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

REGULAR MEETING OCTOBER 9, 2008 6:30 P.M.

CALL TO ORDER
Determination of a Quorum
Invocation and Pledge of Allegiance

1. **APPROVAL OF MINUTES**
   Budget Hearings and Regular Meeting minutes of September 25, 2008

2. **FIRST READING OF PROPOSED ORDINANCES**
   A. **ORDINANCE 08-54**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 6 OF THE WINTER GARDEN CITY CODE; PROVIDING FOR SALE AND SERVICE OF ALCOHOLIC BEVERAGES BY BUSINESSES HOLDING STATE ISSUED BEVERAGE LICENSES ON SUNDAYS; EXPANDING THE HOURS OF SALE AND SERVICE OF SUCH BEVERAGES UNTIL 2:00 A.M. FOR SUCH BUSINESSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE **with the second reading and public hearing scheduled for November 13, 2008 – City Attorney Ardaman**

3. **SECOND READING AND PUBLIC HEARINGS OF PROPOSED ORDINANCES**
   A. **Ordinance 08-34:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE WINTER GARDEN COMPREHENSIVE PLAN TO IMPLEMENT PUBLIC SCHOOL CONCURRENCY; ADDING A PUBLIC SCHOOL FACILITIES ELEMENT REQUIRING COORDINATION OF PUBLIC SCHOOL PLANNING WITH LAND USE PLANNING AND DEVELOPMENT APPROVALS; SETTING LEVEL OF SERVICE STANDARDS AND SERVICE BOUNDARIES AND PROVIDING FOR DEVELOPMENT REVIEW COORDINATION TO ACHIEVE CONCURRENCY; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT TO INCLUDE NEW OBJECTIVES AND POLICIES PROVIDING FOR COORDINATION WITH ORANGE COUNTY PUBLIC SCHOOLS; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO INCLUDE NEW OBJECTIVES AND POLICIES AND STANDARDS FOR BACKLOGGED CONCURRENCY SERVICE AREAS; PROVIDING FOR CONFLICTS, SEVERABILITY, TRANSMITTAL AND AN EFFECTIVE DATE

      INTERLOCAL AGREEMENT WITH ORANGE COUNTY SCHOOL BOARD FOR COORDINATION TO IMPLEMENT THE PLANNING OF NEW SCHOOLS AND ESTABLISHING SCHOOL CONCURRENCY FOR NEW RESIDENTIAL GROWTH – **Planning Director Williams**
   B. **Ordinance 08-38:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 78-57 (1) OF CHAPTER 78, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN BY AMENDING THE PROCEDURES AND FEES OF THE CITY OF WINTER GARDEN WATER AND SEWER ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **– Public Services Director Cochran**
   C. **Ordinance 08-39:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE WINTER GARDEN CODE OF ORDINANCES BY AMENDING SECTION 78-243 RECLAIMED WATER RATES AND CHARGES; PROVIDING FOR A WATER CONSERVATION RATE STRUCTURE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **– Public Services Director Cochran**
   D. **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 – **City Manager Bollhoefer**

4. **<u>REGULAR BUSINESS</u>**
   A. Recommendation to approve and award the contract for Crest Avenue to Dreyfus Reuse Water Main Project to American Persian Engineers and Contractors, Inc. for $676,557.20 (includes a 10 percent contingency) – **Public Services Director Cochran**
   B. Recommendation to approve and award the contract for West Crown Point Road Force Main and Reuse Water Main Project to Southern Site Works, Inc. for $764,999.24 (includes a 10 percent contingency) **- Public Services Director Cochran**
   C. Recommendation to approve and award the contract for Boyd Street Parking Lot Project to J. Malever Construction Company for $455,092.00 (Alternate #2 and a 10 percent contingency) – **Public Services Director Cochran**
   D. Recommendation to approve and transmit to the Orange County Board of Commissioners an annexation report of the Burchshire area – **Planning Director Williams**
   E. Recommendation to approve and transmit to the Orange County Board of Commissioners an annexation report of the Kenny Court area – **Planning Director Williams**
   F. Recommendation to approve an Environmental Hold Harmless and Indemnity Agreement with Winter Garden Commerce Center – **Planning Director Williams**
   G. Recommendation to approve a site plan for Belle Meade Commercial Outparcel #2 with conditions – **Planning Director Williams**
   H. Recommendation to approve and authorize entering into an agreement with the Orange County Supervisor of Elections to conduct annexation referendums for Kenny Court and Burchshire areas – **City Clerk Golden**
   I. Appointments to the Police and Fire Pension Board for two expiring terms (Joe Morabito and Mildred Holt-Washington on November 30, 2008) – **City Clerk Golden**
   J. Appointments to the Planning and Zoning Board for three expiring terms (Balderrama, Gentry and Snell) *(Postponed from September 25, 2008)* – **City Clerk Golden**
   K. Selection of the National League of Cities voting delegate and alternate – **City Clerk Golden**

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

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

7. **MATTERS FROM CITY MANAGER** – Mike Bollhoefer
   A. Presentation on golf cart plan
   B. Proposal presentations for recreational projects on Daniels Road
      i. Newton's Law Family Golf and Sport
      ii. West Orange Skate World
   C. Announcement of new business hours for the Building and Business Tax offices beginning September 29, 2008; Monday through Friday 8 a.m. to 6 p.m.
   D. Recommendation to cancel the regular City Commission meetings of November 27, 2008 for Thanksgiving and December 25, 2008 for Christmas
   E. Recommendation to close city offices the day after Christmas, Friday, December 26, 2008

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

ADJOURN to a regular City Commission meeting on October 23, 2008 at 6:30 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 08-54

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 6 OF THE WINTER GARDEN CITY CODE; PROVIDING FOR SALE AND SERVICE OF ALCOHOLIC BEVERAGES BY BUSINESSES HOLDING STATE ISSUED BEVERAGE LICENSES ON SUNDAYS; EXPANDING THE HOURS OF SALE AND SERVICE OF SUCH BEVERAGES UNTIL 2:00 A.M. FOR SUCH BUSINESSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Winter Garden ("City") desires to amend Chapter 6, § 6-4 of the Winter Garden Code in order to allow all businesses holding a state beverage license ("Licensees") to sell or serve alcoholic beverages until 2:00 A.M. and on Sundays where such activity has been previously prohibited to Licensees;

WHEREAS, the City has been notified that enclaves within the City and nearby jurisdictions such as unincorporated Orange County and the City of Ocoee currently permit the sales of alcoholic beverages by Licensees until 2:00 A.M. each and every day of the week (see § 4-3, Orange County Code; § 38-6, Ocoee Code of Ordinances);

WHEREAS, Licensees and other entertainment venues located within the City limits have indicated that the City's prohibition of alcohol sales on Sundays and between the hours of midnight and 2:00 a.m. has repeatedly placed them at a competitive disadvantage with nearby Licensees and entertainment venues located outside the City's jurisdictional boundaries;

WHEREAS, the City desires to aid and encourage the City's economic vitality and the growth and success of businesses within the City and provide the City's citizens that choose to obtain alcoholic beverages up until 2:00 a.m. each day of the week with the opportunity to do so within their own City;

WHEREAS, the City believes that given the enclaves and neighboring jurisdictions and venues permitting responsible consumption of alcohol until 2:00 A.M. each day of the week, the City's prohibition concerning sales and service of alcohol on Sundays and after midnight directs business away from the City to Licensees and venues located in enclaves and adjacent jurisdictions; and

WHEREAS, the City may adjust the times for the service and sale of alcohol pursuant to § 562.14, Fla. Stat.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION I: SECTION 6-4. HOURS OF SALE, Section 6-4 is hereby amended to reflect the following changes (~~struckout~~ text indicates deletions while underlined text indicates additions):

(a) No alcoholic beverages shall be sold, consumed or served or permitted to be served or consumed in any place holding a state license between the hours of ~~12:00 midnight~~2:00 a.m. and 7:00 a.m. of the same morning, except as provided in this section. ~~No alcoholic beverages shall be sold, consumed or served or permitted to be served or consumed in any place holding a state license between 12:00 midnight Saturday and 7:00 a.m. the following Monday, except as provided in this section.~~

(b) Within the meaning of this section, a sale shall be regarded as being made if the alcoholic beverage is delivered to any person during prohibited hours, regardless of whether payment therefor is made at some other time. If any such licensed vendor is a corporation, the officers of such corporation shall be regarded as the owner thereof for purposes of enforcement of this section. All vendors holding state licenses to operate places of business shall not keep such places of business open for business during prohibited hours. If any door of such place of business is opened during prohibited hours except to admit the owner or one of his regular employees or if any person other than the owner or one of his regular employees enters into such place of business during prohibited hours, it shall be prima facie evidence that such place is open for business~~, provided that nothing in this chapter shall be construed to prohibit the operation of a business for purposes other than the sale of alcoholic beverages during the hours between 12:00 midnight Saturday and 7:00 a.m. the following Monday~~. Any place of business holding a state license, except those places qualifying under subsection (c) of this section, shall, at the hour of ~~12:00 midnight~~2:00 a.m., cause all outside lights on the premises occupied by it to be extinguished and shall cause all entrances and exits to such establishment to be locked, and the entrances and exits shall not be opened during the prohibited hours, except to admit the proprietor of such place of business and his employees to enter and to permit the egress of the proprietor, employees and customers of such place of business from the premises. Customers within the place of business at the hour of ~~12:00 midnight~~2:00 a.m. who have prior thereto purchased any single drink of alcoholic beverage and have not completed the consumption thereof shall be permitted to complete the consumption of such alcoholic beverage and shall be required by the proprietor or his employees to leave the place of business as soon as may be reasonably possible. Nothing contained in this chapter shall be construed so as to permit any place of business to sell or serve or permit alcoholic beverages to be sold or served during prohibited hours.

~~(c) In addition to the hours of sale of alcoholic beverages provided in this section, a bar or restaurant exhibiting live entertainment and having a seating capacity of 60 persons or more shall be permitted to sell and serve malt beverages, cocktails and other mixed alcoholic beverages, for consumption on the premises only, during the hours from 12:00 midnight to 2:00 a.m. each day except Monday. This subsection shall only~~

~~apply to sales by vendors holding those specific vendor's licenses permitting the sale of alcoholic beverages regardless of alcoholic content and where consumption on the premises is permitted, as defined in F.S. ch. 561 or within hotels, motels or restaurants holding a special license under F.S. § 561.20.~~

(~~d~~c) However, licensees for the sale of alcoholic beverages in the city shall, on that date known as New Year's Eve (December 31), be permitted to remain open for such sales for one hour after the regular closing time established by this section. ~~When New Year's Eve (December 31) falls on a Sunday, licensees for the sale of alcoholic beverages in the city shall be allowed to be open between the hours of 6:00 p.m. and to remain open as established by this section.~~

(~~e~~d) Restaurants shall be permitted to serve alcoholic beverages between the hours of 11:00 a.m. and 2:00 a.m.~~12:00 midnight seven days a week.~~

(~~f~~e) Upon application for a city occupational license, the licensee must sign an affidavit attesting that the sale of food and nonalcoholic beverages consumed on the licensed premises will exceed 51 percent of the gross revenue of the business. To keep or renew this designation and occupational license, the licensee must file an affidavit verifying that the sale of food and nonalcoholic beverages consumed on the premises for the preceding 12 months exceeded 51 percent of the gross revenue of the business.

The city shall have access and the right to examine all records and source documents used to determine compliance with this rule. Licensees must give the city the means, facilities, and opportunity to verify the accuracy of these records. If a business holding a license to sell alcohol with the State of Florida sells less than 51 percent food for consumption of food on the premises compared with sales of alcohol in any year or in any two months preceding any audit, the business is ineligible to be deemed a restaurant pursuant to this section and may not be deemed a restaurant pursuant to this section until the business meets the definition of a restaurant in this section for 12 consecutive months after examination of the records by the city.

All audits provided by the licensee must conform to the requirements of the State of Florida, Department of Business and Professional Regulation.

SECTION II. INCONSISTENCY. If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION III. 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 IV. CODIFICATION. That Section I and Section II of this Ordinance shall be codified and made a part of the City of Winter Garden Code of Ordinances; that the Sections of this Ordinance may be renumbered or relettered to accomplish such intention; the word "*Ordinance"* may be changed to *"Section", "Article",* or other appropriate word.

SECTION V. EFFECTIVE DATE. This Ordinance shall become effective upon approval by the City Commission at its second reading.

FIRST READING: ___October 9_____, 2008.

SECOND READING: _____, 2008.

