.

29. Independent Parties. City, Owner and Developer are not partners and this Agreement is not a joint venture and nothing in this Agreement shall be construed to authorize

the Developer or Owner to represent or bind the City to matters not expressly authorized or provided in this Agreement.

30. Attachments. The following attachments are incorporated herein by reference:

- Exhibit "A" Legal Description of Subject Property
- Exhibit "B" Access Improvements

AGREED by the City Commission of the City of Winter Garden, Florida, a Florida municipality, R.D. Keene, Inc., f/k/a Lake Butler Groves, Inc. and O'Reilly Automotive Stores, Inc. as of the day first written above.

[Signature Pages on Following Pages]

Signed, sealed and delivered in
the presence of:

"CITY"

CITY OF WINTER GARDEN, FLORIDA

By: _____
JOHN REES, MAYOR

ATTEST:

By: _____
KATHY GOLDEN, CITY CLERK

"OWNER"

DANA B. BULLINGTON
Print Name: DANA BULLINGTON
Witness

Thomas Riffle
Print Name: THOMAS RIFFLE
Witness

R.D. KEENE, INC.
f/k/a LAKE BUTLER GROVES, INC.

By: [Signature]
As its: PRESIDENT

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was executed, sworn to and acknowledged before me this February 9, 2016 by Rex V. McPherson II, as President of R.D. Keene, Inc., f/k/a Lake Butler Groves, Inc. She/He (check one) is personally known to me, or has produced a valid driver's license as identification.



Amanda Altman
Notary Public, State and County Aforesaid
Name: Amanda Altman
My Commission Expires: April 22, 2017
My Commission Number is: FF 010679

"DEVELOPER"

Ellen Beeny
Print Name: Ellen Beeny
Witness

Sylvia M. Bernard
Print Name: Sylvia M. Bernard
Witness

O'Reilly Automotive Stores, Inc.

[Signature]

By: Scott Kraus
As its: Vice President

STATE OF Missouri
COUNTY OF Greeve

The foregoing instrument was executed, sworn to and acknowledged before me this February 9th, 2016 by Scott Kraus, as Vice President of O'Reilly Automotive Stores, Inc. She/He (check one) is personally known to me, or has produced a valid driver's license as identification.

[Signature]
Notary Public, State and County Aforesaid
Name: Elizabeth A. Dugger
My Commission Expires: 6/25/18
My Commission Number is: _____

Exhibit "A"

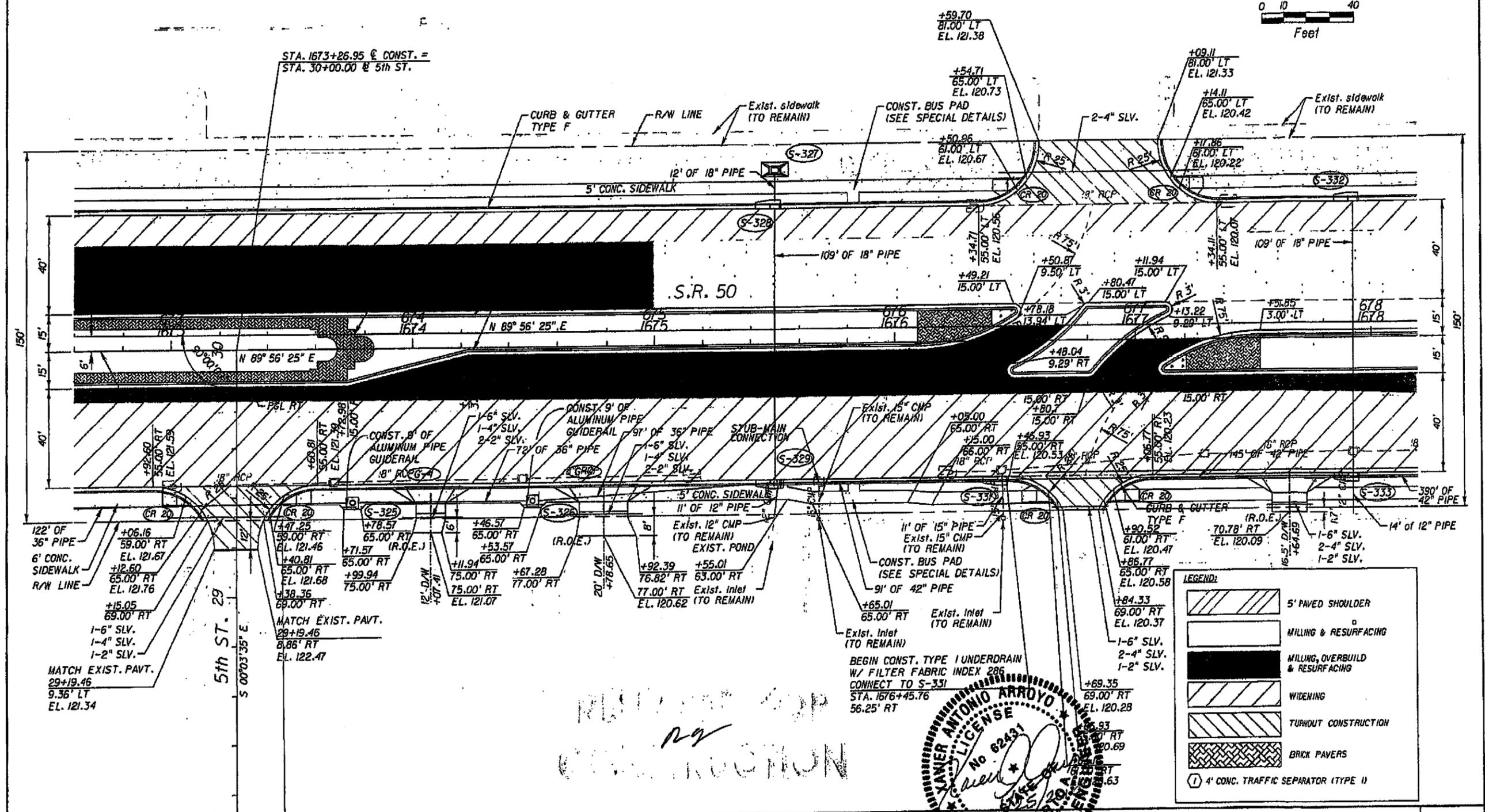
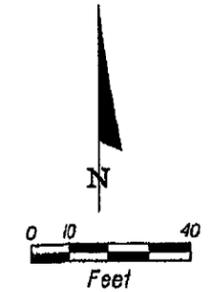
Legal Description of Subject Property

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 26 TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ORIGINAL NORTHEAST CORNER OF LOT 1, G. T. SMITH SUBDIVISION NO. 6 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 'Q', PAGE 109, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THENCE S 89°57'56" W, A DISTANCE OF 540.00 FEET; THENCE S 00°18'46" E, A DISTANCE OF 45.00 FEET TO A 1/2 INCH REBAR SET (LB 6552) ON THE PRESENT SOUTH RIGHT OF WAY LINE OF STATE ROAD 50, ALSO KNOWN AS WEST COLONIAL DRIVE (150' RIGHT OF WAY) AND THE POINT OF BEGINNING. THENCE LEAVING SAID RIGHT OF WAY S 00°18'46" E, A DISTANCE OF 235.24 FEET TO A 5/8 INCH REBAR AND CAP FOUND ON THE NORTH RIGHT OF WAY LINE OF MAGNOLIA STREET (60' RIGHT OF WAY); THENCE ALONG SAID RIGHT OF WAY S 89°59'28" W, A DISTANCE OF 162.00 FEET TO A 1/2 INCH REBAR AND CAP SET (LB 6552); THENCE LEAVING SAID RIGHT OF WAY N 00°18'46" W, A DISTANCE OF 235.17 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 50; THENCE ALONG SAID RIGHT OF WAY LINE N 89°57'56" E, A DISTANCE OF 162.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINING 0.875 ACRE, MORE OR LESS.

