



**CITY COMMISSION AGENDA
CITY HALL COMMISSION CHAMBERS
300 W. Plant Street**

REGULAR MEETING

AUGUST 28, 2008

6:30 P.M.

CALL TO ORDER

Determination of a Quorum

Invocation and Pledge of Allegiance

1. **APPROVAL OF MINUTES**

Regular meeting of August 14, 2008

2. **FIRST READING OF PROPOSED ORDINANCES**

A. **Ordinance 08-42**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, ESTABLISHING VOTING DISTRICT BOUNDARIES; ADOPTING THE REPORT OF THE DISTRICTING COMMISSION, INCLUDING THE MAP AND DESCRIPTION OF PROPOSED ELECTION DISTRICTS FILED WITH THE CITY BY THE DISTRICTING COMMISSION ESTABLISHED PURSUANT TO SECTION 25 OF THE CITY CHARTER; ENACTING THE DISTRICT BOUNDARIES PROPOSED BY SUCH REPORT; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE **with the second reading and public hearing on October 9, 2008** – *(Continued from July 24, and August 14, 2008)* – City Manager Bollhoefer

3. **REGULAR BUSINESS**

A. Recommendation to reduce fines imposed in Code Enforcement Board Case #07-1136 for 319 East Maple Street – Chief Planner Wilson

B. Recommendation to approve the West Orange High School Homecoming Parade to take place on Plant St. on October 2, 2008 – Recreation Director Conn

C. Recommendation to approve a contract with AshBritt, Inc. for emergency debris management services – Public Services Director Cochran

4. **MATTERS FROM CITIZENS** *(Limited to 3 minutes per speaker)*

5. **MATTERS FROM CITY ATTORNEY** – Kurt Ardaman

6. **MATTERS FROM CITY MANAGER** – Mike Bollhoefer

A. Presentation on golf carts on roadways pros and cons

B. Settlement Agreement and Release in Orange County, Florida, Case No. 48-2005-CA-1434; City of Winter Garden v. Nugent

7. **MATTERS FROM MAYOR AND COMMISSIONERS**

ADJOURN to a budget workshop immediately following this meeting and to a budget hearing and regular City Commission meeting on September 10, 2008 at 6:00 p.m. in City Hall Commission Chambers, 300 W. Plant Street, 1st floor

Please Note: In accordance with Florida Statutes 286.0105: Any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is based, which such written record is not provided by the City of Winter Garden.

Also, in accordance with Florida Statute 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact the Office of the City Clerk, 300 W. Plant Street, Winter Garden, FL 34787, (407) 656-4111 x 2254 48 hours in advance of the meeting.

ORDINANCE NO. 08-42

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, ESTABLISHING VOTING DISTRICT BOUNDARIES; ADOPTING THE REPORT OF THE DISTRICTING COMMISSION, INCLUDING THE MAP AND DESCRIPTION OF PROPOSED ELECTION DISTRICTS FILED WITH THE CITY BY THE DISTRICTING COMMISSION ESTABLISHED PURSUANT TO SECTION 25 OF THE CITY CHARTER; ENACTING THE DISTRICT BOUNDARIES PROPOSED BY SUCH REPORT; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Section 25 of the City's Charter requires that the City Commission appoint a Districting Commission to develop and propose a report pertaining to the adjustment of Commission districts within the City if, after April 30, 2008, the population of any district in the City becomes fifty (50) percent greater than the population of the smallest district prior to the decennial census of the state;

WHEREAS, it was determined after April 30, 2008, that the population of a district within the City had become fifty (50) percent greater than the population of another district and that such population shift had occurred prior to the next decennial census of the state in 2010;

WHEREAS, the City Commission appointed a Districting Commission to develop and file a report containing a recommended plan for adjustment of the commission district boundaries, which was to include a map and description of the proposed districts and be drafted in the form of a proposed ordinance (the "Report");

WHEREAS, such Districting Commission has met periodically since its first meeting on June 4, 2008, and since that time has developed, finalized and adopted its Report, which has been incorporated into this Ordinance for presentation to the City Commission for approval;

WHEREAS, in the event that a redistricting ordinance is not adopted by the City Commission within ninety (90) days before the next municipal election, the Report of the Districting Commission shall go into effect at that time and have the effect of an ordinance duly enacted by the City Commission;

WHEREAS, the Districting Commission's Report proposes a redistricting plan featuring four (4) districts, each of which are internally contiguous and do not exceed five (5) percent of the average population for all commission districts, and all of which are approximately equal in population based upon the principles of equal and effective representation as required by the federal and state constitutions;

WHEREAS, the Districting Commission, in preparing its Report, has further considered such other factors, including, but not limited to, compactness, contiguous, preservation of political subdivisions, preservation of communities of interests, preservation of cores of prior districts, the demographics of the City, the geography of the neighborhood, existing precinct lines, and minority population interest; and

WHEREAS, the Districting Commission has prepared its Report in an open, public, and fair forum in which all Winter Garden residents had a right to observe and participate; and

WHEREAS, the City Commission has reviewed the Report of the Districting Commission to ensure that the findings of such Report comport with the general principles of fair and equal representation of voting interests within the City under federal and state law and proposes a districting plan in compliance with Section 25(1) of the City Charter;

WHEREAS, any changes or modifications to such Report by the City Commission are deemed necessary by the Commission to ensure that the districting plan contained in such Report comports with the general principles of fair and equal representation of voting interests within the City under federal and state law, and meets the standards enumerated in Section 25(1) of the City Charter; and

WHEREAS, the City Commission concludes that the proposed districting plan contained in the Report, as set forth in Exhibit "A" attached hereto and incorporated herein, meets the requirements of the City Charter and the Florida and United States constitutions, statutes and codes; is supportive of communities of interest within the City; avoids the unnecessary dilution of minority voting interests within the City; and otherwise provides the citizens of Winter Garden with equal voting rights under the law.

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

Section 1. The City Commission of the City of Winter Garden hereby adopts the Report of the Districting Commission and election district boundaries described therein as attached hereto and incorporated herein:

SEE EXHIBIT "A"

Section 2. Severability. If any portion of this ordinance is determined to be void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

Section 3. Conflicts. In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control.

Section 4. Effective Date. If passed and adopted, this ordinance shall become effective on December 10, 2008, ninety (90) days prior to the next regularly scheduled municipal election on March 10, 2009.

READ FIRST TIME IN PUBLIC HEARING HELD: _____, 2008.

READ SECOND TIME IN PUBLIC HEARING HELD: _____, 2008.

PASSED AND ORDAINED THIS ____ DAY OF _____, 2008, BY THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA.

**CITY OF WINTER GARDEN, FLORIDA,
a Florida Municipality**

**By: _____
JOHN REES, Mayor/Commissioner**

ATTEST:

**By: _____
KATHY GOLDEN, City Clerk**

City of Winter Garden Districting Commission 2008
Scenario 8 Finalized on July 16th 2008

-  Roads
-  Subdivisions
-  County Line
-  Water Bodies



Scenario 8 2008 Final

Districts	Total Population	Deviation Percentage
D1	7709	-0.95%
D2	7878	1.22%
D3	7715	-0.87%
D4	7830	0.60%

