



CITY COMMISSION AGENDA
REVISED AGENDA 2/20/12*
CITY HALL COMMISSION CHAMBERS
300 W. Plant Street

REGULAR MEETING **FEBRUARY 23, 2012** **6:30 P.M.**

CALL TO ORDER

Determination of a Quorum
Invocation and Pledge of Allegiance

1. **APPROVAL OF MINUTES**

Regular Meeting of February 9, 2012

2. **PRESENTATIONS**

Proclamation 11-03: Honoring Police Sergeant James Carter on his retirement

Proclamation 11-04: Honoring Police Dispatch Supervisor Lana Dees on her Retirement

3. **FIRST READING OF PROPOSED ORDINANCES**

A. **Ordinance 12-09:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 11-26, THE CITY OF WINTER GARDEN FISCAL YEAR 2011-2012 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for March 8, 2012** – City Manager Bollhoefer

B. **Ordinance 12-14:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL YEAR 2011-2012 BUDGET; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for March 8, 2012** – City Manager Bollhoefer

4. **REGULAR BUSINESS**

A. Recommendation to approve accommodating the “Run in the Garden” 5k on Saturday, April 28, 2012 – Recreation Director Conn

B. Recommendation to approve request by Pain Care First to relocate their clinic from 1201 Winter Garden Vineland Road Suite 4B to 13650 West Colonial Drive Suite 100 - Community Development Director Williams (***Added February 20, 2012**)

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. State of the City – General Fund (*continued from 2/9/12*)

B. Discussion on design of shade covering for splash fountain

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

ADJOURN to a Regular Meeting on March 8, 2012 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, 1st floor

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

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

CITY COMMISSION REGULAR MEETING MINUTES

February 9, 2012

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Pro-Tem Boulter at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. The invocation and Pledge of Allegiance were given.

Present: Mayor Pro-Tem Harold L. Boulter, Commissioners Bob Buchanan, Kent Makin, and Colin Sharman

Absent: Mayor John Rees

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Public Services Director Don Cochran, Community Development Director Ed Williams, Human Resources Director Frank Gilbert, Police Chief George Brennan, Fire Chief John Williamson, Building Official Skip Lukert, Information Technology Director Bob Reilly, Economic Development Director Tanja Gerhartz, Recreation Director Jay Conn, West Orange Times Reporter Michael Laval, and Orlando Sentinel Reporter Stephen Hudak

1. **APPROVAL OF MINUTES**

Motion by Commissioner Makin to approve the regular meeting minutes of January 26, 2012, as submitted. Seconded by Commissioner Buchanan and carried unanimously 4-0.

2. **OATH OF OFFICE AND INTRODUCTION OF NEW POLICE OFFICERS**

Police Chief Brennan introduced new police officers Jeffrey Doyle, Jerald House, Julio Negrón, and Kevin Phelps and then administered the Oath of Office.

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

A. **Ordinance 11-35:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 75.94 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF MARSH ROAD, EAST OF WILLIAMS ROAD AND WEST OF AVALON ROAD (CR 545) AT 16851 AND 17001 MARSH ROAD, FROM CITY NZ TO CITY PUD; PROVIDING FOR CERTAIN PUD REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (Waterside on John's Lake PUD)

City Attorney Ardaman recommended those planning on testifying be sworn in. City Clerk Golden administered the testimony oath.

Community Development Director Williams stated this is the second reading of the planned development zoning of the Waterside project on John's Lake. This property is a 75 acre parcel on the south side of John's Lake and north of Marsh Road. It is for a

residential development of 172 lots; approximately 134 seventy foot lots and 38 ninety foot lots along the lake. This project has been reviewed in great detail by staff and the Development Review Committee (DRC) has concluded and makes the recommendation that it is consistent with the comprehensive plan, the future land use map, and the policies of the growth management plan. It meets the concurrency requirements of the City, including schools. It has been reviewed by the neighborhood community. At the community meeting it received full support of those attending.