EXHIBIT "B"



LEGEND:

	5' PAVED SHOULDER
	MILLING & RESURFACING
	MILLING, OVERBUILD & RESURFACING
	WIDENING
	TURNOUT CONSTRUCTION
	BRICK PAVERS
	4' CONC. TRAFFIC SEPARATOR (TYPE I)

PLANNED CONSTRUCTION



REVISIONS	
DATE	DESCRIPTION

ENGINEER OF RECORD:
 XAVIER A. ARROYO, P.E. NO. 62431
 CSTS, PA
 11516 CORPORATE BLVD., SUITE 105
 ORLANDO, FLORIDA 32817
 ORLANDO (407) 428-8888 FLORIDA (800) 448-0227
 CERTIFICATION OF AUTHORIZATION NO. 0005022

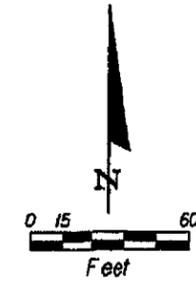
STATE OF FLORIDA		
DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	PROFESSIONAL ENGINEER ID
S.R. 50	ORANGE	410983-1-52-01

ROADWAY PLANS

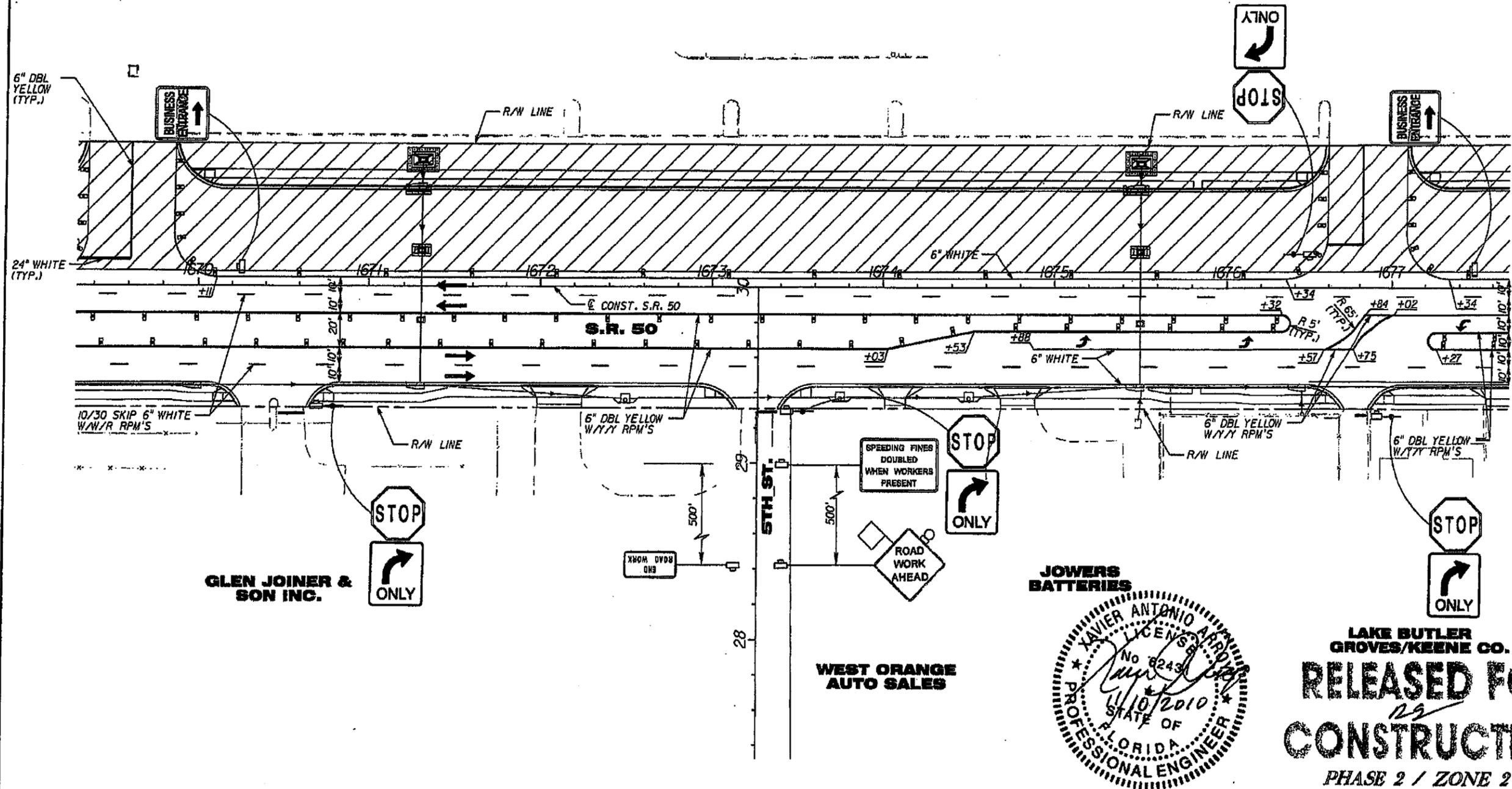
SHEET NO.
39

EXHIBIT "B"

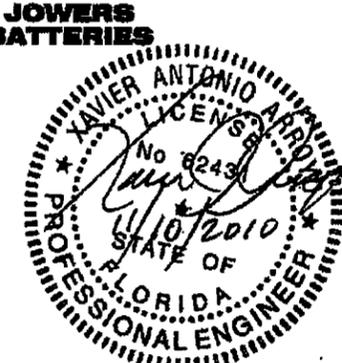
WINTER GARDEN
PLAZA



BANK FIRST



LAKE BUTLER
GROVES/KEENE CO.
**RELEASED FOR
CONSTRUCTION**
129
PHASE 2 / ZONE 2



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

ENGINEER OF RECORD:
XAVIER A. ARROYO, P.E. NO.: 62431
CSTS, PA
11318 CORPORATE BLVD., SUITE 108
ORLANDO, FLORIDA 32817
ORLANDO (407) 823-8998 FLORIDA (800) 448-0227
CERTIFICATION OF AUTHORIZATION NO. 0006022

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
S.R. 50	ORANGE	410983-1-52-01

TRAFFIC CONTROL PLAN

SHEET NO.
16



Rec'd. 7-21-11

CITY OF WINTER GARDEN
CITY CLERK'S OFFICE
300 WEST PLANT STREET
WINTER GARDEN, FL 34787
P: 407.656.4111
WWW.WINTERGARDEN-FL.GOV

BOARD APPOINTMENT INTEREST FORM

THANK YOU FOR YOUR INTEREST IN SERVING ON ONE OF THE CITY'S BOARDS/COMMITTEES. VOLUNTEERS LIKE YOU ARE ESSENTIAL TO ENSURING THAT YOUR CITY GOVERNMENT IS RESPONSIVE TO THE NEEDS OF THE COMMUNITY. PLEASE HELP US PLACE YOU ON THE MOST APPROPRIATE COMMITTEE BY COMPLETING THIS QUESTIONNAIRE.
FEEL FREE TO ATTACH A RESUME.

3-25-13 9-11-14 OK 10-3-15
MAY 23-15

DATE: 7/18/2011 VERIFIED INTEREST ON: _____

LAST NAME: Dotson FIRST: Ryan MIDDLE: Matthew
 HOME ADDRESS: 1166 Priory Circle, Winter Garden, FL 34787-5568
 OFFICE ADDRESS: 4900 North World Drive, Lake Buena Vista, FL 32830
 HOME PHONE: 407-347-8673 CELL PHONE: 407-257-1168 WORK PHONE: 407-824-3873
 EMAIL: dotson.ryan@gmail.com FAX #: _____
 CURRENT EMPLOYER: Wat Disney Parks & Resorts LENGTH: 5 years
 POSITION: Resort Guest Service Manager
 EDUCATION: HIGH SCHOOL GRADUATE YES NO UNDERGRADUATE COLLEGE DEGREE IN: Communications
 ADVANCED COLLEGE DEGREE IN: _____ OTHER: _____

PLEASE STATE YOUR EXPERIENCE, INTERESTS OR ELEMENTS OF YOUR HISTORY THAT YOU THINK QUALIFY YOU FOR APPOINTMENT:
I have a great interest in history and city planning. As a resort manager, I am accustomed to handling complex situations which require compromise and creative solutions.

COMMUNITY INVOLVEMENT: _____

INTERESTS/ACTIVITIES: _____

WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS? I love living in Winter Garden and want to become more involved.

NAME ANY BUSINESS, PROFESSIONAL, CIVIC OR FRATERNAL ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND THE DATES OF MEMBERSHIP.

ARE YOU A RESIDENT OF WINTER GARDEN? YES NO IF YES, CONTINUOUS RESIDENT SINCE? February 2009
 ARE YOU A REGISTERED VOTER OF ORANGE COUNTY? YES NO WHICH CITY DISTRICT? 4
 ARE YOU CURRENTLY SERVING ON ANY OTHER BOARDS? YES NO IF YES, PLEASE STATE NAME OF BOARD: _____

HAVE YOU EVER SERVED ON A GOVERNMENT BOARD? YES NO IF YES, PLEASE STATE NAME OF BOARD: _____

REFERENCES:

- WHICH BOARD(S) ARE YOU INTERESTED?**
- *CODE ENFORCEMENT BOARD
 - *PLANNING & ZONING BOARD
 - *COMMUNITY REDEVELOPMENT AGENCY
 - *COMMUNITY REDEVELOPMENT ADVISORY BOARD - CIRCLE ALL THAT APPLY TO YOU WITHIN THE CRA: RESIDE / OWN / OPERATE A BUSINESS / OTHER
 - *GENERAL EMPLOYEES PENSION BOARD
 - *FIRE/POLICE PENSION BOARD
 - *ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD
 CIRCLE ALL THAT APPLY TO YOU: ARCHITECT / LICENSED GENERAL CONTRACTOR / WG HERITAGE FOUNDATION BOARD MEMBER / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT & RESIDE IN THE CITY / RESIDE IN THE CITY
 - ELECTION CANVASSING BOARD

PLEASE NOTE: MEMBERS SERVING ON BOARDS WITH AN ASTERISK (*) ARE REQUIRED TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM WITH THE ORANGE COUNTY SUPERVISOR OF ELECTIONS OFFICE ON OR BEFORE JULY 1ST OF EACH YEAR. APPLICANTS FOR BOARD APPOINTMENT ARE REMINDED OF THE PROVISIONS OF THE FLORIDA STATUTES AS APPLICABLE TO CONFLICTS OF INTEREST. ALL BOARD APPLICATIONS ARE KEPT ON FILE FOR ONE YEAR AND ARE SUBMITTED TO THE CITY COMMISSION WHENEVER A VACANCY OCCURS. UPDATED INFORMATION SHOULD BE SUBMITTED AND MAY BE REQUESTED AT ANY TIME.