APPROVED:

_____
John Rees, Mayor/Commissioner

ATTEST:

_____
Kathy Golden, City Clerk

ORDINANCE 08-34

AN ORDINANCE OF THE CITY OF WINTER GARDEN,FLORIDA AMENDING THE WINTER GARDEN COMPREHENSIVE PLAN TO IMPLEMENT PUBLIC SCHOOL CONCURRENCY; ADDING A PUBLIC SCHOOL FACILITIES ELEMENT REQUIRING COORDINATION OF PUBLIC SCHOOL PLANNING WITH LAND USE PLANNING AND DEVELOPMENT APPROVALS; SETTING LEVEL OF SERVICE STANDARDS AND SERVICE BOUNDARIES AND PROVIDING FOR DEVELOPMENT REVIEW COORDINATION TO ACHIEVE CONCURRENCY; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT TO INCLUDE NEW OBJECTIVES AND POLICIES PROVIDING FOR COORDINATION WITH ORANGE COUNTY PUBLIC SCHOOLS; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO INCLUDE NEW OBJECTIVES AND POLICIES AND STANDARDS FOR BACKLOGGED CONCURRENCY SERVICE AREAS; PROVIDING FOR CONFLICTS, SEVERABILITY, TRANSMITTAL AND AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature signed into law, on June 24, 2005, Senate Bill 360 (the "Act"), which became effective July 1, 2005;

WHEREAS, such Act amended Chapter 163, Florida Statutes relating to Growth Management;

WHEREAS, the City is required, pursuant to § 163.3177(12)(i), Florida Statutes, to adopt a Public Schools Facilities Element into its comprehensive plan prior to December 1, 2008;

WHEREAS, the purpose of the Public School Facilities Element is to ensure that a school concurrency system is based on appropriate and relevant data and analysis, that consistent goals, objectives and policies are adopted, and that level of service standards for public school facilities are achieved and maintained;

WHEREAS, the Public School Facilities Element must include provisions addressing the elimination of existing deficiencies in the availability of public educational services, the creation and maintenance of adequate school capacity for the ten (10) year planning period, the collocation of schools with future and existing residential development, the achievement and maintenance of necessary supporting infrastructure, options for proportionate share mitigation, and procedures for school site selection; and

WHEREAS, the Public School Facilities Element must include maps of the general locations of schools for the ten (10) year planning period;

WHEREAS, the City Commission of the City of Winter Garden finds that this ordinance implements the goals, objectives, and policies needed to provide for school concurrency in a financially feasible manner; and

WHEREAS, the City Commission of the City of Winter Garden finds that this ordinance implements the goals, objectives and policies necessary to achieve school concurrency as required by applicable law.

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

Section I The Comprehensive Plan of the City of Winter Garden is hereby amended to add the following Public School Element goals, objectives and policies to read as follows:

COMPREHENSIVE PLAN PUBLIC SCHOOLS FACILITIES ELEMENT

GOAL 1: To establish plans, regulations and programs in conjunction with Orange County Public Schools (OCPS) to facilitate the future availability of public school facilities to serve City residents, consistent with the adopted level of service for public schools and with state of Florida concurrency statutes and regulations.

Objective 1.1: Level of Service Standards
The City of Winter Garden (the "City") shall coordinate with OCPS to implement a Concurrency Management System that ensures adequate classroom capacity to accommodate the impacts of new residential development throughout the planning period.

Policy 1.1.1 The City shall utilize OCPS's methodology for calculating school capacity, which is annually determined by OCPS using the Adjusted Florida Inventory of School Houses (FISH) Capacity for each school and Concurrency Service Areas (CSA) within the school district. Consistent with the Interlocal Agreement, Adjusted FISH Capacity. shall be defined as the number of students who can be served in a permanent public school facility as provided in FISH, adjusted to account for the design capacity of any Modular or In-Slot Classrooms on campuses designed as Modular or In-Slot schools, but not to exceed Core Capacity. An "in-slot" school is designed to employ in-slot classrooms, which are defined as relocatable classrooms that conceptually 'slide' into the spaces along a common walkway as part of a modular campus which is characterized by a campus with brick and mortar core facilities and covered concrete walkways leading to the relocatable classrooms.

Policy 1.1.2 The School Concurrency Management System shall include standards and procedures to ensure that new residential development complies with the Level of Service ("LOS)" Standards provided in the Interlocal Agreement pertaining to school concurrency as executed by and between the City of Winter Garden and OCPS (the "ILA") and as provided in the City's adopted Capital Improvements Element ("CIE") and Intergovernmental Coordination Element ("ICE"). These standards do not include backlogged facilities as provided for in Capital Improvements Element Policy 6.7. The adopted LOS must be achieved in all CSA's by April 1. 2012, except for deficient CSAs where the improvements needed to achieve adequate classroom capacity are specifically identified in the OCPS ten (10) year DCOP for funding by April 1, 2017. The adopted LOS shall be used to determine the available capacity of Elementary, Middle and High Schools within the designated Concurrency Service Area ("CSA") where the development is proposed.

Policy 1.1.3 In accordance with Rule 9J-5.025(3)(c)(7), F.A.C., the adopted LOS for the purposes of school concurrency for each school type shall be calculated as a percentage of adjusted FISH capacity as follows:

School Type	**Standard***	**Concurrency Service Area ("CSA")**
Elementary	110%	Modified Middle School Attendance Zones
K-8	110%	K Through 8 School Attendance Zones
Middle	100%	Middle School Attendance Zones
High Including 9th Grade Centers	100%	High School Attendance Zones (Adjusted permanent FISH for High Schools does not include in-slots)

* *Permanent FISH + "In-Slot" school, not to exceed Core Capacity for Elementary and Middle School types. Permanent FISH, not to exceed Core Capacity for High Schools*

An "in-slot" school is designed to employ in-slot classrooms, which are defined as relocatable classrooms that conceptually 'slide' into the spaces along a common walkway, as part of a modular campus which is characterized by a campus with brick and mortar core facilities and covered concrete walkways leading to the relocatable classrooms

Policy 1.1.4 Any changes or modifications to the adopted LOS shall follow the process and guidelines contained in Section 13 of the Interlocal Agreement.

Policy 1.1.5 The City shall support OCPS's reasonable efforts to initiate and implement any of the following strategies to ensure compliance with adopted LOS standard.

a) Building new schools to relieve over-capacity schools in CSAs that exceed the adopted LOS,

b) Renovating over-capacity schools to add permanent capacity and replace on-campus portables,

c) Rezoning students from over-capacity schools to under-capacity schools,

d) Moving special programs from over-capacity schools to under-capacity schools to utilize excess permanent capacity where such permanent capacity exists.

Policy 1.1.6 Concurrency shall be evaluated and determined within the geographical boundaries of the established Concurrency Service Areas (CSAs).

Policy 1.1.7 Any changes or modifications to the adopted CSAs shall follow the process and guidelines as outlined in Section 14 of the Interlocal Agreement. [9J-5.025 (3) (c) 1.F.A.C.]

Policy 1.1.8 The number of elementary, middle and high school students generated by a residential development shall be calculated utilizing OCPS student generation rates for the applicable school types as set forth in Table 12 of the Appendix to the Public School Facilities Element.

Policy 1.1.9 The City shall support OCPS' efforts to meet adopted LOS standards through the adoption of a ten (10) year, financially feasible DCOP consistent with the DCOP adopted by OCPS. Where the LOS cannot be achieved through the construction of new school capacity as provided in the five (5) year District Capital Outlay Plan (DCOP), the City shall coordinate with OCPS to adopt a long range ten (10) year DCOP as part of the School District's annual capital planning process.

Policy 1.1.10 Where adequate school facilities will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, or the functional equivalent thereof, the City shall not deny an application for site plan approval, final subdivision approval, or the functional equivalent thereof, for any development or phase of a development that includes residential uses, based solely on failure to achieve and maintain the adopted LOS in a CSA.

Policy 1.1.11 The City, in conjunction with OCPS, shall review LOS standards for public school facilities annually, and any changes to those standards shall be processed as amendments to the City's Public School Facilities Element and Capital Improvements Element.

Policy 1.1.12 The City shall amend the Concurrency Management System in its Code of Ordinances for the purpose of implementing school concurrency.

Objective 1.2: OCPS, in conjunction with the City, shall adopt and annually update school Concurrency Service Areas ("CSAs"), which shall be used to evaluate capacity of schools available to accommodate students generated by proposed development.

Policy 1.2.1 OCPS, in coordination with the City of Winter Garden, Orange County and other local governments within Orange County, has established CSAs that are less than

district wide. Such CSA's are depicted in Exhibits 13-15 of this element. Existing conditions for elementary, middle and high schools are depicted in Exhibits, 6, 8 and 10 as provided for in the School Facilities Element Data, Inventory and Analysis dated, May 2, 2008.

Policy 1.2.2 CSAs shall be reviewed annually in conjunction with the adoption of an updated ten (10) year District Capital Outlay Plan (DCOP). CSA boundaries may be adjusted to ensure that the utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans, and other factors.

Objective 1.3 The City and OCPS shall develop and maintain throughout the planning period a joint process for the implementation of School Concurrency as provided for in the Interlocal Agreement.

Policy 1.3.1 The City shall not adopt a developer-initiated Comprehensive Plan amendment or rezoning that would increase residential density on property that is not otherwise vested or determined exempt from school concurrency requirements until such time as OCPS has determined whether sufficient capacity will exist concurrent with the development, or a capacity enhancement agreement is executed that provides for the needed capacity to accommodate the proposed development,. ~~or OCPS fails to timely make a recommendation, in which case the City may thereafter determine, utilizing the best available data and analyses, whether sufficient capacity exists.~~

Policy 1.3.2 The City shall determine if a development is vested or otherwise exempt from school concurrency. Unless the development is determined to be vested or exempt from concurrency, the City shall not approve a residential site plan, plat, or its functional equivalent, until a concurrency review has been conducted by OCPS, and a Concurrency Certificate or its functional equivalent has been issued for the development consistent with the provisions of the ILA. ~~However, if OCPS fails to timely issue such Concurrency Certificate or its functional equivalent, the City may perform such concurrency review, utilizing the best available data and analyses, to determine whether a development meets concurrency requirements.~~

Policy 1.3.3 School concurrency shall not apply to property within a Development of Regional Impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change ("NOPC") and/or Substantial Deviation to increase the total number of residential dwelling units.

Policy 1.3.4 For DRIs that include residential development and are submitted after July 1, 2005, the City shall include OCPS planning staff on its team assigned to review the DRI, and shall ensure that DRI Development Orders and DRI Development Order amendments that increase the total number of residential dwelling units, address the issue of school concurrency. Where existing LOS is exceeded, mitigation for school impacts shall be included in any mitigation agreements, Development Orders and agreements.

Policy 1.3.5 Any Proposed residential development that creates an impact of less than one student shall be considered de minimus and therefore exempt from school capacity review.

Policy 1.3.6. Vested rights and exemptions with respect to concurrency and consistency shall be determined in accordance with applicable law.

Policy 1.3.7 Consistent with Section 16.2 of the Interlocal Agreement, the following residential uses shall be exempt from the requirements of school concurrency:

(a) Any Residential Development that creates an impact of less than one student.

(b) One single-family house, one (1) duplex, and/or one accessory multi-family unit being developed on an existing platted residential lot of record.

(c) Any building or structure that has received a Building Permit as of the effective date of this Agreement, or is described in section 163.3167(8), Florida Statutes.

(d) Any new Residential Development that has Site Plan Approval for a site pursuant to a specific development order approved prior to the effective date of school concurrency, including the portion of any project that has received final subdivision plat approval as a residential subdivision into one (1) dwelling unit per lot.

(e) Any amendment to any previously approved Residential Development, which does not increase the number of dwelling units or change the type of dwelling units (e.g., converts single-family to multi-family, etc.).

(f) Any age-restricted community that qualifies as one of the three types of communities designed for older persons as "housing for older persons" in the Housing for Older Persons Act, 42 U.S.C. § 3607(b). This exemption shall be applied in conformity with the principles set forth in Volusia County v. Aberdeen at Ormond Beach, L.P., 760 So. 2d. 126 (Fla. 2000). Provided, however, that any senior housing community or dwelling unit that loses its qualification as housing for older persons shall be required to meet applicable school concurrency requirements in effect at the time the qualification as housing for older persons is lost.

(g) Alterations or expansion of an existing dwelling unit where no additional dwelling units are created.

(h) The construction of accessory buildings or structures which will not create additional dwelling units.

(i) The replacement of a dwelling unit where no additional dwelling units are created and where the replacement dwelling unit is located on the same lot, provided the original dwelling unit was located on the site as of the effective date of school concurrency. If the type of dwelling unit is different from the original dwelling unit type, the exemption shall be limited to an exemption based on the current student generation rate for the original dwelling unit type. Documentation of the existence of the original dwelling unit must be submitted to the concurrency management official.

(j) Developments of Regional Impact that have filed a complete application for a development order prior to May 1, 2005, or for which a development order was issued prior to July 1, 2005. This exemption shall expire upon withdrawal, denial, or expiration of the application for a development order. This exemption shall not apply where the developer files a Notice of Proposed Change and/or Substantial Deviation (as provided in statute) to increase the number of Residential Units. If such Development of Regional Impact has been approved, or is approved, through a development order, such exemption shall expire for any phase of the development order upon expiration of the development order build-out date for such phase, or for the entire development order upon expiration of the development order, or upon any material default of the school mitigation conditions of the development order or a related development agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

(k) The portion of any Residential Development that, prior to the effective date of school concurrency, is the subject of a binding and enforceable development agreement or Capacity Enhancement Agreement designated as a Capacity Commitment Agreement by resolution of the School Board; however, such exemption shall expire upon expiration of the development agreement, Capacity Enhancement Agreement, extension thereof, or upon any material default of the school impact mitigation conditions of such development agreement or Capacity Enhancement Agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

(l) Any Residential Development with a letter from the Applicable Local Government vesting it for purposes of complying with school concurrency, or

which would be vested at common law for purposes of such concurrency requirement implemented by this Agreement.