Mr. Williams stated that the DRC and the Planning and Zoning Board are both recommending that the City Commission find that the Planned Unit Development (PUD) is consistent with the comprehensive plan, the land development code, and the provisions of the Wekiva Protection Act found in the comprehensive plan. Approval is recommended subject to the conditions as listed in the report.

City Attorney Ardaman asked Mr. Williams if the discussion item in the City Commission agenda packet (the second sentence states “rezoning the subject property from City N-Z to City PUD is not inconsistent with...”) should be “is consistent with” and should be corrected in the packet. Mr. Williams responded yes it should be corrected to say “is consistent with”.

At this time, City Attorney Ardaman read Ordinance 11-35 by title only.

Tom Sullivan of Lowndes, Drosdick, Doster, Kantor, and Reed, P.A., 215 N. Eola Drive, Orlando, Florida, representing the applicant Centerline Homes, which is the applicant for the Waterside PUD, stated that the project team and the planning expert Michael Holbrook, with Boyer Singleton, and the traffic expert Joe Roviario with Luke Transportation Engineering Consultants were in attendance.

Mr. Sullivan stated that they are in complete agreement with staff’s professional analysis and recommendation to approve this PUD. He submitted a copy of the professional resume for Michael C. Holbrook, RLA, as he will be speaking as an expert in his field.

Mr. Holbrook, Director of Planning for Boyer Singleton and Associates, 520 S. Magnolia Street, Orlando, Florida, stated the plans submitted are in compliance with the City’s Comprehensive Land Use Plan and Land Development Code. They have worked to preserve and protect the shoreline of John’s Lake. Extraordinary rear setbacks have been included for lake front homes to minimize grading and to preserve the mature trees. They have addressed the surrounding areas and the through traffic on Marsh Road.

Joseph Roviario, Director of Transportation Planning for Luke Transportation Consultant Group, 29 E. Pine Street, Orlando, Florida, stated his background. The traffic mitigation included the roundabout at the main entrance. There is an east/west road planned for within the development to provide a parallel corridor and stub-out. There will also be a sidewalk and bike facilities along the north side of the roadway and property boundary.

Mayor Pro-Tem Boulter stated this is a public hearing and asked if anyone wished to speak.

Doug Ackerman, attorney representing Ivan and Mala Lindsay they are the property owners immediately to the north of the subject property. He submitted a notebook of documents to the City Commission for the record.

City Attorney Ardaman advised the City Commission that there is no need to formally accept the documents presented; this is not a formal judicial proceeding.

Mr. Ackerman stated that this application is being submitted for approval solely on the ground that it is consistent with the City's residential PUD zoning. The Comprehensive Plan for this property lists Urban Village PUD zoning; it does not list residential PUD zoning. Any suggestion that this application can somehow be reviewed and approved by the City Commission under the newly enacted Urban Village PUD zoning designation should be rejected. The application and first reading was for compliance with residential PUD designation. He thinks the application is inconsistent with both the residential PUD zoning designation and the Comprehensive Plan.

Thomas G. Pelham, 1474 Constitution Place, Tallahassee, Florida, stated his background and credentials. Based upon his review, it is his opinion that this proposal as residential PUD is not allowed under the future land use classification for this property. This property is designated under the Comprehensive Plan as Urban Village. Mr. Pelhem went through the various policy sections of the Comprehensive Plan and identified the inconsistencies. He summed up his presentation by asking who gets the 20 acres of commercial, where will the 107 acres of natural open space be located, what happens if it is developed tract by tract and you get down to one tract left and you need more open space do they have to provide it. Until the City addresses and creates an urban village on the 658 acres of land, piece mill rezoning in his view is premature and inconsistent with the City's Comprehensive Plan.