DIRECT INTEREST FORM AND QUESTIONS TO THE CITY CLERK'S OFFICE AT 407-656-4111 EXT. 2254

THANK YOU FOR YOUR INTEREST IN SERVING YOUR COMMUNITY.

Board Appointment Interest Form 06-10





CITY OF WINTER GARDEN
CITY CLERK'S OFFICE
300 WEST PLANT STREET
WINTER GARDEN, FL 34787

P: 407.656.4111
WWW.WINTERGARDEN-FL.GOV

BOARD APPOINTMENT INTEREST FORM

THANK YOU FOR YOUR INTEREST IN SERVING ON ONE OF THE CITY'S BOARDS/COMMITTEES. VOLUNTEERS LIKE YOU ARE ESSENTIAL TO ENSURING THAT YOUR CITY GOVERNMENT IS RESPONSIVE TO THE NEEDS OF THE COMMUNITY. PLEASE HELP US PLACE YOU ON THE MOST APPROPRIATE COMMITTEE BY COMPLETING THIS QUESTIONNAIRE. FEEL FREE TO ATTACH A RESUME.

DATE: 12/3/2015 VERIFIED INTEREST ON: _____

LAST NAME: Hirricher FIRST: Ryan MIDDLE: L.

HOME ADDRESS: 433 Lone Heron Way, Winter Garden, FL 34787

OFFICE ADDRESS: 30 W. Smith St, Winter Garden, FL 34787

HOME PHONE: 407-500-7926 CELL PHONE: 407-500-7926 WORK PHONE: 407-500-7926

EMAIL: hirricher@gmail.com FAX #: _____

CURRENT EMPLOYER: Oak Avenue Realty & Development / Investor Nation LENGTH: 6 years

POSITION: Portfolio Manager

EDUCATION: HIGH SCHOOL GRADUATE YES NO UNDERGRADUATE COLLEGE DEGREE IN: _____ OTHER: Assoc. Degree - Finance

ADVANCED COLLEGE DEGREE IN: _____

PLEASE STATE YOUR EXPERIENCE, INTERESTS OR ELEMENTS OF YOUR HISTORY THAT YOU THINK QUALIFY YOU FOR APPOINTMENT:
10 years in Banking with experience in leading teams as branch manager. 9 years in real estate with experience in all aspects and areas of residential and some commercial experience. Private citizen who cares about future of Winter Garden.

COMMUNITY INVOLVEMENT: Active business owner, landlord, landowner and developer. Son attends Foundation Academy.

INTERESTS/ACTIVITIES: Urban Planning, Business, reading, spending time with friends-family, Travel.

WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS? I want to be more involved in the community that I'm passionate about.

NAME ANY BUSINESS, PROFESSIONAL, CIVIC OR FRATERNAL ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND THE DATES OF MEMBERSHIP.

Urban Land Institute - 5 years, Knights of Columbus - 3 years

ARE YOU A RESIDENT OF WINTER GARDEN? YES NO IF YES, CONTINUOUS RESIDENT SINCE? 1 year

ARE YOU A REGISTERED VOTER OF ORANGE COUNTY? YES NO WHICH CITY DISTRICT? Winter Garden 2

ARE YOU CURRENTLY SERVING ON ANY OTHER BOARDS? YES NO IF YES, PLEASE STATE NAME OF BOARD: _____

HAVE YOU EVER SERVED ON A GOVERNMENT BOARD? YES NO IF YES, PLEASE STATE NAME OF BOARD:
Past treasurer of Downtown Memphis Neighborhood Association

REFERENCES:
Mike Morrissey 407-616-7770
Tony Parrish - Jackson Parish Architects

WHICH BOARD(S) ARE YOU INTERESTED?

*CODE ENFORCEMENT BOARD

*PLANNING & ZONING BOARD

*COMMUNITY REDEVELOPMENT AGENCY

*COMMUNITY REDEVELOPMENT ADVISORY BOARD - CIRCLE ALL THAT APPLY TO YOU WITHIN THE CRA: RESIDE / OWN / OPERATE A BUSINESS / OTHER

*GENERAL EMPLOYEES PENSION BOARD

*FIRE/POLICE PENSION BOARD

*ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD

CIRCLE ALL THAT APPLY TO YOU: ARCHITECT / LICENSED GENERAL CONTRACTOR / WG HERITAGE FOUNDATION BOARD MEMBER / OWN COMMERCIAL PROPERTY

IN THE HISTORIC DISTRICT / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT & RESIDE IN THE CITY / RESIDE IN THE CITY

ELECTION CANVASSING BOARD

PLEASE NOTE: MEMBERS SERVING ON BOARDS WITH AN ASTERISK (*) ARE REQUIRED TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM WITH THE ORANGE COUNTY SUPERVISOR OF ELECTIONS OFFICE ON OR BEFORE JULY 1ST OF EACH YEAR. APPLICANTS FOR BOARD APPOINTMENT ARE REMINDED OF THE PROVISIONS OF THE FLORIDA STATUTES AS APPLICABLE TO CONFLICTS OF INTEREST. ALL BOARD APPLICATIONS ARE KEPT ON FILE FOR ONE YEAR AND ARE SUBMITTED TO THE CITY COMMISSION WHENEVER A VACANCY OCCURS. UPDATED INFORMATION SHOULD BE SUBMITTED AND MAY BE REQUESTED AT ANY TIME.

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THANK YOU FOR YOUR INTEREST IN SERVING YOUR COMMUNITY.



CITY OF WINTER GARDEN
 CITY CLERK'S OFFICE
 300 WEST PLANT STREET
 WINTER GARDEN, FL 34787

P: 407.656.4111

WWW.WINTERGARDEN-FL.GOV

BOARD APPOINTMENT INTEREST FORM

THANK YOU FOR YOUR INTEREST IN SERVING ON ONE OF THE CITY'S BOARDS/COMMITTEES. VOLUNTEERS LIKE YOU ARE ESSENTIAL TO ENSURING THAT YOUR CITY GOVERNMENT IS RESPONSIVE TO THE NEEDS OF THE COMMUNITY. PLEASE HELP US PLACE YOU ON THE MOST APPROPRIATE COMMITTEE BY COMPLETING THIS QUESTIONNAIRE. FEEL FREE TO ATTACH A RESUME.

DATE: 5/20/15 VERIFIED INTEREST ON: _____

LAST NAME: Matin FIRST: Matthew MIDDLE: James

HOME ADDRESS: 2143 Oakington Street, Winter Garden, FL 34787

OFFICE ADDRESS: 527 Main Street, Windermere, FL 34786

HOME PHONE: _____ CELL PHONE: 321-948-5857 WORK PHONE: _____

EMAIL: matt.matin@gmail.com FAX #: _____

CURRENT EMPLOYER: Suzi Karr Realty LENGTH: 8 months

POSITION: Realtor

EDUCATION: HIGH SCHOOL GRADUATE Yes No UNDERGRADUATE COLLEGE DEGREE IN: Urban Studies (Urban Planning)

ADVANCED COLLEGE DEGREE IN: _____ OTHER: _____

PLEASE STATE YOUR EXPERIENCE, INTERESTS OR ELEMENTS OF YOUR HISTORY THAT YOU THINK QUALIFY YOU FOR APPOINTMENT:
 I have a background in urban planning, and hold an AICP (American Institute of Certified Planners) license. I spent 12 years working in the planning/engineering industry. For the past 2 years I have been a Realtor, specializing in Winter Garden/Windermere market. I was elected in 2012, and serve as the Vice-Chairman of the Stoneybrook West CDD.

COMMUNITY INVOLVEMENT: Executive Board Member - Florida Planning & Zoning Association, Vice-President of West Orange CC

INTERESTS/ACTIVITIES: Architecture, Urban Planning, New Urbanism, Historic Preservation, Golf, Photography, Travel

WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS? To use my talents/experience to serve the residents of the City of Winter Garden.