(m) Group living facilities that do not generate students and including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse sleeping quarters, dormitory-type facilities for post-secondary students, and religious non-youth facilities, regardless of whether such facilities may be classified as residential uses.

Objective 1.4: Upon completion of a Preliminary Concurrency Review, a development that fails to meet school concurrency requirements may be postponed until adequate public school capacity is created through the construction of new schools or any combination of those methods specified in Policies 1.4.1, 1.4.2, 1.4.3 and 1.4.4.

Policy 1.4.1 A development shall be deemed to meet concurrency if there is available capacity in the CSA where the development is located or where available capacity exists in one or more contiguous CSAs, so long as the LOS in the adjacent zone does not exceed 95% of the adopted LOS for the applicable school type, ~~or~~ **and** when the LOS for the specific school type, when considered district wide, does not exceed 100% of the adopted LOS for such type, and approval of the development does not result in a violation of a court ordered desegregation order.

Policy 1.4.2 Proportionate share, when used for mitigation, shall be calculated based on the number of elementary, middle and high school students generated by the development at build out. As provided for in the ILA, proportionate share shall be calculated based on reasonable methods of estimating cost of school construction. Any Proportionate Share Mitigation must be directed by OCPS to a school capacity improvement identified in the capital improvement schedule in the financially feasible five (5) year district work plan of the District Facilities Work Program and in the Capital Improvements Elements of the Comprehensive Plans for OCPS, the County and the Municipalities, to maintain financial feasibility based upon the adopted LOS standards. If a school capacity improvement does not exist in the District Facilities Work Program, OCPS may, in its sole discretion, add a school capacity improvement to mitigate the impacts from a proposed residential development, so long as the financial feasibility of the District Facilities Work Program can be maintained and so long as the City agrees to amend its Capital Improvements Element to include the new School Capacity improvement.

Policy 1.4.3 Proportionate Share Mitigation may include but is not limited to payments of money, the construction of schools, donations of land, expansion of permanent capacity of existing school campuses, payment of funds necessary to advance schools contained in the ten (10) year School Board District Capital Outlay Plan (DCOP), the establishment of charter schools meeting State Requirements for Educational Facilities (SREF) standards, payments into mitigation banks, establishment of an Educational Facilities Benefit District, Community Development District, or any other method or contribution identified in section 17.6 (b) of the school ILA. Such mitigation may be negotiated between the developer and OCPS and, as appropriate, the City.

Policy 1.4.4 Proportionate Share Mitigation shall be credited against the School Impact Fee otherwise due for the residential units within a residential development as provided for by statute.

GOAL 2: To maintain a high quality educational system for the current and future residents of the City of Winter Garden through enhanced and meaningful coordination between the City and Orange County Public Schools (OCPS) as provided in the ILA.

Objective 2.1 Throughout the planning period, the City and OCPS shall work together to review and maintain policies and procedures established in the ILA and ensure compliance with the adopted Comprehensive Plan.

Policy 2.1.1 Pursuant to the Interlocal Agreement, a Technical Advisory Committee, composed of representatives from the City of Winter Garden, Orange County, other local governments located within Orange County, OCPS, and the East Central Florida Regional Planning Council, shall be established to discuss issues of mutual concern. OCPS shall be responsible for arranging meetings, providing notifications, and maintaining a written summary of meeting actions.

Policy 2.1.2 The Technical Advisory Committee shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. Specific areas addressed by the committee shall include, but shall not be limited to, the following:

a) Short and long-range planning, population and student projections, and future development trends;

b) Co-location and joint-use opportunities, and ancillary infrastructure improvements needed to support the school facilities and ensure safe student access to schools;

c) Planning for needed supporting infrastructure for schools such as utilities, roads, sidewalks, etc.;

d) The need for new schools to meet the adopted LOS within the adopted CSA's and the coordination of annual revisions to the five (5) year and ten (10) year District Capital Outlay Plan

e) Update of the City's Capital Improvements Element for inclusion in the City's Comprehensive Plan.

Policy 2.1.3 The City shall provide an update of approved developments, phases of development and estimated build out by phase to the OCPS Planning Department on an annual basis.

Policy 2.1.4 The City shall review OCPS's generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department.

Policy 2.1.5 The City shall protect existing schools from the intrusion of incompatible land uses through the development review process. [163.3177(12)(g)4. F.S.] and [9J-5.025(3)(b)5.F.A.C.]

Objective 2.2 Throughout the planning period, the City and OCPS shall work together to coordinate the siting of new public schools to ensure public school facilities are located in areas that address the needs of future residential development, are coordinated with necessary services and infrastructure development, provide for safe learning environments, and are consistent with the City's adopted Future Land Use Map, Comprehensive Plan, and Code of Ordinances.

Policy 2.2.1 Applications for Future Land Use Map amendments, rezonings, conditional use/special exceptions and site plans for schools shall be given priority status.

Policy 2.2.2 The City shall protect existing schools from the intrusion of incompatible land uses through the development review process. The City shall also protect existing residential neighborhoods through the development review process when considering proposed new schools, school renovations and school expansions. [163.3177 (12) g. 4., F.S.] and [9J.5.025 (3) (b) 5 F.A. C.]

Policy 2.2.3 In an effort to enhance local communities and neighborhoods, the City shall work with OCPS throughout the school siting, design and development process to ensure that proposed schools serve as a focal point for the community and are compatible with the Future Land Use Map and other surrounding land uses and neighborhoods.

Policy 2.2.4 Where feasible, OCPS and the City shall work jointly to co-locate public facilities such as parks, libraries, community centers, and other similar public uses with public schools. Where such co-location occurs, both the City and OCPS shall consider the establishment of an ongoing mutual management agreement that permits the school's use of the public facilities and the public's use of school facilities for community meetings and sports activities.

Policy 2.2.5 In accordance with Section 1006.23, Florida Statutes, and as funding permits, the City shall, where required, provide construction of sidewalks along roadways and trails connecting neighborhoods that are within two miles of schools to the school facility. OCPS shall be responsible for the construction of sidewalks and trails on school property and shall provide connections to existing and future sidewalks and trails identified by the City.

Policy 2.2.6 Turn lanes and signalization shall be provided at school entrances and at other locations near schools, where warranted, to provide safe access to students and the public. OCPS shall be responsible for the construction of school-related signalization and road construction **at school entrances.**

Policy 2.2.7 The City shall coordinate with OCPS in OCPS's efforts to construct new public school facilities and rehabilitate existing public school facilities to serve as emergency shelters as required by Section 1013.372, Florida Statutes.

Policy 2.2.8 The City of Winter Garden supports Orange County School Board's evaluation of the use of Public Private Partnerships to finance school construction including but not limited to Real Estate Investment Trusts (REIT)

Policy 2.2.9 The City of Winter Garden will support efforts by OCPS to formally request additional funding from the State of Florida to meet class size reduction obligations.

OBJECTIVE 2.3 Prior to June 1st of each year, OCPS shall coordinate with the City to develop a financially feasible ten (10) year District Capital Outlay Plan (DCOP) for review and approval by the OCPS Board and adoption into the Capital Improvements Element for the City.

Policy 2.3.1 The ten (10) year DCOP shall include all capital projects which increase the capacity of public schools within the City and address the deficiencies necessary to maintain or improve LOS.

Policy 2.3.2 The City shall include the ten (10) year DCOP in the annual update of the CIE.

Policy 2.3.3 The City shall review OCPS's adopted or recommended CSAs and adopted or recommended LOSs and enrollment projections as provided by OCPS's staff, and

account for any changes thereto in the annual update of the City's CIE to ensure that the CIE continues to be financially feasible and that the LOS will continue to be achieved.

Policy 2.3.4 OCPS, in conjunction with the City, shall review the annual ten (10) year DCOP update to determine the projected capacity, projected enrollment, and LOS for each school and CSA within Orange County.

Policy 2.3.5 In accordance with F.S. 163.3180 (9)(a), the City adopts a long-term school concurrency management system with a 2007/2008-2017/2018 ten (10) year planning period for areas where significant backlog exists.

Section II The City of Winter Garden's Comprehensive Plan is hereby amended to add the the following Objectives and Policies to the Comprehensive Plan's Intergovernmental Coordination Element:

Objective 8 The City of Winter Garden shall, throughout the planning period, coordinate and work with Orange County Public Schools to ensure that sufficient school capacity is available to support proposed development and that necessary infrastructure is available to accommodate new schools.

Policy 8.1 The City shall designate a representative to serve on the Technical Advisory Committee to discuss issues and formulate recommendations regarding the appropriate coordination of land uses and schools.

Policy **8.2** The City shall provide projected development data to OCPS on a regular basis to assist in the development of a long-range planning model to project student enrollment.

Policy 8.3 As a member of the OCPS Technical Advisory Committee, the City shall review OCPS model projections for consistency with the City projections and, if necessary, shall recommend additions or modifications to the model results.

Policy 8.4 The City shall regularly review, monitor compliance with, and suggest necessary updates to the Interlocal Agreement for Public School Planning and School Concurrency as executed between the City of Winter Garden and OCPS.

Section III The Comprehensive Plan of the City of Winter Garden is hereby amended to add the following Objectives and Policies to the Comprehensive Plan's Capital Improvements Element:

Objective 6 To work with OCPS to develop a financially feasible ten (10) year District Capital Outlay Plan (DCOP), a consistent Public School Facilities Element ("PSFE") and Capital Improvements Element ("CIE").

Policy 6.1 Prior to June 1st of each year, Orange County Public Schools (OCPS) shall coordinate with the City to develop a financially feasible ten (10) year District Capital Outlay Plan (DCOP) for review and approval by the OCPS Board and adoption into the Capital Improvements Element for the City.

Policy 6.2 The County shall review the updated ten (10) year DCOP to determine if the projected capacity, projected enrollment, and LOS for each school and Concurrency Service Area (CSA) within the City's jurisdiction is consistent with its growth projections.

Policy 6.3 The City shall review and update OCPS' adopted CSA's, adopted Level of Service (LOS) and enrollment projections in the annual update of the CIE to ensure that the CIE continues to be financially feasible and that the LOS will be achieved.

Policy 6.4 The ten (10) year DCOP shall include all planned capital projects which increase the capacity of public schools within the County.

Policy 6.5 The City shall include the ten (10) year DCOP in the annual update of the CIE.

Policy 6.6 The City hereby incorporates by reference the OCPS 10-Year Capital Outlay Plan for 2007-2008 authored by Orange County Public School and adopted by the Orange School Board on September 11, 2007, which includes school capacity sufficient to meet anticipated student demands projected by OCPS.

Policy 6.7 The LOS standards, except for backlogged facilities as provided in CIE Policy 6.10, to implement school concurrency shall be calculated as a percentage of the Adjusted FISH Capacity as follows:

(a) Elementary:110% of Adjusted FISH using Modified Middle School Attendance Zones as CSA's

(b) K through 8: 110% of Adjusted FISH Capacity using K through 8 School Attendance Zones as CSA's

(c) Middle: 100% of Adjusted FISH using Middle School Attendance Zones as CSA's

(d) High**,** including ninth grade centers: 100% of Adjusted FISH using High School Attendance Zones as CSA's (Note: Adjusted permanent FISH for High Schools does not include in-slot schools)

Policy 6.8 In accordance with F.S. 163.3180 (9)(a), the City hereby adopts a long-term school concurrency management system with the ten (10) year planning period of 2007/2008-2017/2018 for areas where a significant backlog exists.

Policy 6.9 The City shall annually review adopted LOS standards and report as to whether such standards are being met and/or require changes.

Policy 6.10 Consistent with Section 13 of the Interlocal Agreement, the LOS standards shall be applied consistently by all the local governments within Orange County and by the School Board to all schools of the same type. However, within backlogged CSAs, the ratio of student enrollment to school capacity within such CSAs may not increase beyond the interim level of service existing on April 1, 2008. During the period covered by the 10-year schedule of capital improvements, the backlogged CSAs will be improved to the adopted LOS standard. The LOS standards are initially set as follows:

School Type	Adopted LOS
Elementary	110% of Adjusted FISH Capacity by 2011. The interim LOS for backlogged facilities is shown in Figure 13 of the Data, Inventory and Analysis. The following elementary school CSAs are designated as backlogged facilities: A, DD, U and Arbor Ridge, The utilization of a backlogged CSA shall not be permitted to increase beyond such CSA's level of utilizationexisting on April 1, 2008, as designated in Figure 6 of the Data, Inventory and Analysis, and must achieve a LOS of 110% by 2017.
Middle	100% of Adjusted FISH Capacity by 2011 The interim LOS for backlogged facilities is shown in Figure 14 of the Data, Inventory and Analysis. The following middle school CSA's are designated as Backlogged Facilities: Apopka M.S., Chain of Lakes M.S., Gotha M.S., Meadow Woods M.S. and Walker M.S.
High	100% of Adjusted FISH Capacity by 2011 The interim LOS for backlogged facilities is shown in figure 15 of Data Inventory and Analysis. The following high school CSA's are designated as Backlogged Facilities: Freedom H.S. and University H.S. The utilization of a backlogged CSA shall not be permitted to increase beyond such CSA's level of utilization existing on April 1, 2008, as designated in Figure 10 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017.