Patricia Tice, 606 Courtlea Cove Avenue, Winter Garden, Florida, stated her background and that this application is materially inconsistent with the City's Code and Comprehensive Plan in significant ways. She referred the City Commission to the first page of the notebook previously distributed. The surrounding areas have residential subdivisions that are almost a mile away. This area is extremely rural and as an urban village it will grow to become consistent with the area. This individual project is premature. Ms. Tice went into specifics regarding transportation impacts; the road is currently operating at 19 percent over level service F. She summed up her presentation that this application violates the City's Code of Ordinance and Comprehensive Plan of substance. She noted that the waiver for porches is completely inconsistent with the future land use for this project.

Mr. Sullivan, representative for the applicant, came forward and read from the staff report that the proposed development is consistent with the trend in development in the area. It

is consistent with the policies of the City's Comprehensive Plan and the Sixth Amendment of the restated Interlocal Agreement for Joint Planning Area (JPA) between Orange County and the City of Winter Garden that requires applications for rezoning be processed as Planned Unit Developments. The City's Development Review Committee concluded on February 1, 2012 that this development is consistent with the recently adopted Urban Village PUD designation. He read section 1. E. from the JPA that provides for residential development that "no rezoning application or development plan for residential development in the expansion area shall be considered for approval of such rezoning application or development plan has not been processed as a planned unit development." It further states it should include general design guidelines. They have met the guidelines.

Mr. Sullivan stated he disagrees with everything Mr. Pelham and Ms. Tice have stated. The Comprehensive Plan does allow for a variety of uses within this area. There is overall 700 acres that will later be included. The alleged substantive violations of the Land Development regulations provides that a district of not less than 50 acres, this project is 70 plus acres, is designed to promote the establishment of areas in which diverse uses may be brought together as a compatible and unified plan of development. He indicated that many PUD's in the City are comprised solely of residential communities, and to say they violate the City's Code is an absurd position to take.

In conclusion, Mr. Sullivan stated that based upon the testimony of professional staff, staff report, and his planning and traffic experts, the City Commission has been presented with competent substantial evidence in support of this request.

Community Development Director Williams stated that with our density we have the ability to go to a different mobility system and not a concurrency system. We have chosen to have this development meet concurrency. It is not appropriate for all projects in an urban village to have a full diversity of uses allowed in that district. He agrees this development does not have a commercial component; it should not be there. He addressed property rights and the ability of this owner to move forward before the other property owners. He believes residential should be built before commercial. Commercial should not be built before residential because there would be no demand for it. The provision for porches in JPA 6 and 7 are guidelines, not requirements. There are conflicting policies, goals, and objectives in the Comprehensive Plan. The City Commission is the judge who has to weigh the differences. The first criteria are the request is consistent with the comprehensive plan and future land use plan. The proposed rezoning will not substantially devalue or prevent reasonable use or enjoyment of the adjacent property. Adequate facilities are available or a development agreement has been established that will provide these improvements within a reasonable timeframe. The developer is extending the stormwater lines at his expense and installing road improvements to mitigate his traffic. The proposed rezoning will not allow a hyper-intensity development that is premature or presently out of character in relationship to the surrounding area. The rezoning will not interfere with adjacent property owner's reasonable expectation of use or enjoyment. Finally, the rezoning will not significantly

increase vehicular traffic in adjacent residential neighborhoods. When this property mitigates its traffic, it will discourage and reduce the traffic that is occurring in this area.

City Manager Bollhoefer noted that Mr. Pelham noted the area is largely undeveloped and rural and they should not be allowed to develop because of this reason. At some point someone has to be the first. Ms. Tice testified that they should not be able to develop until the property owners in between develop. In effect, she is saying that if the other two property owners decide never to develop, this one property owner will never be able to develop their property and will lose value in their property. He further shared the plans for traffic.

City Attorney Ardaman asked Mr. Williams to share what his expert qualifications are. Mr. Williams came forward and stated his qualifications and that a copy has been submitted for the record.

Commissioner Sharman asked if there is a fixed number within the JPA for conservation and commercial.