NAME ANY BUSINESS, PROFESSIONAL, CIVIC OR FRATERNAL ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND THE DATES OF MEMBERSHIP.

American Planning Association, Florida Planning & Zoning Association, Stoneybrook West Community Development District

ARE YOU A RESIDENT OF WINTER GARDEN? Yes No IF YES, CONTINUOUS RESIDENT SINCE? 2002

ARE YOU A REGISTERED VOTER OF ORANGE COUNTY? Yes No WHICH CITY DISTRICT? 4

ARE YOU CURRENTLY SERVING ON ANY OTHER BOARDS? Yes No IF YES, PLEASE STATE NAME OF BOARD:

Stoneybrook West CDD, Florida Planning & Zoning Association, West Orange Country Club (Winter Garden)

HAVE YOU EVER SERVED ON A GOVERNMENT BOARD? Yes No IF YES, PLEASE STATE NAME OF BOARD:

Stoneybrook West CDD

REFERENCES:
 Bob Hennen - 407-765-5300, Ward Britt - 407-491-4783, Jim Karr - 407-257-6866

- WHICH BOARD(S) ARE YOU INTERESTED?**
- *CODE ENFORCEMENT BOARD
 - *PLANNING & ZONING BOARD
 - *COMMUNITY REDEVELOPMENT AGENCY
 - *COMMUNITY REDEVELOPMENT ADVISORY BOARD - CIRCLE ALL THAT APPLY TO YOU WITHIN THE CRA: RESIDE / OWN / OPERATE A BUSINESS / OTHER
 - *GENERAL EMPLOYEES PENSION BOARD
 - *FIRE/POLICE PENSION BOARD
 - *ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD
 CIRCLE ALL THAT APPLY TO YOU: ARCHITECT / LICENSED GENERAL CONTRACTOR / WG HERITAGE FOUNDATION BOARD MEMBER / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT & RESIDE IN THE CITY / RESIDE IN THE CITY
 - ELECTION CANVASSING BOARD

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DIRECT INTEREST FORM AND QUESTIONS TO THE CITY CLERK'S OFFICE AT 407-656-4111 EXT. 2254

THANK YOU FOR YOUR INTEREST IN SERVING YOUR COMMUNITY.

MATTHEW J. MATIN, AICP

EDUCATION

5/2002 University of Tennessee Knoxville, TN

- B.A., Urban Studies

WORK EXPERIENCE

8/2013 – Current Suzi Karr Realty Windermere, FL

Realtor

1/2013- 8/2013 Renaissance Planning Group Orlando, FL

Senior Transportation Planner

- Go Enhance RTS (Gainesville BRT Alternatives Analysis) – City of Gainesville, Florida
Responsibilities included the analysis of existing conditions, which formed the baseline for the evaluation of the major alternatives that were developed as part of the study.
- State of the System Report – Manatee County, FL
Responsible for the development of the State of the System Report that provided key transportation statistics, identified needs, and recommended solutions for congestion by analyzing numerous performance measures. This report was completed in order to track transportation trends in the County, which included a complete review of each road segment on the Congestion Management System (CMS).

4/2006 – 12/2012 HNTB Corporation Lake Mary, FL

Senior Transportation Planner/Senior Travel Demand Modeler

- Districtwide Modeling and Limited Access Analysis Support, FDOT District 5
Responsible for the development and support of the CFRPM model, which serves as the adopted travel demand model for the Space Coast TPO, Lake-Sumter MPO, Ocala/Marion TPO and the Volusia TPO. Responsible for coordinating with these respective planning organizations and developing all future models, which serve as the basis for their LRTPs.
- General Traffic and Earnings Consultant, Orlando-Orange County Expressway Authority (OOCEA)
Responsible for multiple tasks related to providing traffic and revenue analysis support to OOCEA. The primary task of this project entailed providing annual updates and validations to the OOCEA revenue models. These revenue models were utilized to develop future year traffic and revenue forecasts on existing and future OOCEA system facilities. Numerous traffic and revenue studies were performed analyzing user benefits and revenue impact of several projects on the existing and future OOCEA system. Evaluated potential modifications to OOCEA toll policies, toll structures and the associated impacts to the OOCEA system traffic and revenue.
- Wekiva Parkway PD&E Study Design Traffic, OOCEA
Responsibilities included the development of the project travel demand models which were used to develop design traffic for several alignment alternatives and the preferred alternative for the Wekiva Parkway PD&E Study. The SR 429/Wekiva Parkway project is the northwest portion of the Orlando beltway. The Wekiva Parkway alignment alternatives consisted of varying interchange locations, frontage road configurations, as well as several possible connections to Interstate 4. Traffic analysis included base year land use development, TAZ splits and a sub-area validation. Development of future year land use along with build and no-build networks were also completed as part of this project. Traffic volumes were developed for study area roadways for three future years: 2012, 2022 and 2032. Assisted with the LOS analysis for study area roadways under existing, future year build and no-build conditions.
- SR 836 Express Bus Ridership Study, Miami-Dade Expressway Authority (MDX)
Responsible for the development of multiple alternative models utilizing the SERPM 6.5 TOD model to test ridership of a proposed BRT system which would operate on a fixed-route utilizing the shoulder of SR 836 to



CITY OF WINTER GARDEN
 CITY CLERK'S OFFICE
 300 WEST PLANT STREET
 WINTER GARDEN, FL 34787
 P: 407.656.4111
 WWW.WINTERGARDEN-FL.GOV

BOARD APPOINTMENT INTEREST FORM

THANK YOU FOR YOUR INTEREST IN SERVING ON ONE OF THE CITY'S BOARDS/COMMITTEES. VOLUNTEERS LIKE YOU ARE ESSENTIAL TO ENSURING THAT YOUR CITY GOVERNMENT IS RESPONSIVE TO THE NEEDS OF THE COMMUNITY. PLEASE HELP US PLACE YOU ON THE MOST APPROPRIATE COMMITTEE BY COMPLETING THIS QUESTIONNAIRE. FEEL FREE TO ATTACH A RESUME.

DATE: November 10, 2015 VERIFIED INTEREST ON: _____

LAST NAME: Parish FIRST: Tory MIDDLE: Jackson

HOME ADDRESS: 12524 Aldershot Lane, Windermere, FL 34786

OFFICE ADDRESS: _____

HOME PHONE: - CELL PHONE: 407.234.5914 WORK PHONE: -

EMAIL: toryparish@gmail.com FAX #: -

CURRENT EMPLOYER: LRK, Inc. LENGTH: February 2014 - present

POSITION: Architect

EDUCATION: HIGH SCHOOL GRADUATE YES NO UNDERGRADUATE COLLEGE DEGREE IN: Architecture

ADVANCED COLLEGE DEGREE IN: _____ OTHER: _____

PLEASE STATE YOUR EXPERIENCE, INTERESTS OR ELEMENTS OF YOUR HISTORY THAT YOU THINK QUALIFY YOU FOR APPOINTMENT:

I earned a Bachelor of Architecture, and I am focused on traditional and historic architecture as well as traditional town planning in both the large and small scales. I consider myself to be an active community contributor.

COMMUNITY INVOLVEMENT: Various street improvement projects and support; neighborhood Architectural Review Board

INTERESTS/ACTIVITIES: _____

WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS? I want to serve to help to maintain WG's charm and character through architecture.

NAME ANY BUSINESS, PROFESSIONAL, CIVIC OR FRATERNAL ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND THE DATES OF MEMBERSHIP:
First Baptist Church Windermere (2003-present), Winter Garden Heritage Foundation (2013?-present)

ARE YOU A RESIDENT OF WINTER GARDEN? YES NO IF YES, CONTINUOUS RESIDENT SINCE? property owner

ARE YOU A REGISTERED VOTER OF ORANGE COUNTY? YES NO WHICH CITY DISTRICT? _____

ARE YOU CURRENTLY SERVING ON ANY OTHER BOARDS? YES NO IF YES, PLEASE STATE NAME OF BOARD: _____

HAVE YOU EVER SERVED ON A GOVERNMENT BOARD? YES NO IF YES, PLEASE STATE NAME OF BOARD: _____

REFERENCES:
Chuck Carter (407.876.2234 / ccarter@fbcwindermere.co), Kari Fleck (407.656.7814 / kari@therealestatecollection.org)
 Ryan Hinricher (ryan@investornation.com)

WHICH BOARD(S) ARE YOU INTERESTED?