Section IV Conflicts In the event of a conflict or conflicts between this ordinance and the other ordinances, this Ordinance controls.

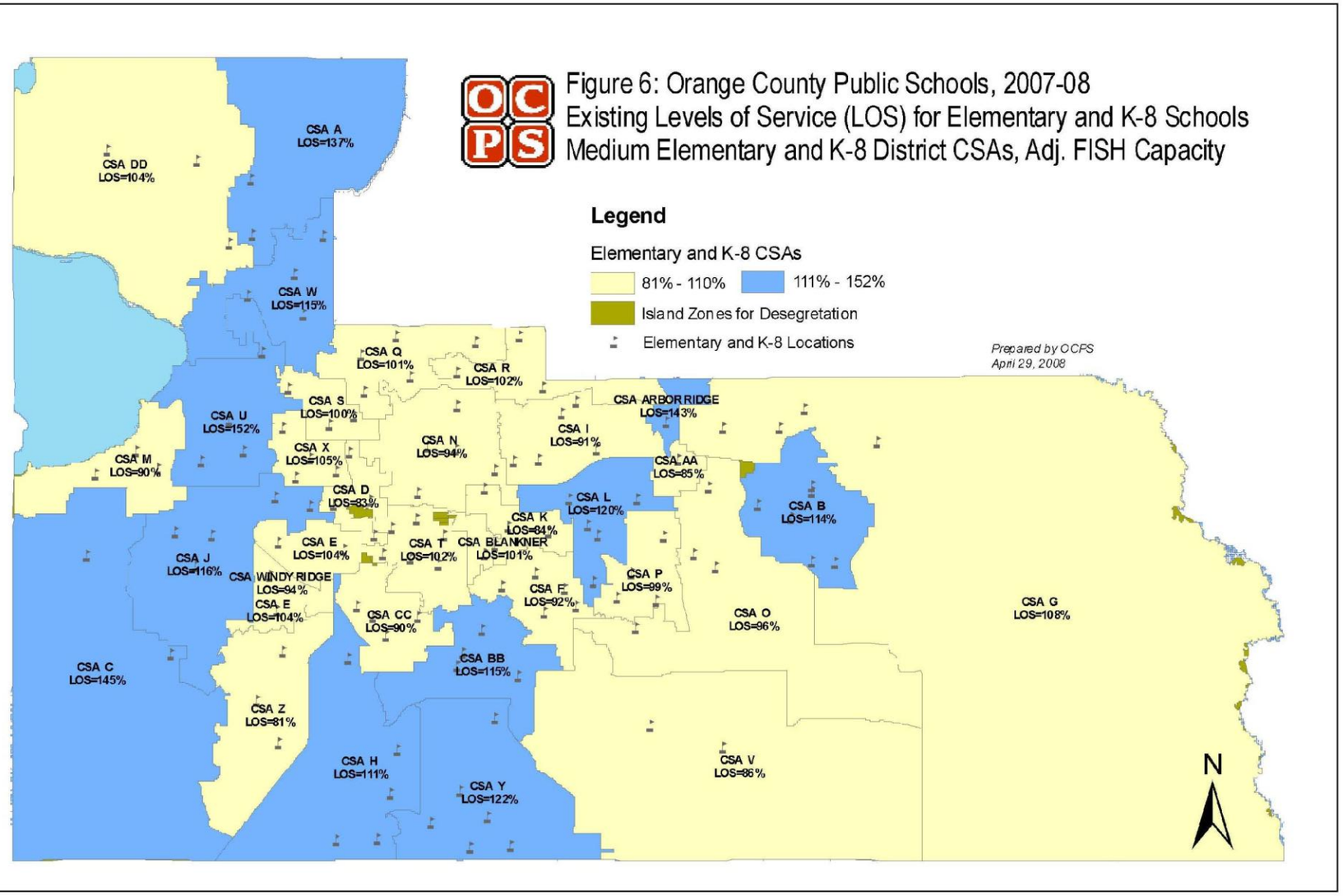
Section V Severability If any portion of this ordinance is determined to be void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section VI Codification It is the intention of the City Commission of the City of Winter Garden that the Comprehensive Plan Amendment proposed by this Ordinance shall ultimately become and be made a part of the Comprehensive Plan of the City of Winter Garden. Goals, objectives, and policies of the Comprehensive Plan may be renumbered or reorganized for editorial and codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the Comprehensive Plan Amendment as adopted. For

solely organizational purposes, the City Clerk is hereby directed to ensure that appropriate numbers are affixed to the Goals, Objectives, and Policies in the Comprehensive Plan prior to Codification of the Comprehensive Plan Amendment.

Section VII **Transmittal** Within ten (10) working days after adoption of this Ordinance, the City Planning Department is directed to transmit this comprehensive plan amendment to the Department of Community Affairs in accordance with Section 163.3184 (16), Florida Statues.

Section VIII **Effective Date** Pursuant to Rule 9J-11.011(10), F.A.C., the effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. This amendment shall not be utilized as a basis for approving or issuing any development orders, development permits or land uses before such amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.



WINTER GARDEN FLORIDA

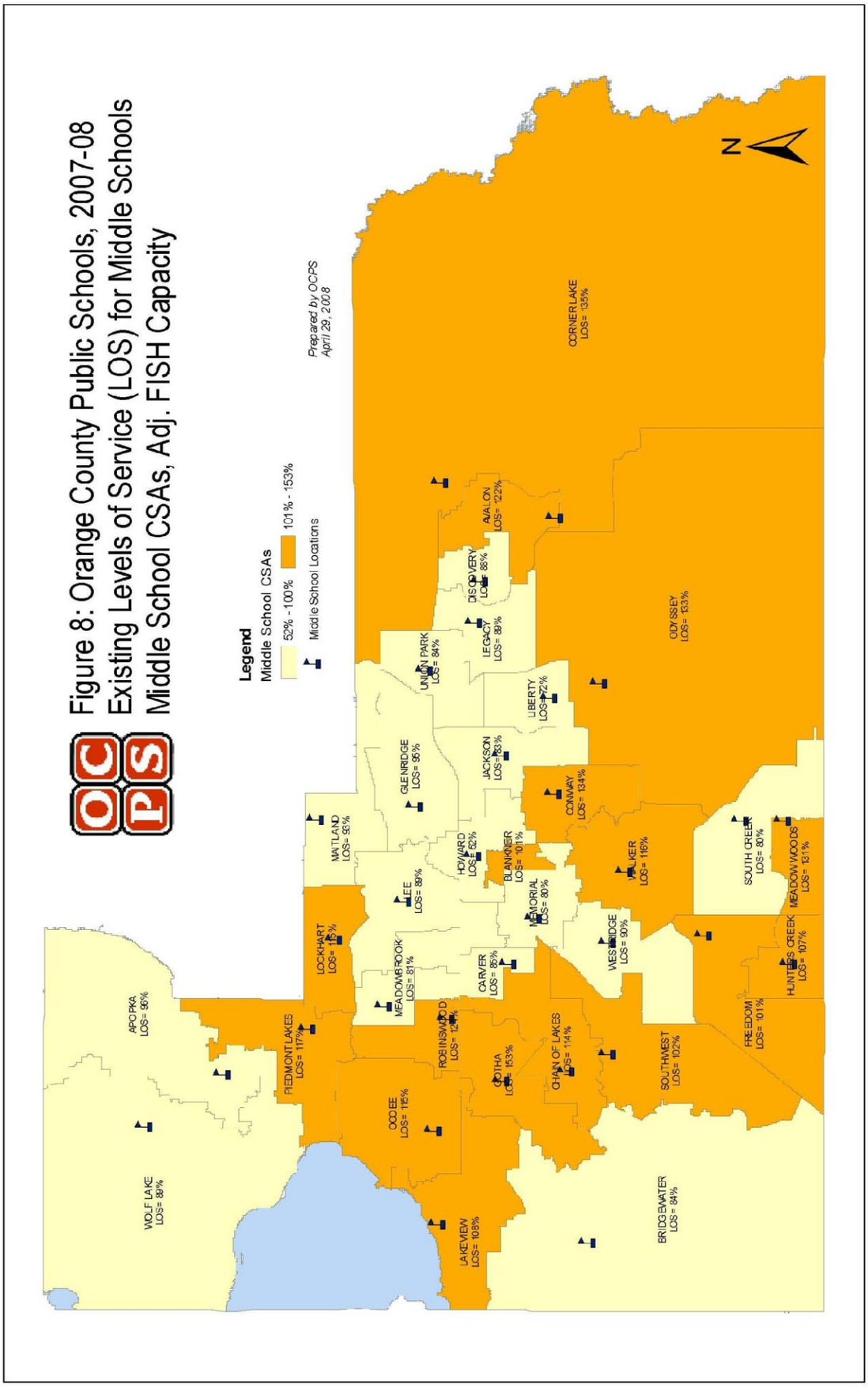


Figure 8: Orange County Public Schools, 2007-08
Existing Levels of Service (LOS) for Middle Schools
Middle School CSAs, Adj. FISH Capacity
Prepared by OCPS
April 29, 2008
Legend
Middle School CSAs
52% - 100%
101% - 153%
Middle School Locations
N
CORNER LAKE
LOS= 135%
AVALON
LOS= 122%
DISCOVERY
LOS= 88%
LEGACY
LOS= 89%
UNION PARK
LOS= 84%
LIBERTY
LOS= 72%
ODYSSEY
LOS= 133%
GLENRIDGE
LOS= 95%
JACKSON
LOS= 83%
CONWAY
LOS= 134%
MAITLAND
LOS= 93%
HOWARD
LOS= 52%
BLANKNER
LOS= 101%
WALKER
LOS= 116%
SOUTH CREEK
LOS= 80%
MEADOW WOODS
LOS= 131%
LEE
LOS= 89%
MEMORIAL
LOS= 80%
WESTRIDGE
LOS= 90%
HUNTERS CREEK
LOS= 107%
LOCKHART
LOS= 115%
MEADOWBROOK
LOS= 81%
CARVER
LOS= 85%
APOPKA
LOS= 96%
PIEDMONT LAKES
LOS= 117%
ROBINSWOOD
LOS= 124%
GOTHA
LOS= 153%
CHAIN OF LAKES
LOS= 114%
SOUTHWEST
LOS= 102%
FREEDOM
LOS= 101%
OCOEE
LOS= 115%
WOLF LAKE
LOS= 89%
LAKEVIEW
LOS= 108%
BRIDGEWATER
LOS= 84%

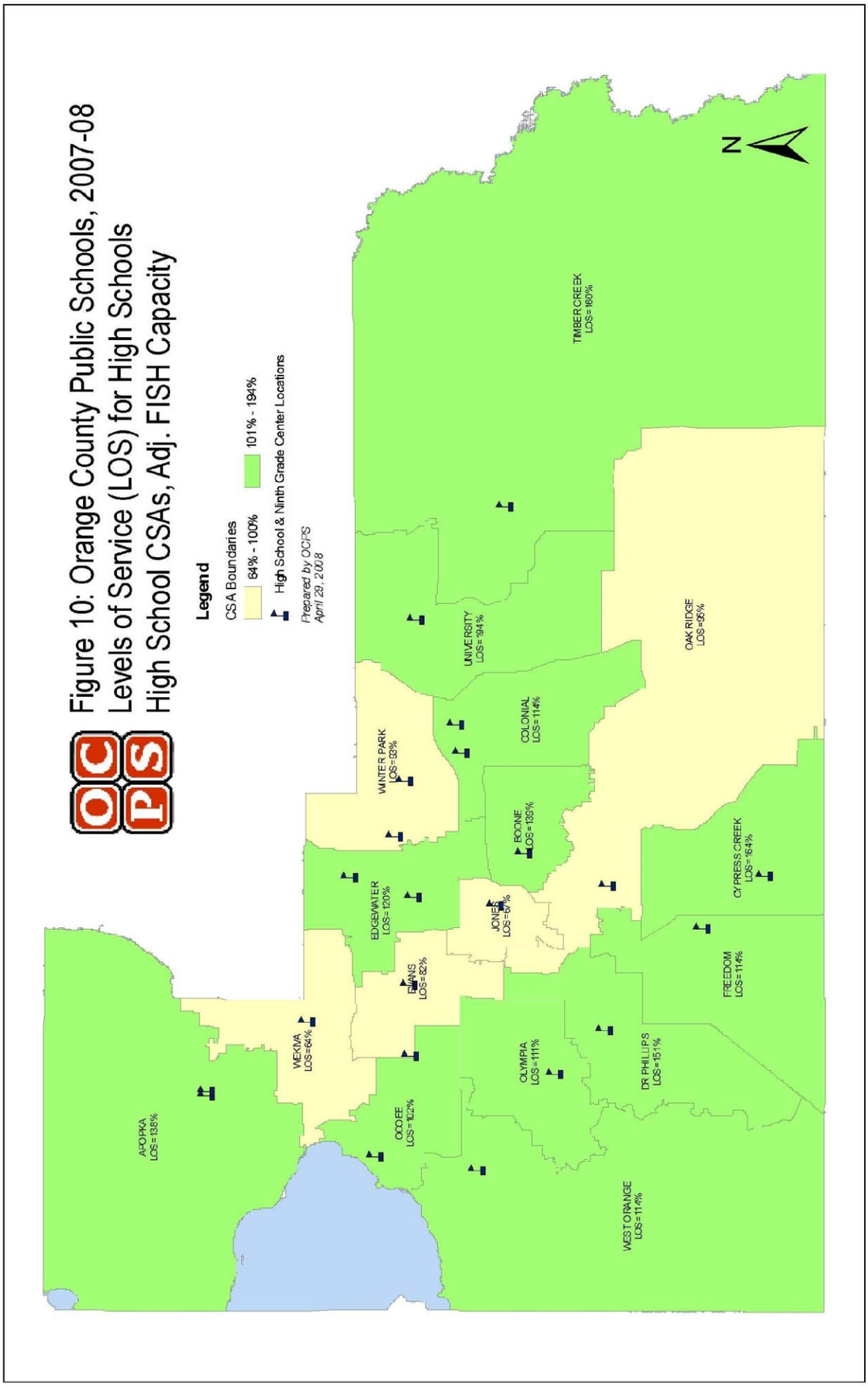


Figure 10: Orange County Public Schools, 2007-08
Levels of Service (LOS) for High Schools
High School CSAs, Adj. FISH Capacity
Legend
CSA Boundaries
64% - 100%
101% - 194%
High School & Ninth Grade Center Locations
Prepared by OCPS
April 29, 2008
N
APOPKA LOS=138%
WEKIVA LOS=64%
OCOEE LOS=102%
EDGEWATER LOS=120%
EVANS LOS=82%
WINTER PARK LOS=93%
OLYMPIA LOS=111%
JONES LOS=67%
BOONE LOS=163%
COLONIAL LOS=114%
UNIVERSITY LOS=194%
TIMBER CREEK LOS=160%
DR PHILLIPS LOS=151%
WEST ORANGE LOS=114%
FREEDOM LOS=114%
CYPRESS CREEK LOS=164%
OAK RIDGE LOS=96%