Mr. Williams stated there are percentages stated in the plan that there will be so much for commercial, residential, and natural areas. This is a prime recharge area according to the Wekiva requirements with some karst features, which will more than exceed the percentages for natural areas. If anything changes, there may be a need to reduce the commercial acreage because there will not be enough residential to support the amount of commercial anticipated.

Mayor Pro-Tem Boulter closed the public hearing.

Motion by Commissioner Sharman to adopt Ordinance 11-35. Seconded by Commissioner Makin and carried unanimously 4-0.

- B. **Ordinance 12-10:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING ORDINANCE 11-10 RELATING TO PAIN MANAGEMENT TEMPORARY MORATORIUM TO ALLOW RELOCATION OF EXISTING PAIN MANAGEMENT CLINICS UPON PROPER APPLICATION AND APPROVAL BY CITY COMMISSION; PROVIDING CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 12-10 by title only and stated that this is the second reading and modification to the pain management ordinance moratorium allowing the relocation of pre-existing pain management clinics provided they meet the criteria as set forth therein.

Mayor Pro-Tem Boulter opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Buchanan to adopt Ordinance 12-10. Seconded by Commissioner Makin and carried unanimously 4-0.

4. **REGULAR BUSINESS**

- A. **Resolution 12-02:** A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, CONFIRMING THE AUTHORITY OF THE CITY MANAGER TO MAKE, EXECUTE, AND DELIVER TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION THE LOCAL AGENCY PROGRAM AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF THE LULU CREEK TRAIL and approve entering into the Local Agency Supplemental Agreement

City Attorney Ardaman read Resolution 12-02 by title only. Public Services Director Cochran stated that the Florida Department of Transportation (FDOT) local agency grant for the Lulu Creek Trail project requires a resolution and agreement for the construction of the Lulu Creek Trail. He noted that after this item the City will be presented the bids for this project. Staff recommends approval and he noted that this project is totally funded by FDOT.

Motion by Commissioner Sharman to approve Resolution 12-02. Seconded by Commissioner Buchanan and carried unanimously 4-0.

- B. **Recommendation to approve Lulu Creek Trail Project bids and award contract to Allstate Paving, Inc. for \$169,895.90, with an additional 10 percent contingency, bringing the total project amount to \$186,885.49**

Public Services Director Cochran stated that on December 21, 2011, the City received bids for the Lulu Creek Trail project. Three bids were received of which Allstate Paving Inc. was the lowest bidder and was recommended by the engineer of record. Allstate's bid was \$169,895.90; staff recommends a 10 percent contingency bringing the total project to \$186,885.49.

Commissioner Sharman asked if the bid was only considered on a price basis or was the City looking at terms of qualifications also.

Mr. Cochran replied that the Engineer did check their references as is done with every bid. All of Allstate's references came back positive.

City Manager Bollhoefer noted that it was not a basis of qualification but it was the lowest qualified bidder and the City has worked with Allstate Paving in the past and has had very good luck with them.

Motion by Commissioner Makin to approve Lulu Creek Trail Project bids and award contract to Allstate Paving, Inc. for \$169,895.90, with an additional 10 percent contingency, bringing the total project amount to \$186,885.49. Seconded by Commissioner Sharman and carried unanimously 4-0.

C. Recommendation to approve State Road 50 (West Colonial Drive) landscape medians bids and award contract to LegacyScapes for \$565,465.36, with an additional 10 percent contingency bringing the total project amount to \$622,011.89

Public Services Director Cochran stated that this is the bid for the State Road 50 landscape medians project. In the original construction the sleeves for the irrigation had already been installed. The contractor is responsible for coordinating with Progress Energy to get power to the control panels once they are installed. The reason for not putting in the irrigation before now is because with all the other construction going on it would have been torn out and would have had to be reinstalled. He noted that the original estimate was \$1,325,000. Mr. Cochran stated that the City received a total of seven bids of which the City's landscape firm, Foster and Conant, has reviewed and has recommended that LegacyScapes was the lowest responsible bidder at \$565,465.36 with a staff recommended 10 percent contingency, bringing the total project to \$622,011.89.