- *CODE ENFORCEMENT BOARD
- *PLANNING & ZONING BOARD
- *COMMUNITY REDEVELOPMENT AGENCY
- *COMMUNITY REDEVELOPMENT ADVISORY BOARD - CIRCLE ALL THAT APPLY TO YOU WITHIN THE CRA: RESIDE / OWN / OPERATE A BUSINESS / OTHER
- *GENERAL EMPLOYEES PENSION BOARD
- *FIRE/POLICE PENSION BOARD
- *ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD
 CIRCLE ALL THAT APPLY TO YOU: ARCHITECT / LICENSED GENERAL CONTRACTOR / WG HERITAGE FOUNDATION BOARD MEMBER / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT & RESIDE IN THE CITY / RESIDE IN THE CITY
- ELECTION CANVASSING BOARD

PLEASE NOTE: MEMBERS SERVING ON BOARDS WITH AN ASTERISK (*) ARE REQUIRED TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM WITH THE ORANGE COUNTY SUPERVISOR OF ELECTIONS OFFICE ON OR BEFORE JULY 1ST OF EACH YEAR. APPLICANTS FOR BOARD APPOINTMENT ARE REMINDED OF THE PROVISIONS OF THE FLORIDA STATUTES AS APPLICABLE TO CONFLICTS OF INTEREST. ALL BOARD APPLICATIONS ARE KEPT ON FILE FOR ONE YEAR AND ARE SUBMITTED TO THE CITY COMMISSION WHENEVER A VACANCY OCCURS. UPDATED INFORMATION SHOULD BE SUBMITTED AND MAY BE REQUESTED AT ANY TIME.

DIRECT INTEREST FORM AND QUESTIONS TO THE CITY CLERK'S OFFICE AT 407-656-4111 EXT. 2254

THANK YOU FOR YOUR INTEREST IN SERVING YOUR COMMUNITY.



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DATE: April 7, 2011

VERIFIED INTEREST ON: 8-24-11 1-9-13
5-24-12 5-20-15

LAST NAME: Rainville FIRST: Eric MIDDLE: John
 HOME ADDRESS: 416 Courtlea Oaks Blvd, Winter Garden, FL 34787
 OFFICE ADDRESS: 2314 Circuit Way, Brooksville, FL 34604
 HOME PHONE: 407-877-9660 CELL PHONE: 407-913-7135 WORK PHONE: 352-848-2588
 EMAIL: eric@therainvilles.com FAX #: 352-848-2592
 CURRENT EMPLOYER: Regions Facility Services LENGTH: _____
 POSITION: Director of Facility Support Services
 EDUCATION: HIGH SCHOOL GRADUATE YES NO UNDERGRADUATE COLLEGE DEGREE IN: BS in Building Construction
 ADVANCED COLLEGE DEGREE IN: _____ OTHER: _____

PLEASE STATE YOUR EXPERIENCE, INTERESTS OR ELEMENTS OF YOUR HISTORY THAT YOU THINK QUALIFY YOU FOR APPOINTMENT:
Seasoned in facilities, owners representation and construction management with expertise in portfolio and asset management, maintenance capital planning and facilities management; utilities, fuels and futures purchasing; cost control, estimating, scheduling, development, preconstruction and construction phase administration. Certified General Contractor.
 COMMUNITY INVOLVEMENT: Member of the Winter Garden Heritage Foundation, Dillard St. PTA and 90% of community events
 INTERESTS/ACTIVITIES: Enjoy cooking (placed best overall Uncle Don's Chili Cook-off), Biking with my kids, building.
 WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS? Desire to contribute and make a positive impact on the City of Winter Garden
 NAME ANY BUSINESS, PROFESSIONAL, CIVIC OR FRATERNAL ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND THE DATES OF MEMBERSHIP.

Facilities Management Professionals International 2009- Present, Restaurant Facility Management Association 2005-Present

ARE YOU A RESIDENT OF WINTER GARDEN? YES NO IF YES, CONTINUOUS RESIDENT SINCE? April 2007
 ARE YOU A REGISTERED VOTER OF ORANGE COUNTY? YES NO WHICH CITY DISTRICT? District 1
 ARE YOU CURRENTLY SERVING ON ANY OTHER BOARDS? YES NO IF YES, PLEASE STATE NAME OF BOARD:

HAVE YOU EVER SERVED ON A GOVERNMENT BOARD? YES NO IF YES, PLEASE STATE NAME OF BOARD:

REFERENCES:
Jay Conn, Director Parks and Recreation, City of Winter Garden, 407-656-4155
Howard Long, Project Executive, Roy Anderson Construction, 228-297-4104

WHICH BOARD(S) ARE YOU INTERESTED?

- *CODE ENFORCEMENT BOARD
- *PLANNING & ZONING BOARD
- *COMMUNITY REDEVELOPMENT AGENCY
- *COMMUNITY REDEVELOPMENT ADVISORY BOARD - CIRCLE ALL THAT APPLY TO YOU WITHIN THE CRA: RESIDE OWN / OPERATE A BUSINESS / OTHER
- *GENERAL EMPLOYEES PENSION BOARD
- *FIRE/POLICE PENSION BOARD
- *ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD
 CIRCLE ALL THAT APPLY TO YOU: ARCHITECT / LICENSED GENERAL CONTRACTOR / WG HERITAGE FOUNDATION BOARD MEMBER / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT & RESIDE IN THE CITY / RESIDE IN THE CITY
- ELECTION CANVASSING BOARD

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DIRECT INTEREST FORM AND QUESTIONS TO THE CITY CLERK'S OFFICE AT 407-656-4111 EXT. 2254

THANK YOU FOR YOUR INTEREST IN SERVING YOUR COMMUNITY.

Board Appointment Interest Form 06-10



ERIC J. RAINVILLE

**416 Courtlea Oaks Boulevard
Winter Garden, Florida 34787
407.877.9660 | 407.913.7135**

PROFESSIONAL EXPERIENCE

Over 20 years experience in portfolio and asset management, facilities, owner's representation and construction management with expertise in maintenance capital planning and facilities management; utilities, fuels and futures purchasing; cost control, estimating, scheduling, development, preconstruction and construction phase administration. Construction projects ranging from \$60,000 to \$100 million including hard-bid, design-build and CM-negotiated contracts for new construction and extensive renovations/restorations of restaurants, amusement/themed facilities, institutional/educational facilities, data centers, aggressively scheduled tenant improvements, office buildings, law enforcement facilities and parking structures. Leadership and communication skills have emphasized involvement as the team leader.

REGIONS FACILITY SERVICES | 2011-CURRENT | DIRECTOR OF FACILITIES MANAGEMENT PROGRAMS

Director Facility Support and Inspections Division
Director Preconstruction Services / Construction Services

Among other construction services, the Facilities Support Services Division provides:

- Facility inspection and assessment with short-term and long-term maintenance plans.
- Development of schedules of preventative maintenance for heavy use equipment and systems.
- Review and expansion of the existing network of regional service providers and vendors and negotiation of service contracts.
- Generation of quarterly facility assessment reports for distribution to local and regional operations management.
- Coaching of local operations crew in facilities best practices to ensure assets are properly utilized and maintained.
- Review of maintenance plans with divisional leaders and unit managers and providing necessary follow-up support in executing the plan.
- Partnering with operations to develop and budget annual planned work list.
- Responding to risk management assessments of health, safety and code issues.
- Ensuring brand standards are vigorously upheld.
- Providing unit-by-unit cost and schedule reporting of all completed, active and pending planned work projects.
- Negotiating purchasing agreements for goods and services to capitalize on economies of scale and leverage positions.
- Development and implementation of standards and practices for execution of restaurant coordinated planned work.
- Review and expand existing facilities knowledge base to include reference material pertaining to all kitchen equipment and major mechanical and electrical equipment in restaurants.
- Maintain comprehensive set of facility management policies, procedures and guidelines that provide ongoing support for the needs of all aspects of maintenance delivery.
- New store planned maintenance and services setup.
- Warranty management and expiration walk-throughs.

ERIC J. RAINVILLE

(continued)

PLANET HOLLYWOOD INTERNATIONAL | 2009-2011 | DIRECTOR OF FACILITIES & CONSTRUCTION

Director of Facilities & Construction for all Planet Hollywood owned properties including:

Planet Hollywood International North American and European locations

Buca di Beppo North American and UK locations

Earl of Sandwich North American and European locations

Additional support to other Earl Enterprises owned companies including Grupo ECE which operates as franchisee for all Hard Rock, Rainforest Cafe and Planet Hollywood properties located in Mexico.

Responsible for the new construction, operation and maintenance of all facilities and support services for 100+ locations, including the implementation of capital improvement projects, environmental health and safety, as well as new construction. Additional responsibilities include preparing overall capital plan and operating budgets and assessments of all properties to align with the overall companywide strategic plan.

HARD ROCK INTERNATIONAL | 2005-2009 | DIRECTOR OF FACILITIES

Provided senior leadership and technical knowledge required to ensure longevity of company assets by the effective planning of maintenance capital and facilities management through an internal facility team for 70+ corporate-owned properties. Managed direct reports in accordance with company principals to support department functions and compliance. Provided direction for energy management issues, including contract negotiations and authorization for purchase of utilities, fuels, waste, water and futures. Provided leadership for emergencies, such as fires and business interruptions, including building systems and equipment failures. Partnered with Operations to ensure Facilities and Ops teams worked together to develop, implement and maintain planned work and capital improvement budgets; ensured compliance with best practices and budgetary constraints; and forecast and planned facility improvements. Maintained then current knowledge of field conditions and managed building systems, assets and life-safety systems.