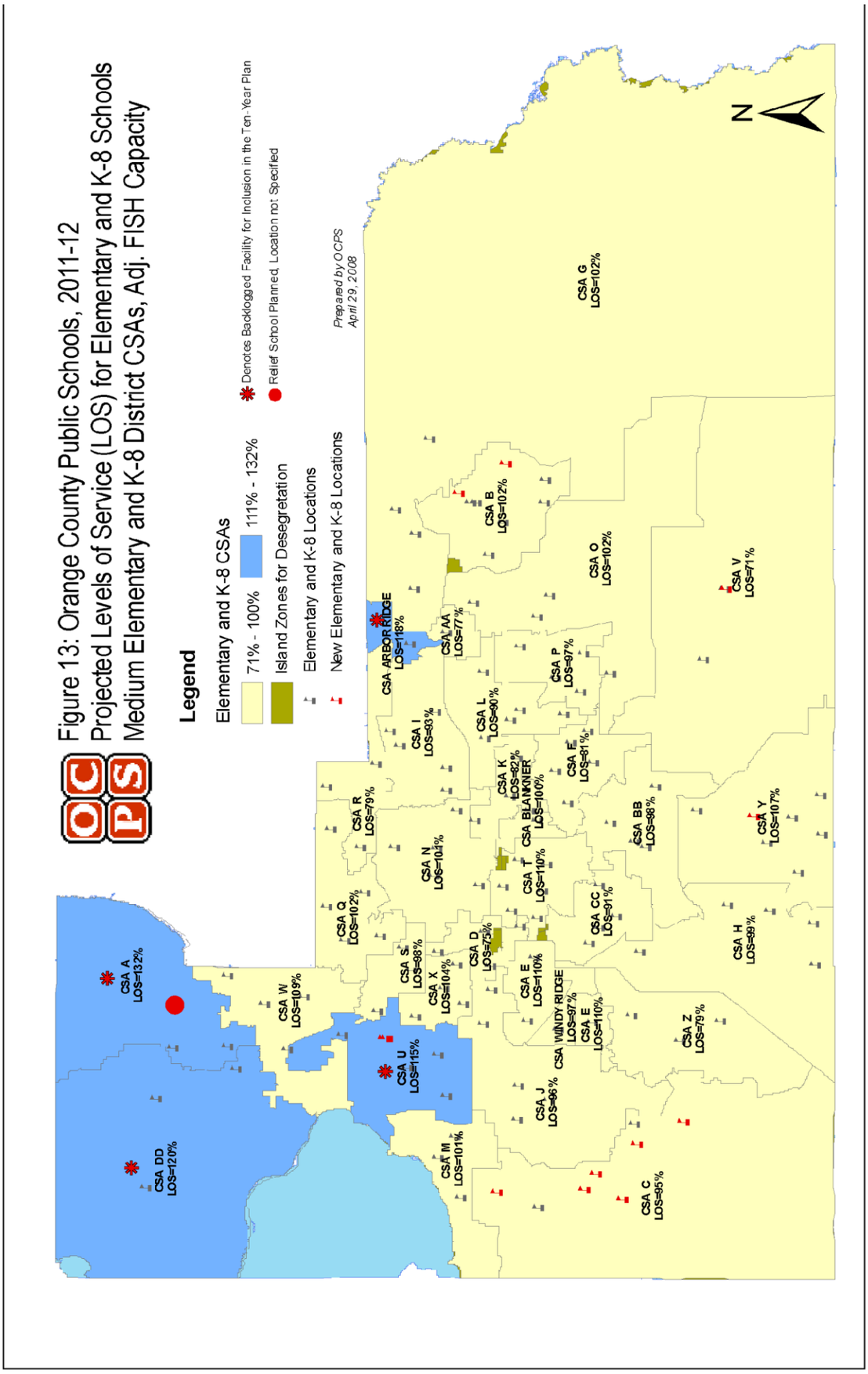


Figure 13: Orange County Public Schools, 2011-12
Projected Levels of Service (LOS) for Elementary and K-8 Schools
Medium Elementary and K-8 District CSAs, Adj. FISH Capacity
Legend
Elementary and K-8 CSAs
71% - 100%
111% - 132%
Island Zones for Desegregation
Elementary and K-8 Locations
New Elementary and K-8 Locations
Denotes Backlogged Facility for Inclusion in the Ten-Year Plan
Relief School Planned, Location not Specified
Prepared by OCPS
April 29, 2008
N
CSA A LOS=132%
CSA DD LOS=120%
CSA W LOS=109%
CSA U LOS=115%
CSA M LOS=101%
CSA Q LOS=102%
CSA R LOS=79%
CSA S LOS=98%
CSA X LOS=104%
CSA N LOS=104%
CSA D LOS=75%
CSA J LOS=96%
CSA ARBOR RIDGE LOS=118%
CSA I LOS=93%
CSA AA LOS=77%
CSA L LOS=90%
CSA K LOS=82%
CSA BLANKNER LOS=106%
CSA T LOS=110%
CSA E LOS=110%
CSA WINDY RIDGE LOS=97%
CSA E LOS=110%
CSA B LOS=102%
CSA P LOS=97%
CSA F LOS=81%
CSA CC LOS=91%
CSA BB LOS=98%
CSA C LOS=95%
CSA Z LOS=79%
CSA O LOS=102%
CSA G LOS=102%
CSA V LOS=71%
CSA Y LOS=107%
CSA H LOS=99%

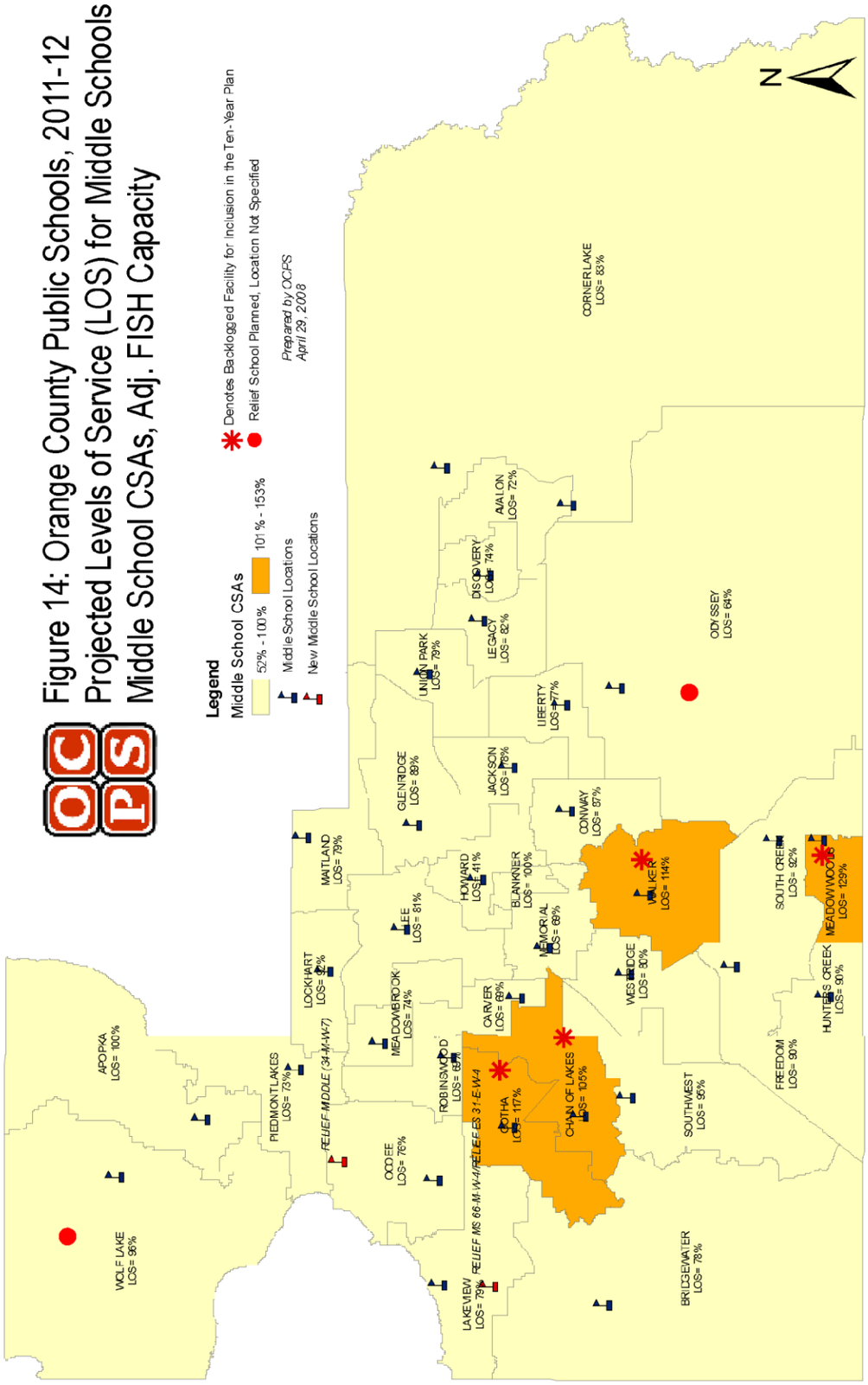


Figure 14: Orange County Public Schools, 2011-12
Projected Levels of Service (LOS) for Middle Schools
Middle School CSAs, Adj. FISH Capacity
Legend
Middle School CSAs
52% - 100%
101% - 153%
Middle School Locations
New Middle School Locations
Denotes Backlogged Facility for Inclusion in the Ten-Year Plan
Relief School Planned, Location Not Specified
Prepared by OCPS
April 29, 2008
N
APOPKA LOS= 100%
WOLF LAKE LOS= 96%
PIEDMONT LAKES LOS= 73%
RELIEF MIDDLE (34-M-W-7)
LOCKHART LOS= 97%
MAITLAND LOS= 79%
OCOEE LOS= 76%
MEADOWBROOK LOS= 74%
LAKEVIEW LOS= 79%
RELIEF MS 66-M-W-4
RELIEF ES 31-E-W-4
ROBINSWOOD LOS= 69%
GLENRIDGE LOS= 89%
LEE LOS= 81%
GOTHA LOS= 117%
CARVER LOS= 69%
CHAIN OF LAKES LOS= 105%
UNION PARK LOS= 79%
HOWARD LOS= 41%
JACKSON LOS= 78%
BLANKNER LOS= 100%
MEMORIAL LOS= 69%
DISCOVERY LOS= 74%
LEGACY LOS= 82%
AVALON LOS= 72%
LIBERTY LOS= 77%
CONWAY LOS= 67%
WALKER LOS= 114%
WEST RIDGE LOS= 80%
SOUTHWEST LOS= 95%
BRIDGEWATER LOS= 78%
CORNER LAKE LOS= 83%
ODYSSEY LOS= 64%
SOUTH CREEK LOS= 92%
MEADOWWOODS LOS= 129%
HUNTERS CREEK LOS= 90%
FREEDOM LOS= 90%