Motion by Commissioner Buchanan to approve State Road 50 (West Colonial Drive) landscape medians bids and award contract to LegacyScapes for \$565,465.36, with an additional 10 percent contingency bringing the total project amount to \$622,011.89. Seconded by Commissioner Makin and carried unanimously 4-0.

D. Recommendation to approve State Road 50 (West Colonial Drive) utilities relocation bids and award contract to T. D. Thomson Construction for \$833,138.80, with an additional 10 percent contingency bringing the total project amount to \$916,452.68

Public Services Director Cochran stated that at the last meeting staff brought before the City Commission an agreement from Florida Department of Transportation (FDOT) for the relocation of utilities. The City received two bids with T. D. Thomson being the lowest bidder at \$833,138.80. CPH Engineering was the engineer of record who is recommending, through the reference checks and bid tabulations, that T. D. Thomson was the lowest responsible and responsive bidder. Staff recommends including a 10 percent contingency bringing the total of the project to \$916,452.68.

Mr. Cochran noted that at the last meeting there was a question about the start date and noted that the FDOT start date is now June 11, 2012, which is an 18 month contract that would take them out to January 2014 for the full roadway construction, not including the utility work.

Motion by Commissioner Sharman to approve State Road 50 (West Colonial Drive) utilities relocation bids and award contract to T. D. Thomson Construction for \$833,138.80, with an additional 10 percent contingency bringing the total project amount to \$916,452.68. Seconded by Commissioner Makin and carried unanimously 4-0.

E. **Recommendation to approve extending site plan approval for 910 Carter Road until February 11, 2013, with all conditions previously provided by the Development Review Committee dated December 2, 2009**

Community Development Director Williams stated that this property located at 910 Carter Road in 2009 was approved for a vehicle storage yard. The property owner because of personal problems lost the property and never extended the approvals. The new owner has come to the City and has asked to reinstate those approvals so that they can go forward with the project. The Development Review Committee has reviewed the site plan to see if it conforms to any new rules or regulations that would apply and there were none. The Planning and Zoning Board approved the special exception and is asking the City Commission to approve the site plan as it previously existed with the same conditions.

Motion by Commissioner Buchanan to approve extending site plan approval for 910 Carter Road until February 11, 2013, with all conditions previously provided by the Development Review Committee dated December 2, 2009. Seconded by Commissioner Makin and carried unanimously 4-0.

F. **Recommendation to approve site plan for 720 Roper Road, with conditions stated in the Engineering memorandum dated January 27, 2012 for Serenades by Sonata**

Community Development Director Williams stated that this site plan is for the Serenades by Sonata. Staff has reviewed the plans and recommends approval.

Motion by Commissioner Buchanan to approve site plan for 720 Roper Road, with conditions stated in the Engineering memorandum dated January 27, 2012. Seconded by Commissioner Sharman and carried unanimously 4-0.

G. **Request for a reduction in Code Enforcement Board imposed fines to \$1,000.00 in Case #10-1607 on 14417 Hampshire Bay Circle providing that pool and enclosure are completed within 90 days**

Building Official Lukert stated that the property owners had financial difficulty in finishing their building permits and finishing the pool almost two years ago. They put the property up for sale and it is now involved in a short sale. The potential buyers and their realtor have been trying to close this deal for almost a year. He noted that the short sale makes it very difficult because they have to bring it into compliance before the sale. Mr. Lukert stated that they have asked the City to reduce the lien which would run until the sale closes. The City would get \$1,000.00 for its expenses, they would pull permits within a week, and the City would then release the lien, which will help them close their VA loan. At that time, they would then repair the fence and the pool. They would put the \$6,000.00 for repairs into escrow to be done and can't be used for anything else. He is confident the repairs will be done.