- o Managed all corporate owned facilities worldwide located in North America, United Kingdom, Europe and Australia.
- o Managed yearly maintenance capital and expense budgets, which encompasses over 2000 individual projects.
- o Budgeted and tracked company's yearly utilities world wide, including negotiation of purchase contracts for electricity, gas, water and waste.
- o Managed field team consisting of regionally based area facilities managers.
- o Managed CCTV, burglar, fire alarm, fire suppression and life-safety systems contracts globally.
- o Managed audio and video systems in units with company's information technologies group.
- o Successfully developed and implemented company's planned work budgeting system and process with an earlier start and more comprehensive and accurate budget.
- o Rebuilt the facilities department and established foundation for repositioning of aging estate infrastructure.
- o Streamlined routing and approvals of planned work projects.
- o Developed and implemented standards and practices for execution of coordinated planned work.
- o Developed a facilities knowledge base, which included reference material pertaining to all kitchen equipment and major mechanical and electrical equipment in properties.

ERIC J. RAINVILLE
(continued)

BRASFIELD & GORRIE CONSTRUCTION COMPANY | 2003-2005 | PROJECT MANAGER

Held the leadership role for the construction effort and responsibility for the administration of assigned projects, including preparation of all project work papers, bids and associated files. Interfaced with project architect/engineer and acted as primary contact to client. Planned and coordinated the timely and profitable completion of all projects. Ensured all activities were conducted in a prudent and ethical manner. Coordinated and assigned project delivery schedule. Additional responsibilities included purchasing activities for projects; budget control (creation and maintenance); project quality control; development and implementation of operating procedures and standards; contract administration (cost estimates, proposals, subcontractor agreements, budget revisions and change orders); and oversight of all project records and documents.

R.C. STEVENS CONSTRUCTION COMPANY | 2001-2003 | PROJECT MANAGER

Held the leadership role for the construction effort and responsibility for the administration of assigned projects, including preparation of all project work papers, bids and associated files. Interfaced with project architect/engineer and acted as primary contact to client. Planned and coordinated the timely and profitable completion of all projects. Ensured all activities were conducted in a prudent and ethical manner. Coordinated and assigned project delivery schedule. Additional responsibilities included purchasing activities for projects; budget control (creation and maintenance); project quality control; development and implementation of operating procedures and standards; contract administration (cost estimates, proposals, subcontractor agreements, budget revisions and change orders); and oversight of all project records and documents.

JACK JENNINGS & SONS | 1996-2001 | PROJECT MANAGER / PROJECT ENGINEER

Progressed from Project Engineer to Project Manager during employment. As Project Engineer, was responsible for assisting the project manager during pre-construction and construction phases. Main duties included coordination of subcontractors, architect, superintendent and project manager. Daily responsibilities included submittal review, RFI's, schedule control and project coordination.

BILL HARBERT INTERNATIONAL | 1995-1996 | PROJECT ENGINEER

Responsible for assisting the project manager during pre-construction and construction phases. Main duties included coordination of subcontractors, architect, superintendent and project manager. Daily responsibilities included submittal review, RFI's, schedule control and project coordination.

HENSEL PHELPS CONSTRUCTION COMPANY | 1994-1995 | FIELD ENGINEER

Responsible for project layout and dimensional accuracy; interpretation of plans and specifications; communicating and establishing control lines for crafts and subcontractors; job-wide safety; producing detailed concrete form drawings for field use; and tracking and reporting daily job production.

EDUCATION

University of Florida | 1994 | Bachelors of Science in Building Construction

CERTIFICATIONS

Certified General Contractor | CGC062234

MEMBER

Chairman of Courtlea Oaks Home Owners Association Architectural Review Board
Chairman of Courtlea Oaks Home Owners Association Fines Appellate Committee

References and detailed construction management project list available upon request.



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BOARD APPOINTMENT INTEREST FORM

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DATE: February 19, 2015 VERIFIED INTEREST ON: _____

LAST NAME: Saunders FIRST: Rachel MIDDLE: Lora
 HOME ADDRESS: 13906 Daniels Landing Circle, Winter Garden, FL 34787
 OFFICE ADDRESS: _____
 HOME PHONE: _____ CELL PHONE: 407-575-3964 WORK PHONE: _____
 EMAIL: rachelsaunders79@outlook.com FAX #: _____
 CURRENT EMPLOYER: Southeast Ingenuity Investments, Inc (SII) (Real Estate) LENGTH: SII-4+ years (see attached)
 POSITION: President at SII and Music Teacher at Garden Music School
 EDUCATION: HIGH SCHOOL GRADUATE Yes No UNDERGRADUATE COLLEGE DEGREE IN: B.S. Mass Media Communications
 ADVANCED COLLEGE DEGREE IN: Master of Business Administration OTHER: _____

PLEASE STATE YOUR EXPERIENCE, INTERESTS OR ELEMENTS OF YOUR HISTORY THAT YOU THINK QUALIFY YOU FOR APPOINTMENT:
 I would like to serve our community by utilizing my unique combined experience in business, government and communications. *Please see attached resume, stating real estate and zoning experience.

COMMUNITY INVOLVEMENT: Bible Study Leader at First United Methodist Church of Clermont
 INTERESTS/ACTIVITIES: Volunteering, Running, Surfing, Enjoying the outdoors

WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS? Please see attached letter.

NAME ANY BUSINESS, PROFESSIONAL, CIVIC OR FRATERNAL ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND THE DATES OF MEMBERSHIP.
Central Florida Realty Investors Association, Inc.(Sept. 2014), CFRI Advanced Investors (Sept. 2014), First United Methodist Church of Clermont (March 2014)

ARE YOU A RESIDENT OF WINTER GARDEN? Yes No IF YES, CONTINUOUS RESIDENT SINCE? February 2014

ARE YOU A REGISTERED VOTER OF ORANGE COUNTY? Yes No WHICH CITY DISTRICT? 3

ARE YOU CURRENTLY SERVING ON ANY OTHER BOARDS? Yes No IF YES, PLEASE STATE NAME OF BOARD:
Passion Committee Chair for Greater Orlando American Heart Association

HAVE YOU EVER SERVED ON A GOVERNMENT BOARD? Yes No IF YES, PLEASE STATE NAME OF BOARD:

REFERENCES:
Rick Dreggors, President and Appraiser, Calhoun, Dreggors & Associates, Inc. 407-835-3395
Edwina Simms, Director, Go Red for Women, American Heart Association - 407-481-6317

WHICH BOARD(S) ARE YOU INTERESTED?

- *CODE ENFORCEMENT BOARD
- *PLANNING & ZONING BOARD
- *COMMUNITY REDEVELOPMENT AGENCY
- *COMMUNITY REDEVELOPMENT ADVISORY BOARD - CIRCLE ALL THAT APPLY TO YOU WITHIN THE CRA: RESIDE / OWN / OPERATE A BUSINESS / OTHER
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- *FIRE/POLICE PENSION BOARD
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 CIRCLE ALL THAT APPLY TO YOU: ARCHITECT / LICENSED GENERAL CONTRACTOR / WG HERITAGE FOUNDATION BOARD MEMBER / OWN COMMERCIAL PROPERTY
 IN THE HISTORIC DISTRICT / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT & RESIDE IN THE CITY / RESIDE IN THE CITY
- ELECTION CANVASSING BOARD

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DIRECT INTEREST FORM AND QUESTIONS TO THE CITY CLERK'S OFFICE AT 407-656-4111 EXT. 2254

THANK YOU FOR YOUR INTEREST IN SERVING YOUR COMMUNITY.

Board Appointment Interest Form 06-10

Rachel Lora Saunders
13906 Daniels Landing Circle
Winter Garden, FL 34787
Rachelsaunders79@outlook.com
407-575-3964

February 19, 2015

Kathy Golden, CMC
Office of the City Clerk
Winter Garden City Hall
300 West Plant Street
Winter Garden, FL 34787

Dear Ms. Golden:

I am writing to express my interest in serving on a city board. I purchased my home and moved to Winter Garden one year ago. Even though my family members reside in other cities in Florida, the Winter Garden community felt like home to me.

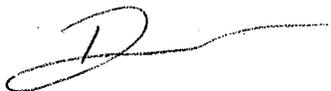
I have a background in business, government and communications. I have been an owner in real estate investment companies since 2004, and have first-hand experience with successfully zoning land for its highest and best use in another city. Recently, I had a business meeting with City Planner Ed Williams, who suggested I serve on the Planning and Zoning Board. It was after this meeting that I first began to seriously consider this opportunity.