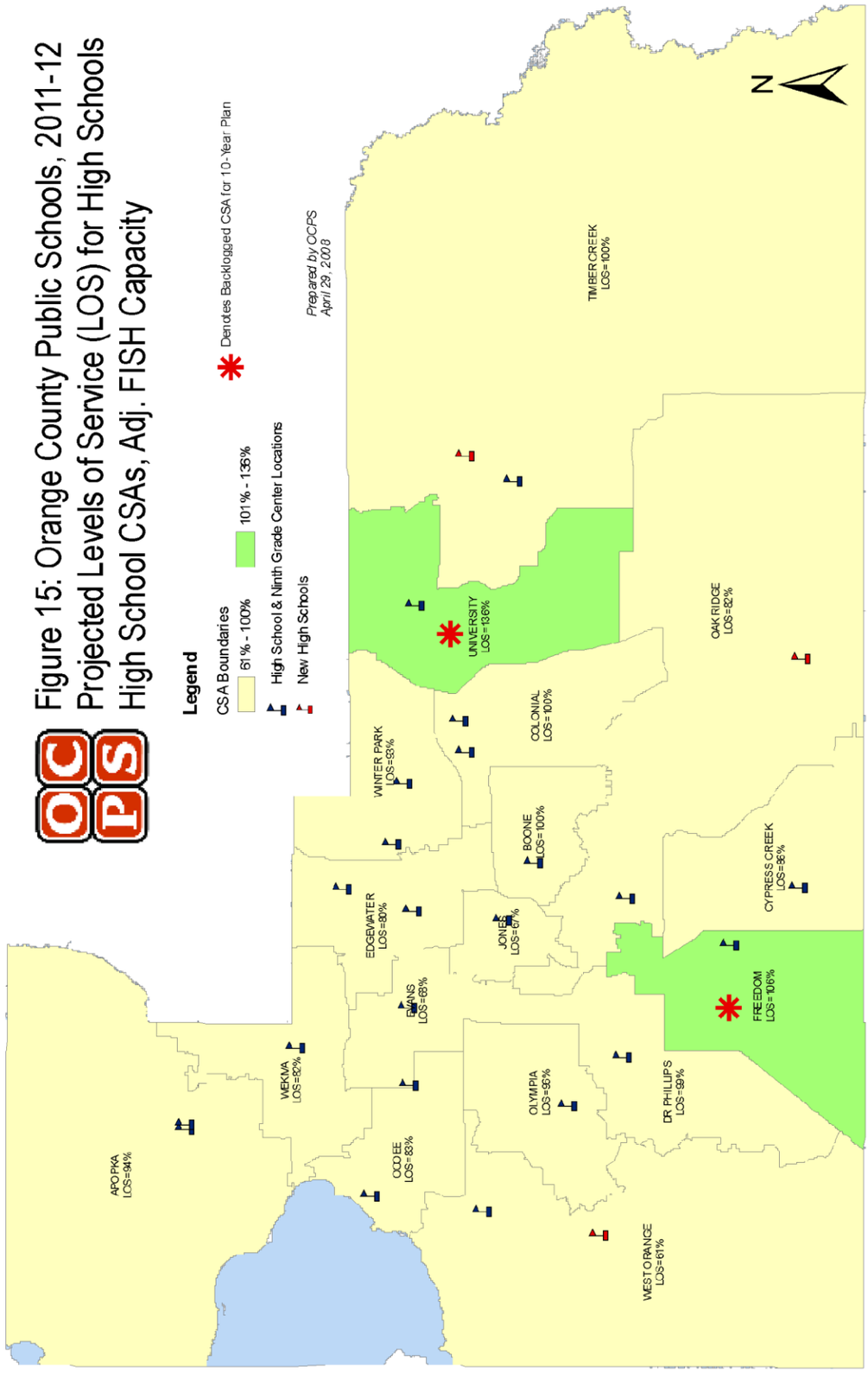
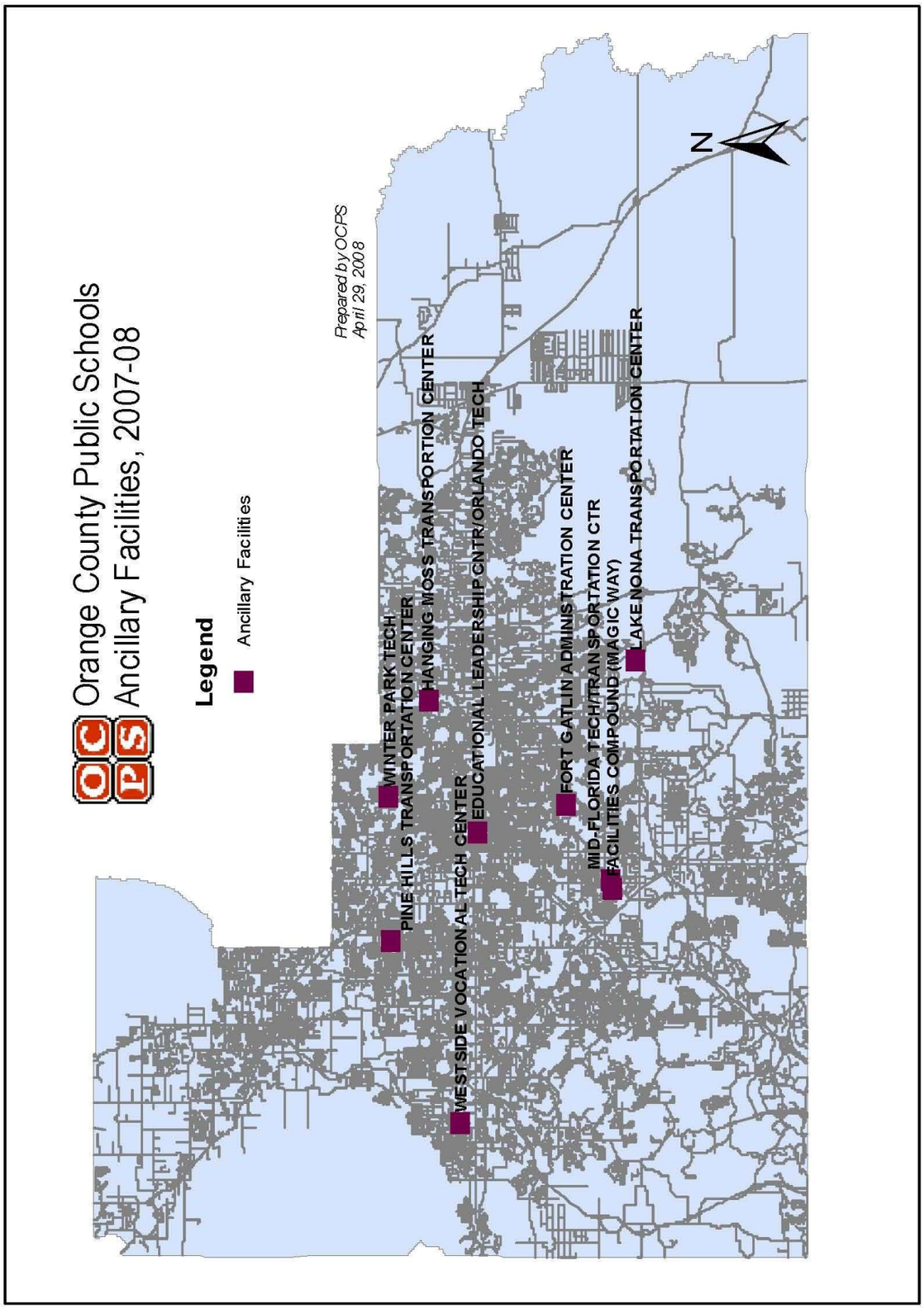


Figure 15: Orange County Public Schools, 2011-12
Projected Levels of Service (LOS) for High Schools
High School CSAs, Adj. FISH Capacity
Legend
CSA Boundaries
61% - 100%
101% - 136%
High School & Ninth Grade Center Locations
New High Schools
Denotes Backlogged CSA for 10-Year Plan
Prepared by OCPS
April 29, 2008
N
APOPKA LOS=94%
WEKIVA LOS=82%
OCOEE LOS=83%
EDGEWATER LOS=80%
WINTER PARK LOS=93%
UNIVERSITY LOS=136%
COLONIAL LOS=100%
TIMBER CREEK LOS=100%
OAK RIDGE LOS=82%
BOONE LOS=100%
JONES LOS=67%
OLYMPIA LOS=93%
WEST ORANGE LOS=61%
DR PHILLIPS LOS=99%
FREEDOM LOS=106%
CYPRESS CREEK LOS=98%


Orange County Public Schools
Ancillary Facilities, 2007-08
Legend
Ancillary Facilities
Prepared by OCPS
April 29, 2008
WINTER PARK TECH
PINE HILLS TRANSPORTATION CENTER
HANGING MOSS TRANSPORTION CENTER
WEST SIDE VOCATIONAL TECH CENTER
EDUCATIONAL LEADERSHIP CNTR/ORLANDO TECH
FORT GATLIN ADMINISTRATION CENTER
MID-FLORIDA TECH/TRANSPORTATION CTR
FACILITIES COMPOUND (MAGIC WAY)
LAKE NONA TRANSPORTATION CENTER
N

ORDINANCE NO. 08-38

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 78-57 (1) OF CHAPTER 78, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN BY AMENDING THE PROCEDURES AND FEES OF THE CITY OF WINTER GARDEN WATER AND SEWER ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Winter Garden finds that it is essential to the economic success of the community to sustain a safe, reliable water supply; and

WHEREAS, The St. Johns River Water Management District has strongly encouraged the City of Winter Garden to develop an effective water conservation program; and

WHEREAS, The City of Winter Garden City Commission finds that water conservation user rates have been determined to be the most effective means of encouraging water conservation

NOW THEREFORE BE IT INACTED BY THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA as follows:

Section 1. The City of Winter Garden hereby amends the following sections of Chapter 78, Utilities, of the Code of Ordinances:

Section 2. Adoption. Division 1, Article V of Chapter 2 of the City of Winter Garden Code is amended to read as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 78-57. Charges for water on separate meter used for irrigation only.
(a) *Application for irrigation system or irrigation meter.* All users of the city water system within the corporate limits of the city shall request a permit for the installation of an irrigation system and irrigation meter. An application must be completed and submitted to the utilities department for the installation of an irrigation system and irrigation meter prior to the issuance of a permit. The utilities department director may deny the issuance of a permit for an irrigation system or irrigation meter when the existing water main does not provide sufficient water volume/pressure to support the demands of an irrigation system without causing unacceptably low water pressure for other customers on the same water main.
(b) *Basic rate for separate meter, used for irrigation only.* The monthly charges for a separate meter, used for irrigation only, shall be as follows:

(1) A minimum monthly service charge per month for those billings where an irrigation meter is the only water meter installed shall apply in addition to the consumption charge indicated below. Outside the city limits, customers will be charged the monthly service charge at 125 percent.

~~Bills rendered on or after April 1, 2000:~~

~~Irrigation Meter size~~	~~Monthly Service Charge~~	~~Consumption Charge (Per 1,000 gallons)~~	
~~—~~	~~—~~	~~Range~~	~~Amount~~
~~5/8" × 3/4"~~	~~$ 5.25~~	~~0–10,000~~	~~$ 1.07~~
~~1"~~	~~13.13~~	~~Above 10,000~~	~~1.28~~
~~1 1/2"~~	~~26.25~~		
~~2"~~	~~42.00~~		
~~3"~~	~~78.75~~		
~~4"~~	~~131.25~~		
~~6"~~	~~262.50~~		
~~8"~~	~~420.00~~		

~~Bills rendered on or after April 1, 2001:~~

~~Irrigation Meter size~~	~~Monthly Service Charge~~	~~Consumption Charge (Per 1,000 gallons)~~	
~~—~~	~~—~~	~~Range~~	~~Amount~~
~~5/8" × 3/4"~~	~~$ 5.80~~	~~0–10,000~~	~~$ 1.20~~
~~1"~~	~~14.50~~	~~Above 10,000~~	~~1.44~~
~~1 1/2"~~	~~29.00~~		

~~2"~~	~~46.40~~	
~~3"~~	~~87.00~~	
~~4"~~	~~145.00~~	
~~6"~~	~~290.00~~	
~~8"~~	~~464.00~~	

Bills rendered on or after October 1, 2008:

Monthly Service Charge by Rate Class and Meter Size

Residential Single Family	5/8" x 3/4" meter	$ 6.18
Residential Multi-Family	5/8" x 3/4" meter	$ 6.18
General Service or Commercial	5/8" x 3/4" meter	$ 6.18
General Service or Commercial	1" meter	$15.43
General Service or Commercial	2" meter	$49.39
General Service or Commercial	3" meter	$92.60

Usage Volume Charges by Meter Size and Consumption

Residential Single Family — 5/8" x 3/4" and 1" meters

Usage per 1,000 Gallons	
0 – 5,000	$ 1.2730
5,001 – 25,000	$ 1.5339
25,001 and Above	$ 1.8840

Residential Multi-Family
General Service or Commercial — 5/8" x 3/4" meter

Usage per 1,000 Gallons	
0 – 5,000	$ 1.2730
5,001 – 25,000	$ 1.5339
25,001 and Above	$ 1.8840

Residential Multi-Family
General Service or Commercial — 1" meter

Usage per 1,000 Gallons	
0 – 12,500	$ 1.2730
12,501 – 62,500	$ 1.5339
62,501 and Above	$ 1.8840

Residential Multi-Family
General Service or Commercial — 2"meter

Usage per 1,000 Gallons	
0 – 40,000	$ 1.2730
40,001 – 200,000	$ 1.5339
201,000 and Above	$ 1.8840

Residential Multi-Family
General Service or Commercial — 3" meter

Usage per 1,000 Gallons	
0 – 75,000	$ 1.2730
75,001 – 375,000	$ 1.5339
375,001 and Above	$ 1.8840

Effective ~~October 1, 2001~~, October 1, 2008 the rates shall be indexed by the Consumer Price Index, or two percent, whichever is greater, annually for the next three years. ~~All rates shall have a 25 percent surcharge for customers outside of the city limits.~~

Section 3. **CODIFICATION.** Section 2 of this Ordinance shall be codified and made a part of the City of Winter Garden Code of Ordinances.