My life has been dedicated to serving where I am. I have been involved in dozens of charities through the years. I am currently serving as Chair for a committee for the Greater Orlando American Heart Association, and am a leader at First United Methodist Church in Clermont.

In serving on the Planning and Zoning Board, my intention would be to continue my life of service to the citizens of our city. I would help preserve and enhance the quality of life in Winter Garden, while helping to implement a smart growth strategy. I would work with the board and city staff to confirm and accomplish the goals set in the comprehensive plan. While I would prefer to serve on the Planning and Zoning Board, I am open to serving on another board, should the need be greater.

I believe that the events happening in local government, though overlooked by many, often make more of a difference in our lives than national events. That is why I would consider it an honor and a privilege to serve Winter Garden.

Sincerely,



Rachel Saunders

RACHEL SAUNDERS
13906 DANIELS LANDING CIR
WINTER GARDEN, FL 34787
(407) 575-3964 / rachelsaunders79@outlook.com

My experience in business, government and communications will help me effectively serve the citizens of Winter Garden.

Experience

SOUTHEAST INGENUITY INVESTMENTS, INC., WINTER GARDEN, FL, NASHVILLE, TN, and
SEVERAL NORTHWEST FLORIDA CITIES 2011-Present

President

Served as Vice President in same company division formerly known as Saunders Company of North FL, Inc. 2004-2011

(Real estate investment corporations); Sole founder and manager of home investment division in Tennessee in 2004; company previously consisted of timber-only investments in Florida and Georgia for over 46 years

- Developed differentiation strategy, which grew profits an extra 7-8% a year by rebranding as an in-house finance corporation, resulting in a competitive advantage and wider customer base than real estate-only businesses
- Strategically planned selection and purchase, and led teams to execute home renovation projects and resale
- Negotiated successfully with the city of Antioch, Tennessee (Nashville suburb) on a land project to obtain a **zoning change**, which led to land resale within months, and more than doubling ROI
- Increased division's total assets more than 150%
- Prevented several hundred thousand dollars in taxation through personal research of effective tax strategies
- Administered first consistent cash flow by successfully realigning the company strategy from selling to renting during the global economic crisis

INDEPENDENT CONTRACTOR, WINTER GARDEN, FL and CLERMONT, FL 2014-Present

Music Teacher currently teaching at Garden Music

Instructor of music theory learned from years of study with Nashville professionals and career as former professional musician. Currently teaching at Garden Music School in Winter Garden.

- Prepared students who were successfully selected as honor choir members, school musical performers and contest winners

INDEPENDENT CONTRACTOR, BASED IN WASHINGTON, DC AND NASHVILLE, TN 2002-2004

Reporter/Writer

Wrote and edited (paid intern) for Voice of America in Washington, DC (2002); directed and reported various news projects for local and regional TV stations throughout the U.S. (2002-2004)

OFFICE OF THE GOVERNOR, TALLAHASSEE, FL 2001-2002

Community Liaison for Governor's Mentoring Initiative

Collaborated with businesses, non-profit organizations and government agencies in building a state-wide coalition of child mentors during governor's term

- Oversaw coalition of over 100,000 mentors; helped add thousands of new mentors (approximately 20,000 mentors added during the school year)
- Partnered with Florida's mayors through The Florida League of Cities, Inc. to create a state-wide mentoring initiative among local municipalities

- Compiled Excel report of personally-gathered data from non-profit organizations, businesses and schools of every Florida mentor for governor
- Cultivated successful media coverage through TV and newspaper interviews and events coverage
- Coordinated large special events for the governor with state agency leaders, city officials and business partners throughout Florida

Education

FLORIDA INTERNATIONAL UNIVERSITY
Chapman Graduate School of Business
Corporate Master of Business Administration
3.79 GPA

Dec. 2011

ORAL ROBERTS UNIVERSITY
Bachelor of Science in Mass Media Communications
Magna Cum Laude

2001



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FEEL FREE TO ATTACH A RESUME.

DATE: 10/22/15 VERIFIED INTEREST ON: Architectural Review/Historic

LAST NAME: Stone FIRST: Jessica MIDDLE: _____
HOME ADDRESS: 407 N Main St Winter Garden, FL 34787
OFFICE ADDRESS: _____
HOME PHONE: _____ CELL PHONE: 407-484-2879 WORK PHONE: _____
EMAIL: JessicaStoneSells@gmail.com FAX #: _____
CURRENT EMPLOYER: Self - employed Realtor (Century 21 Professional Group, Inc.) LENGTH: 3 years
POSITION: Realtor
EDUCATION: HIGH SCHOOL GRADUATE Yes No UNDERGRADUATE COLLEGE DEGREE IN: Elementary Education
ADVANCED COLLEGE DEGREE IN: _____ OTHER: _____

PLEASE STATE YOUR EXPERIENCE, INTERESTS OR ELEMENTS OF YOUR HISTORY THAT YOU THINK QUALIFY YOU FOR APPOINTMENT:
Winter Garden Resident and local Realtor who cares about our City, preservation, and the impact we have on the community.

COMMUNITY INVOLVEMENT: YMCA Coach, involved parent at Oakland Ave Charter, Arnold Palmer Hospital
INTERESTS/ACTIVITIES: Kids, Real Estate, Sports,
WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS? I care about our City and the downtown area.
NAME ANY BUSINESS, PROFESSIONAL, CIVIC OR FRATERNAL ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND THE DATES OF MEMBERSHIP:
Orlando Regional Realtor Association (2012-present), National Association of Realtors (2012-present)

ARE YOU A RESIDENT OF WINTER GARDEN? Yes No IF YES, CONTINUOUS RESIDENT SINCE? _____
ARE YOU A REGISTERED VOTER OF ORANGE COUNTY? Yes No WHICH CITY DISTRICT? _____
ARE YOU CURRENTLY SERVING ON ANY OTHER BOARDS? Yes No IF YES, PLEASE STATE NAME OF BOARD: _____

HAVE YOU EVER SERVED ON A GOVERNMENT BOARD? Yes No IF YES, PLEASE STATE NAME OF BOARD: _____

REFERENCES:
Chris Lee (resident, board member, 407-267-8997), David Dorman (Broker-Owner, Century 21 Prof Grp, 407-948-8295)
Bobby Olszewski (City Commissioner, 407-217-8687), Bill & Vicki Peters (City Residents, 321-229-0085)

- WHICH BOARD(S) ARE YOU INTERESTED?**
- *CODE ENFORCEMENT BOARD
 - *PLANNING & ZONING BOARD
 - *COMMUNITY REDEVELOPMENT AGENCY
 - *COMMUNITY REDEVELOPMENT ADVISORY BOARD - CIRCLE ALL THAT APPLY TO YOU WITHIN THE CRA: RESIDE / OWN / OPERATE A BUSINESS / OTHER
 - *GENERAL EMPLOYEES PENSION BOARD
 - *FIRE/POLICE PENSION BOARD
 - *ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD
CIRCLE ALL THAT APPLY TO YOU: ARCHITECT / LICENSED GENERAL CONTRACTOR / WG HERITAGE FOUNDATION BOARD-MEMBER / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT & RESIDE IN THE CITY / RESIDE IN THE CITY
 - ELECTION CANVASSING BOARD

PLEASE NOTE: MEMBERS SERVING ON BOARDS WITH AN ASTERISK (*) ARE REQUIRED TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM WITH THE ORANGE COUNTY SUPERVISOR OF ELECTIONS OFFICE ON OR BEFORE JULY 1ST OF EACH YEAR. APPLICANTS FOR BOARD APPOINTMENT ARE REMINDED OF THE PROVISIONS OF THE FLORIDA STATUTES AS APPLICABLE TO CONFLICTS OF INTEREST. ALL BOARD APPLICATIONS ARE KEPT ON FILE FOR ONE YEAR AND ARE SUBMITTED TO THE CITY COMMISSION WHENEVER A VACANCY OCCURS. UPDATED INFORMATION SHOULD BE SUBMITTED AND MAY BE REQUESTED AT ANY TIME.

DIRECT INTEREST FORM AND QUESTIONS TO THE CITY CLERK'S OFFICE AT 407-656-4111 EXT. 2254

THANK YOU FOR YOUR INTEREST IN SERVING YOUR COMMUNITY.



CITY OF WINTER GARDEN
CITY CLERK'S OFFICE
300 WEST PLANT STREET
WINTER GARDEN, FL 34787

P: 407.656.4111
WWW.WINTERGARDEN-FL.GOV

Rec'd 1-5-11

BOARD APPOINTMENT INTEREST FORM

THANK YOU FOR YOUR INTEREST IN SERVING ON ONE OF THE CITY'S BOARDS/COMMITTEES. VOLUNTEERS LIKE YOU ARE ESSENTIAL TO ENSURING THAT YOUR CITY GOVERNMENT IS RESPONSIVE TO THE NEEDS OF THE COMMUNITY. PLEASE HELP US PLACE YOU ON THE MOST APPROPRIATE COMMITTEE BY COMPLETING THIS QUESTIONNAIRE. FEEL FREE TO ATTACH A RESUME.

5-24-12 + 9-7-13 5.2014 2015

DATE: 1/5/2011 VERIFIED INTEREST ON: _____

LAST NAME: WILLIAMS FIRST: ROCCO MIDDLE: WAYNE

HOME ADDRESS: 414 S. LAKEVIEW AVE. WINTER GARDEN, FL 34787

OFFICE ADDRESS: 935 LAKE BALDWIN LANE ORLANDO, FL 32814

HOME PHONE: _____ CELL PHONE: 321-217-4713 WORK PHONE: 407-767-5188

EMAIL: ROCK_1961@HOTMAIL.COM FAX #: _____

CURRENT EMPLOYER: SGM ENGINEERING, INC. LENGTH: 2.5 YEARS

POSITION: QA/QC ENGINEER CONSTRUCTION ADMINISTRATION

EDUCATION: HIGH SCHOOL GRADUATE YES NO UNDERGRADUATE COLLEGE DEGREE IN: BUILDING CONSTRUCTION ELECTRICAL AND FIRE

ADVANCED COLLEGE DEGREE IN: _____ OTHER: INSPECTOR CERTIFICATIONS FOR BUILDING AND FIRE

PLEASE STATE YOUR EXPERIENCE, INTERESTS OR ELEMENTS OF YOUR HISTORY THAT YOU THINK QUALIFY YOU FOR APPOINTMENT:
14 years experience in project management, construction administration and design for commercial, industrial, high-rise, multi-family, retail, institutional and assembly projects. My experience has given me the knowledge to assist design consultants in the office and the field with engineering, design, product selection, specifications and review of drawings and completed work for quality control. My familiarity with Florida state and local code requirements, NFPA and International Code Council standards.

COMMUNITY INVOLVEMENT: Past Elder for Roper YMCA Indian Guides/Princesses 15+ years, Volunteer work with Coalition for Homeless

INTERESTS/ACTIVITIES: Fishing, Geocaching, Hiking, Bike Riding, Camping

WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS? To give back to the community and aid in maintaining the standards established.

NAME ANY BUSINESS, PROFESSIONAL, CIVIC OR FRATERNAL ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND THE DATES OF MEMBERSHIP.
MOKANNA #329 FLORIDA F & AM SINCE 4/2004, CENTRAL FLORIDA FIRE MARSHALS AND INSPECTORS ASSOCIATION SINCE 1998, INTERNATIONAL CODE COUNCIL SINCE 2008

ARE YOU A RESIDENT OF WINTER GARDEN? YES NO IF YES, CONTINUOUS RESIDENT SINCE? APPROXIMATELY 1981

ARE YOU A REGISTERED VOTER OF ORANGE COUNTY? YES NO WHICH CITY DISTRICT? DISTRICT 1

ARE YOU CURRENTLY SERVING ON ANY OTHER BOARDS? YES NO IF YES, PLEASE STATE NAME OF BOARD: _____

HAVE YOU EVER SERVED ON A GOVERNMENT BOARD? YES NO IF YES, PLEASE STATE NAME OF BOARD:
CITY OF WINTER GARDEN CODE ENFORCEMENT BOARD

REFERENCES:
SKIP LUKERT BUILDING OFFICIAL CITY OF WINTER GARDEN, BOB BUCHANAN DISTRICT 2 COMMISSIONER CITY OF WINTER GARDEN, HAROLD BOULDER COMMISSIONER DISTRICT 3
CITY OF WINTER GARDEN, COLIN SHARMAN COMMISSIONER DISTRICT 4 CITY OF WINTER GARDEN, S. SCOT BOYD ORANGE COUNTY COMMISSIONER DISTRICT 1

WHICH BOARD(S) ARE YOU INTERESTED?

- *CODE ENFORCEMENT BOARD
 - *PLANNING & ZONING BOARD
 - *COMMUNITY REDEVELOPMENT AGENCY
 - *COMMUNITY REDEVELOPMENT ADVISORY BOARD - CIRCLE ALL THAT APPLY TO YOU WITHIN THE CRA: RESIDE / OWN / OPERATE A BUSINESS / OTHER
 - *GENERAL EMPLOYEES PENSION BOARD
 - *FIRE/POLICE PENSION BOARD
 - *ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD
- CIRCLE ALL THAT APPLY TO YOU: ARCHITECT / LICENSED GENERAL CONTRACTOR / WG HERITAGE FOUNDATION BOARD MEMBER / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT / OWN COMMERCIAL PROPERTY IN THE HISTORIC DISTRICT & RESIDE IN THE CITY / RESIDE IN THE CITY
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DIRECT INTEREST FORM AND QUESTIONS TO THE CITY CLERK'S OFFICE AT 407-656-4111 EXT. 2254

THANK YOU FOR YOUR INTEREST IN SERVING YOUR COMMUNITY.

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Michael Bollhoefer, City Manager

Date: February 19, 2015

Meeting Date: February 25, 2015

Subject: Resolution 16-02

Issue: The amended invocation resolution codifies existing law as to what sources the City Manager or his/her designee may utilize to assemble the invocation speaker database. In particular, the amended invocation resolution functions to expressly add another tool for the City Manager or his/her designee to use in determining those authentic “groups” that may be included on the invocation speaker database in accordance with criteria for determinations of Section 501(c)(3) tax exempt organizations.

Recommended action: Approve Resolution 16-02 to amend the invocation policy.

RESOLUTION NO. 16-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING RESOLUTION NO. 15-04 RELATING TO OPENING INVOCATION PROCEDURE AND POLICIES; CLARIFYING METHODS AND CRITERIA UTILIZED FOR COMPILING AN INCLUSIVE DATABASE OF THE RELIGIOUS CONGREGATIONS AND OTHER GROUPS AND ORGANIZATIONS WITH AN ESTABLISHED PRESENCE IN THE CITY OF WINTER GARDEN; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Garden (the "City") adopted Opening Invocation Procedure and Policies by Resolution No. 15-04; and

WHEREAS, the previously adopted findings and recitals of the City Commission set forth in Resolution No.15-04 are incorporated herein by reference and shall constitute a part hereof; and

WHEREAS, the City Commission desires to amend such Opening Invocation Procedure and Policies to provide clarification relating to the methods and criteria utilized for compiling an inclusive database of the religious congregations and other groups and organizations with an established presence in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AS FOLLOWS:

SECTION I. Amendment. Sub-paragraph 2 of the **Speaker Selection** portion of Section I of City Resolution No. 15-04 regarding **OPENING INVOCATION PROCEDURE AND POLICIES** is hereby amended as follows (underlined language are additions, and ~~stricken through~~ words are deletions; provisions not included are not being amended):

Speaker Selection.

* * *

2. The database shall be compiled examining a broad and diverse pool of religious leaders and other representatives of any and all local religions, denominations, faiths, creeds, and beliefs, including but not limited to, ministers, priests, chaplains, rabbis, deacons, clerics, and the like. The database may be compiled, and determinations as to the authenticity of religious or non-religious groups and organizations may be made, through referencing the listings for "churches," "congregations," other religious and non-religious groups and organizations located, or with an established presence, within the jurisdictional limits of the City in the annual Yellow Pages telephone book(s) or comparable data sources, research from the

Internet, consultation with local chambers of commerce or comparable organizations, utilization of the criteria used by the Internal Revenue Service in its determination of those groups or organizations that would legitimately qualify for Section 501(c)(3) tax-exempt status, and any other effective method in the discretion of the City Manager or his/her designee. Any such church, congregation, entity, organization or group within the jurisdictional limits of the City not identified within the database for participation may request inclusion within the database by written communication directed to the City Manager that references the opening invocation. If a resident of the City is a member of a church, congregation, other religious or non-religious group or organization which is located outside of the City, such shall be included in the database upon the residents' written request to the City. This policy is intended to be and shall be applied in a way that is inclusive of diverse religious and non-religious congregations, groups and organizations. The database is compiled and used for purposes of logistics, efficiency, and equal opportunity for all religious and non-religious leaders within the jurisdictional limits of the City to choose whether to respond to the City Commission's invitation.

SECTION II: CONFLICTS/SUPERSEDE. This Resolution shall supersede any previous rules, policies, procedures, or resolutions to the extent of any conflict with this Resolution.

SECTION III: SEVERABILITY. If any portion, word, phrase, sentence, or part of this Resolution is finally determined by a court of competent jurisdiction to be invalid, unconstitutional, unenforceable, or void, the balance of the Resolution shall continue in full force and effect.

SECTION IV: EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND RESOLVED this _____ day of _____, 2016, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

John Rees, Mayor

ATTEST:

Kathy Golden, City Clerk