Section 4. **SEVERABILITY.** If any Section or portion of the Section of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity, force, or effect of any other Section or part of a Section of this Ordinance.

Section 5. **EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and adoption.

READ FIRST TIME: July 24, 2008 and postponed

READ SECOND TIME: September 25, 2008

READ THIRD TIME AND PUBLIC HEARING HELD: October 9, 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

ORDINANCE NO. 08-39

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA; AMENDING THE WINTER GARDEN CODE OF ORDINANCES BY AMENDING SECTION 78-243 RECLAIMED WATER RATES AND CHARGES; PROVIDING FOR A WATER CONSERVATION RATE STRUCTURE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Winter Garden finds that by encouraging the use of reclaimed water while assuring the health and safety of the citizens of Winter Garden and the protection of the environment, Winter Garden will continue to use water in the best interest of present and future generations; and

WHEREAS, conservation of all available water resources requires the maximum reuse of reclaimed water for beneficial uses of water and such reuse of reclaimed water is of vital interest to the public health and safety; and

WHEREAS, the City Commission of the City of Winter Garden, Florida finds that water conservation and the enforcement of water conservation by the citizens of the City of Winter Garden is of direct benefit to the health and welfare of such citizens and encourages water conservation through water conservation user rates; and

WHEREAS, the City Commission of the City of Winter Garden, Florida hereby finds and declares that the adoption of this ordinance is necessary, appropriate, and in the public interest of the citizens of Winter Garden, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA as follows:

Section 1. The City Commission of the City of Winter Garden has the authority to adopt this Ordinance pursuant to Chapter 166, Florida Statutes.

Section 2. Article VII of Chapter 78, Utilities, of the Code of Ordinances of the City of Winter Garden is hereby created:

ARTICLE VII. RECLAIMED WATER
Division 1. General Provisions

Sec. 78-243. Reclaimed water rates and charges

A. Connection Charges. The connection charges for reclaimed water service will consist of the tap fee and meter set fee for metered connections.

(1) Tap Fee. The reclaimed water tap fee shall be as follows:

~~Reclaimed Water Service Size~~	~~In City~~	~~Out of City~~
~~1.0"~~	~~$ 662.00~~	~~$ 827.50~~
~~1.5"~~	~~$1,199.00~~	~~$1,498.75~~
~~2.0"~~	~~$1,272.00~~	~~$1,590.00~~

Reclaimed Water Service Size	Rate
3/4"	$ 542.95
1.0"	$ 709.16
2.0"	$1,362.92

(2) Backflow devices shall be installed and maintained by the customer on the potable water services as required by City Code of Ordinances, Chapter 78, Article V, cross connection control.

(3) Meter Set Fee. The meter set fee shall be as follows:

~~Reclaimed Water Service Size~~	~~In City~~	~~Out of City~~
~~.75"~~	~~$258.00~~	~~$323.13~~
~~1.0"~~	~~$331.00~~	~~$413.75~~
~~1.5"~~	~~$713.00~~	~~$891.25~~
~~2.0"~~	~~$734.00~~	~~$917.50~~

Reclaimed Water Service Size	Rate

3/4"	$277.02
1.0"	$354.58
2.0"	$786.73

All reclaimed water connections larger than two inches (2") or involving potable water service larger than two inches (2") will be charged for at actual cost plus twenty percent (20%). The connection charge shall be waived for development activities that will furnish and install taps in accordance with this article.

B. Reuse Charges. The following shall be the schedule of monthly rates and charges for reuse provided by the City:

~~(1) The charges for service shall be based upon the greater of 150 percent of the charge incurred by the city for delivered reclaimed water pursuant to the Water Conservation II Agreement for the Delivery and Use of Reclaimed Water ("Water Conservation II Agreement") or as set by resolution or monthly amount of reuse consumed as follows:~~

a. A minimum monthly charge of $4.58 which will include 10,000 gallons of reuse.
b. A charge of $0.60 for each 1,000 gallons over 10,000 gallons of reuse.

Monthly Service Charge by Rate Class and Meter Size

Residential Single Family	5/8" x 3/4" meter	$ 6.18
Residential Multi-Family	5/8" x 3/4" meter	$ 6.18
General Service or Commercial	5/8" x 3/4" meter	$ 6.18
General Service or Commercial	1" meter	$15.43
General Service or Commercial	2" meter	$49.39
General Service or Commercial	3" meter	$92.60

Usage Volume Charges by Meter Size and Consumption

Residential Single Family 5/8" x 3/4" and 1" meters

Usage per 1,000 Gallons	
0 – 5,000	$ 1.2730
5,001 – 25,000	$ 1.5339
25,001 and Above	$ 1.8840

Residential Multi-Family
General Service or Commercial 5/8" x 3/4" meter

Usage per 1,000 Gallons	
0 – 5,000	$ 1.2730
5,001 – 25,000	$ 1.5339
25,001 and Above	$ 1.8840

Residential Multi-Family
General Service or Commercial 1" meter

Usage per 1,000 Gallons	
0 – 12,500	$ 1.2730
12,501 – 62,500	$ 1.5339
62,501 and Above	$ 1.8840

Residential Multi-Family
General Service or Commercial 2"meter

Usage per 1,000 Gallons	
0 – 40,000	$ 1.2730
40,001 – 200,000	$ 1.5339
201,000 and Above	$ 1.8840

Residential Multi-Family
General Service or Commercial 3" meter

Usage per 1,000 Gallons	
0 – 75,000	$ 1.2730
75,001 – 375,000	$ 1.5339
375,001 and Above	$ 1.8840

(2) Consumptive use rate for contract and bulk users will be based upon ~~the greater of one hundred fifty percent (150%) of the charge incurred by the City for delivered reclaimed water as $0.36 per 1,000 gallons. At no time should a bulk user be charged less than $360.00 per month.~~ 100,000 gallons or greater per day, at a rate of $1.18 per 1,000 gallons.

(3) Contracts for bulk users ~~who use less than 100,000 gallons per day may be negotiated with the approval of the City Commission.~~ shall be defined as another public entity.

~~(4) County customers will be charged a twenty-five percent (25%) surcharge. This surcharge will continue to be twenty-five percent (25%) after each rate adjustment.~~

~~(5)~~ (4) The City Manager or his/her designee may adjust or waive reuse charges to bulk users willing to take reuse for storage at the request of the City.

C. A customer whose service has been discontinued may resume reclaimed water service by payment of past due amounts and a reconnection fee of twenty-five dollars ($25.00); provided, however, that where service has been discontinued for violation of the policies and regulations relating to the use of the reclaimed water system, service will not be reconnected until the City receives, in its opinion, reasonable and sufficient guaranty that the violation will not reoccur.

D. Where these rates and charges result in inequitable and/or undue hardship on the property owner, the Director shall have the authority to adjust the rates and charges based upon the following considerations:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings similarly situated.

(2) The special conditions and circumstances do not result from the actions of the property owner.

(3) Making the adjustment will be in harmony with the general purpose and intent of these regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

E. The decision of the Director to grant or deny a rate adjustment shall be deemed final unless a request for review by the City Manager is filed by the aggrieved party with the City Clerk within fifteen (15) days from the date of such decision. The City Manager may either affirm, modify or reverse the decision, and such action by the City Manager shall be considered final administrative action. Unless the aggrieved party files an appeal to the City Commission with the City Clerk within fifteen (15) days of such decision. In which instance, the action of the City Commission shall constitute final administrative action.

F. Rate Adjustments. The rates and charges by class for the use and availability of the City's reclaimed water system inside or outside the City may be adjusted annually by the City Commission by modification of the charges provided herein by resolution or by a price index escalator adopted by resolution or by both.

Section 3. **CODIFICATION.** Section 2 of this Ordinance shall be codified and made a part of the City of Winter Garden Code of Ordinances.

Section 4. **SEVERABILITY.** If any Section or portion of the Section of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity, force, or effect of any other Section or part of a Section of this Ordinance.

Section 5. **EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and adoption.

READ FIRST TIME: July 24, 2008 and postponed

READ SECOND TIME: September 25, 2008

READ THIRD TIME AND PUBLIC HEARING HELD: October 9, 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

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 AND CONTINUED ON: ____July 24_____, 2008.

READ SECOND TIME AND CONTINUED ON:____August 14_____, 2008.

READ THIRD TIME ON:____August 28_____, 2008.

READ FOURTH TIME AND PUBLIC HEARING HELD ON:____October 9_____, 2008.

PASSED AND ORDAINED THIS __9th___ DAY OF ____October_____, 2008, BY THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA.

CITY OF WINTER GARDEN, FLORIDA,
a Florida Municipality

By:___/S/_____
JOHN REES, Mayor/Commissioner

ATTEST:

By:___/S/_____
KATHY GOLDEN, City Clerk

Ordinance 08-42
Exhibit "A"

DISTRICT 1

Begin at the intersection of the shore of Lake Apopka and the northern boundary of the City of Winter Garden, said point also being the northern boundary of property described in Official Records Book 9199, Page 575, public records of Orange County, Florida; thence run Easterly along said northern boundary to the Northwest corner of Fullers Crossing Phase 3, as recorded in Plat Book 54, Page 122, public records of Orange County, Florida; thence continue Easterly and Southerly along the northern and eastern boundaries of Fullers Crossing Phase 2 and Phase 1 to Fullers Cross Road; thence run East along Fullers Cross Road to the Southwest corner of property described in Official Records Book 4016, Page 3068, public records of Orange County, Florida; thence run North and East along said property to a point on the west line of property described in Official Records Book 5515, Page 4150, public records of Orange County, Florida; thence run along said property North and Southeast to East Crown Point Road; thence run Southwest along East Crown Point Road to Fullers Cross Road; thence run West along Fullers Cross Road to the east line of Tuscany Phase 2, as recorded in Plat Book 36, Page 66, public records of Orange County, Florida; thence run South along said Plat to the North line of Corsino Place, as recorded in Plat Book 31, Page 120, public records of Orange County, Florida; thence run East along said Plat to the east line of East Crown Point Road; thence run North along East Crown Point Road to the north line of property described in Official Records Book 5583, Page 0310, public records of Orange County, Florida; thence run East, South and West along the boundaries of said parcel to East Crown Point Road; thence Southwesterly along East Crown Point Road to the Southeast corner of Trails of Winter Garden, as recorded in Plat Book 57, Page 109, public records of Orange County, Florida; thence run West to the East line of Chapin Station, as recorded in Plat Book 57, Page 28, public records of Orange County, Florida; thence run South to Crown Point Cross Road; thence run East along Crown Point Cross Road to East Crown Point Road; thence run South along East Crown Point Road to East Plant Street; thence run Westerly along East Plant Street to Ninth Street; thence run South along Ninth Street to East Smith Street; thence run West along East Smith Street to South Dillard Street; thence run South along South Dillard Street to West Story Road; thence run West along West Story Road to the Southeast corner of Winter Oaks, as recorded in Plat Book 53, Page 118, public records of Orange County, Florida; thence run North and West along said Plat to West Plant Street; thence run Easterly along West Plant Street to Brayton Road; thence run North along Brayton Road to West Bay Street; thence run East along West Bay Street to the Southeast corner of Timbercreek Pines, as recorded in Plat Book 56, Page 34, public records of Orange County, Florida; thence run North and East along said Plat to the intersection of North Park Avenue and West Tilden Street; thence run East along West Tilden Street to North Lakeview Avenue; thence run North along North Lakeview Avenue to West Division Street; thence run West along West Division Street to the end of said street; thence run Northwest along the northeastern boundary of Dr. Bradford Memorial Park to the shores of Lake Apopka; thence run Northeasterly along the shores of Lake Apopka to the Point of Beginning, excluding all unincorporated Orange County parcels within these boundaries.

DISTRICT 2

Begin at the intersection of the shore of Lake Apopka and the northeastern boundary of Dr. Bradford Memorial Park; thence run Southeasterly along said northeastern boundary to West Division Street; thence run East along West Division Street to North Lakeview Avenue; thence run South along North Lakeview Avenue to West Tilden Street; thence run West along West Tilden Street to the intersection of West Tilden Street and North Park Avenue; thence continue West to the west line of Timbercreek Pines, as recorded in Plat Book 56, Page 34, public records of Orange County, Florida; Thence run South along said line to West Bay Street; thence run West along West Bay Street to Brayton Road; thence run South along Brayton Road to West Plant Street; thence run Southwesterly along West Plant Street to the North line of Winter Oaks, as

recorded in Plat Book 53, Page 118, public records of Orange County, Florida; thence run East and South along said Plat to West Story Road; thence run East along West Story Road to South Park Avenue; thence run along South Park Avenue to West Colonial Drive; thence run East along West Colonial Drive to Winter Garden Vineland Road; thence run South along Winter Garden Vineland Road to the south line Black Lake Park Phase 1, as recorded in Plat Book 59, Page 4, public records of Orange County, Florida; thence run West along the South line of said Plat and the south line of Black Lake Park Phase 2 to the shore of Black Lake; thence run Northwesterly, Westerly and Southwesterly along the shore of Blake Lake to the intersection of said shore and the west line of the northwest 1/4 of section 34, township 22 south, range 27 east; thence run North along the west line of the northwest 1/4 of section 34, township 22 south, range 27 east to the intersection of said west line and Avalon Road (C.R. 545); thence run Southwesterly along Avalon Road (C.R. 545) to the south line of Johns Lake Pointe, as recorded in Plat Book 69, Page 121, public records of Orange County, Florida; thence run Westerly, Northerly and Easterly along the said Plat boundaries to the intersection of the north line of said Plat and Avalon Road (C.R. 545); thence run North along Avalon Road (C.R. 545) to the North line of the Florida Turnpike; thence run Westerly along Florida Turnpike to the Southwest corner of Tucker Oaks, as recorded in Plat Book 68, Page 27, public records of Orange County, Florida; thence run Northerly along the said Plat to West Colonial Drive; thence run East along West Colonial Drive to the west line of the southwest 1/4 of section 21, township 22 south, range 27 east; thence run North along the west line of the southeast 1/4 and the west line of the northeast 1/4 of section 21, township 22 south, range 27 east to the shore of Lake Apoka; thence run Northeasterly along the shore of Lake Apoka to the Point of Beginning, excluding all unincorporated Orange County parcels within these boundaries.

DISTRICT 3

Begin at the intersection of East Plant Street and the east line of section 13, township 22 south, range 27 east; thence run South along the east line of section 13 and the east line of section 24, township 22 south, range 27 east to East Story Road; thence continue South along said east line of section 24 to West Colonial Drive; thence continue South along the east line of section 25, township 22 south, range 27 east to Marshall Farms Road; thence continue South along Windermere Road to the north line of property described in Official Records Book 8460, Page 4178, public records of Orange County, Florida; thence run East and Southerly along said property to Warrior Road; thence run West to Windermere Road; thence run South along Windermere Road and the east line of section 36, township 22 south, range 27 east to the Southeast corner of section 36; thence run West along the south line of section 36 to the west line of the east 1/4 of the southwest 1/4 of the southeast 1/4 of said section 36; thence run North along said west line to the south line of the north 1/2 of the southeast 1/4 of said section 36; thence run West along said south line to the west line of the southeast 1/4 of said section 36; thence run North along said west line to the south line of Westfield III – Phase B, as recorded in Plat Book 53, Page 95, public records of Orange County, Florida; thence run West and North along said Westfield III – Phase B and Westfield III - Phase A to Cemetery Road; thence run West along Cemetery Road and Roper Road to Daniels Road; thence run North along Daniels Road to the south line of Daniels Landing, as recorded in Plat Book 56, Page 3, public records of Orange County, Florida; thence run Westerly along said south line to Winter Garden Vineland Road; thence run North along Winter Garden Vineland Road to West Colonial Drive; thence run West along West Colonial Drive to South Park Avenue; thence run North along South Park Avenue to West Story Road; thence run East along West Story Road to South Dillard Street; thence run North along South Dillard Street to East Smith Street; thence run East along East Smith Street to Ninth Street; thence run North along Ninth Street to East Plant Street; thence run easterly along East Plant Street to the Point of Beginning, excluding all unincorporated Orange County parcels within these boundaries.

DISTRICT 4

Begin at the intersection of Winter Garden Vineland Road and south line of Daniels Landing, as recorded in Plat Book 56, Page 3, public records of Orange County, Florida; thence run Easterly along said south line to Daniels Road; thence run South along Daniels Road to Roper Road; thence run East along Roper Road to the east line of Regency Oaks, as recorded in Plat Book 55, Page 34, public records of Orange County, Florida; thence run South along said east line to the north line of Regency Oaks Phase 2; thence run East along said north line and the north line of Foxcrest , as recorded in Plat Book 65, Page 59, public records of Orange County, Florida to Reaves Road; thence run South along Reaves Road to Stoneybrook West Parkway; thence run East along Stoneybrook West Parkway to the East line of Lake Roberts Landing, as recorded in Plat Book 69, Page 6, public records of Orange County, Florida; thence run South and West along the boundaries of Lake Roberts Landing to the Southwest corner of said Plat; thence run West to the east line of Bronson's Landing, as recorded in Plat Book 66, Page 139, public records of Orange County, Florida; thence run South and West along the boundaries of Bronson's Landing to the Southeast corner of Windermere Harbor Phase II, as recorded in Plat Book 48, Page 21, public records of Orange County, Florida; thence run West along said Plat to the East line of Windermere Harbor, as recorded in Plat Book 42, Page 67, public records of Orange County, Florida; thence run South and West along the boundaries of said Plat to Winter Garden Vineland Road; thence run Southerly along Winter Garden Vineland Road to the north line of the Winter Garden Cemetery property; thence run East, South and West along the boundaries of the Winter Garden Cemetery property to Winter Garden Vineland Road; thence run North along Winter Garden Vineland Road to the South line of Woodbridge Commerce Center, as recorded in Plat Book 54, Page 126, public records of Orange County, Florida; thence run West and North along the boundaries of said Plat to West Orange Country Club Drive; thence run Westerly and Northerly along West Orange Country Club Drive to Tilden Road; thence run East along Tilden Road to the West line of Wintermere Pointe Phase II, as recorded in Plat Book 46, Page 141, public records of Orange County, Florida; thence run Northerly and Easterly along said Plat to the West line of Wintermere Pointe, as recorded in Plat Book 40, Page 88, public records of Orange County, Florida; thence run North along Wintermere Pointe to the Northwest corner of said Plat; thence run West along the north line of the southwest 1/4 of section 2, township 23 south, range 27 east to the West 1/4 corner of said section 2; thence continue West along the north line the southeast 1/4 of section 3, township 23 south, range 27 east to the west line of the southeast 1/4 of section 3; thence run South along said west line to the north line of the south 1/2 of the southeast 1/4 of section 3; thence run West along said north line to the Northwest corner of Emerald Ridge, as recorded in Plat Book 54, Page 113, public records of Orange County, Florida; thence run South along the west line of said Plat to Tilden Road; thence run Westerly along Tilden Road to Tiny Road at the Northeast corner of the northwest 1/4 of the northeast 1/4 of section 9, township 23 south, range 27 east; thence run South and West along the boundaries of the northwest 1/4 of the northeast 1/4 of section 9 to Mann Road; thence run South along Mann Road to the end of Mann Road; thence run West to the east line of section 8, township 23 south, range 27 east; thence run North along the east line of section 8 to Davenport Road; thence run West along Davenport Road to the west line of Lots 15D and 2D, Lake Avalon Groves, as recorded in Plat Book H, Page 24, public records of Orange County, Florida; thence run North along said west line to Avalon Road; thence continue North to the south line of the northeast 1/4 of section 5, township 23 south, range 27 east; thence run West and North along the boundaries of the northeast 1/4 of section 5 to Marsh Road; thence run Westerly along Marsh Road to the east line of Lot 3, Lake Avalon Estates , as recorded in Plat Book R, Page 52, public records of Orange County, Florida; thence run South along the east line Lot 3 to the shore of Lake Avalon; thence run Southwesterly along the shore of Lake Avalon to the south line of Lot 3; thence run Northwest and West along the south line of Lot 3 to Williams Road; thence run North along Williams Road to the south line of Lot 33-H, Lake Avalon Groves Replat, as recorded in Plat Book H, Page 81, public records of Orange County, Florida; thence run West and North along the boundaries of Lot 33-H to Marsh Road; thence continue North along the west line of Lot 30-H of aforesaid Lake Avalon Groves Replat to a point 371 feet south of the north line of Lot 30-H; thence run East to the west line of the east 1/2 of Lot 30-H; thence run North to the north line of Lot

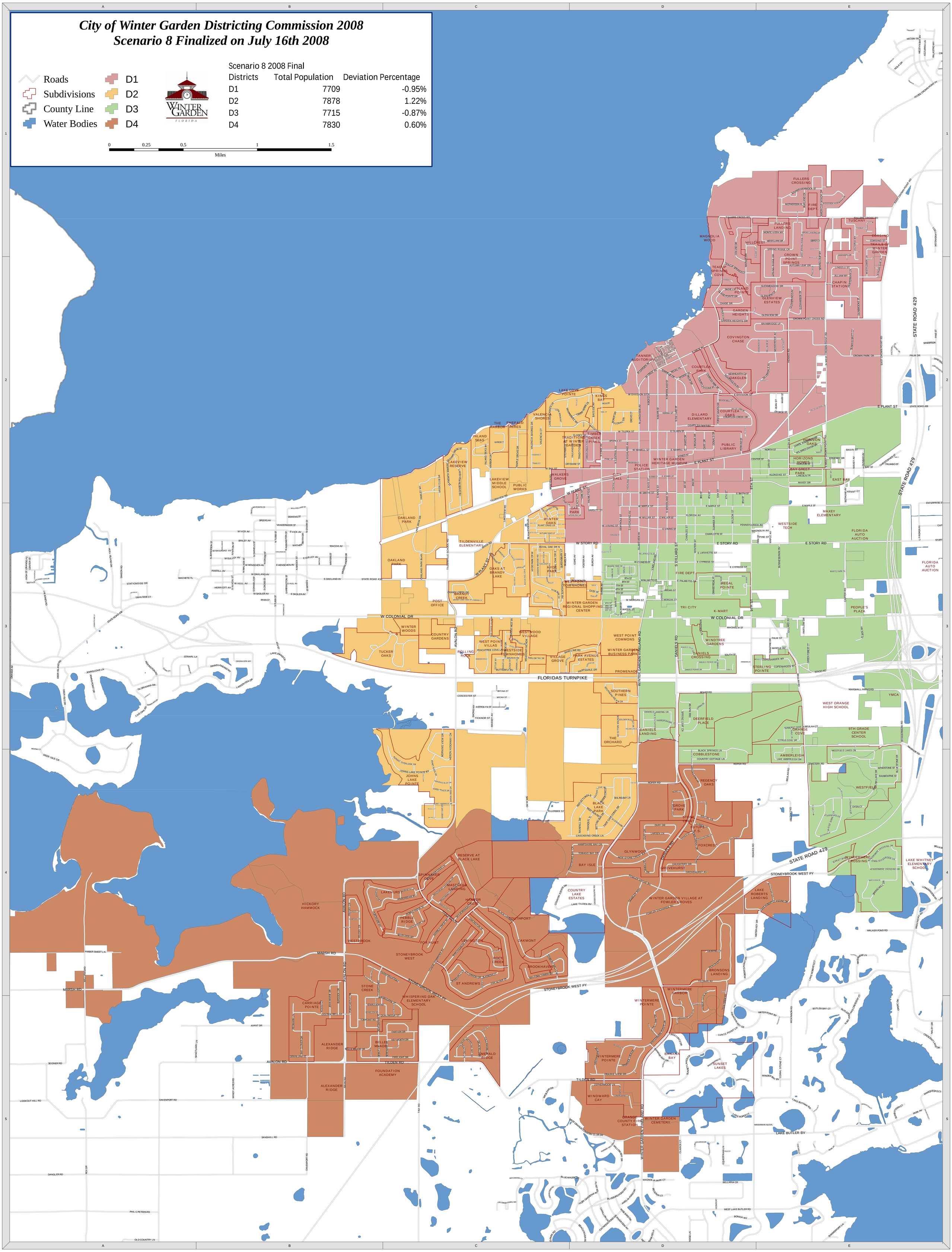
30-H; thence run East along the north line of Lot 30-H to Williams Road; thence run North along Williams Road to the Southeast corner of the north 1/2 of the northwest 1/4 of section 6, township 23 south, range 27 east; thence run West along the South line of the north 1/2 of the northwest 1/4 including the west 1/2 of Lot 24-H, of aforesaid Lake Avalon Groves Replat to the Southwest corner of the north 1/2 of the northwest 1/4 of section 6; thence run North along the west line of the north 1/2 of the northwest 1/4 of section 6 to the Southwest corner of section 31, township 22 south, range 27 east; thence continue North along the west line of section 31 to the shore of John's Lake; thence run easterly along the shore of John's Lake to the intersection with the north line of the south 1/2 of section 33, township 22 south, range 27 east; thence run East along said north line to the Northeast corner of the northwest 1/4 of the southeast 1/4 of section 33; thence run South along the east line of said northwest 1/4 of the southeast 1/4 to Avalon Road (C.R. 545); thence run Northerly along Avalon Road (C.R. 545) to the intersection with the west line of the northwest 1/4 of section 34, township 22 south, range 27 east; thence run South along said west line to the shore of Blake Lake; thence run northeasterly, easterly and southeasterly to the south line of Black Lake Park Phase 2, as recorded in Plat Book 64, Page 1, public records of Orange County, Florida; thence run East along the South line of said Plat and the south line of Black Lake Park Phase 1 to Winter Garden Vineland Road; thence run Northerly along Winter Garden Vineland Road to the Point of Beginning, excluding all unincorporated Orange County parcels within these boundaries.

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

Roads
Subdivisions
County Line
Water Bodies

D1
D2
D3
D4

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%

0 0.25 0.5 1 1.5
Miles