Mr. Lukert explained that the request was stated as such because the VA wanted assurance that the lien would go away in order for the loan to close.

Motion by Commission Sharman to approve the conditions to be met for a reduction in Code Enforcement Board fines to \$1,000.00 as recommended by staff and if the property violations are not satisfied, the Code Enforcement process will start over. Seconded by Commissioner Makin and carried unanimously 4-0.

- H. **Resolution 12-03:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, DECLARING THE QUALIFYING RESULTS OF THE 2012 GENERAL ELECTION FOR DISTRICTS 2, 3 AND 4; AND THE CANDIDATES ELIGIBLE TO RUN FOR DISTRICTS 2, 3, AND 4 CITY COMMISSION TO BE HELD ON MARCH 13, 2012

City Attorney Ardaman read Resolution 12-03 by title only. City Clerk Golden stated that this resolution memorializes what occurred during the election qualifying period for Districts 2, 3, and 4. It declares who the candidates will be on the ballot.

Motion by Commissioner Sharman to approve resolution 12-03. Seconded by Commissioner Makin and carried unanimously 4-0.

- I. **Resolution 12-04:** A RESOLUTION PERTAINING TO THE CREATION OF A TRI-CITY PARTNERSHIP FOR THE CITIES OF APOPKA, OCOEE AND WINTER GARDEN; ESTABLISHING A NAME; ESTABLISHING GOALS; ESTABLISHING MEMBERS; ESTABLISHING MEETING TIME FRAMES; PROVIDING FOR FUNDING AND STAFF SUPPORT; PROVIDING FOR TERMINATION

City Attorney Ardaman read Resolution 12-04 by title only. City Manager Bollhoefer stated that there have been many times over the past 50 years that the City of Ocoee, City of Winter Garden, and City of Apopka have been trying to work together and form a partnership that has never come to fruition. He stated that he thinks they have finally reached that point where the three cities can work together in a partnership. He noted that the City of Ocoee already voted on this item and it is going before the Apopka City Commission on February 15, 2012.

Mr. Bollhoefer stated that one of the primary reasons for doing this is so that these cities can work together in economic development, especially along the State Road 429 corridor. We have great opportunities to work together to market this area; create similar design standards so that we are not building conflicting type projects. Although economic development is a key factor in this effort, we will also find ways to share resources. He noted that this partnering would offer the City of Winter Garden a greater voice. He believes this is a great opportunity and staff recommends approval.

Motion by Commissioner Sharman to approve Resolution 12-04 and authorize the City Manager to sign the tri-party agreement. Seconded by Commissioner Makin and carried unanimously 4-0.

5. **MATTERS FROM CITIZENS**

Kevin John Rodgers, 6340 Ridgeberry Drive, Orlando, Florida, stated his qualifications and his concerns regarding the award of the median landscape project (agenda item 4. C.). He specifically noted there were policies and procedures that were not followed in the stipulations. Secondly, the City and the tax payer's monies allocated for this project are subsequently being wasted when they do not need to be because the information is not being brought to the attention of the people making the decisions. There is also evidence of inherent collusion in the awarding of this project. Mr. Rodger then read excerpts from the City of Winter Garden's adopted purchasing manual. He thanked the City Commission for allowing his comments and asked that all future bids be impartially evaluated prior to the recommendation being made.

Derek Blakeslee, 230 N. Highland, Winter Garden, Florida, invited the City Commission, staff and the public to view their completed building at 12 W. Plant Street on Sunday, February 19, 2012 from 3:00 to 5:00 p.m.

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

7. **MATTERS FROM CITY MANAGER**

A. State of the City – General Fund (*This item was postponed until a full Commission was present.*)

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Buchanan addressed the concerns of citizens regarding the lack of street lighting along State Road 50 from Dillard Street to Ninth Street.

City Engineer Art Miller shared that Progress Energy is currently installing the street lighting which will eventually go all the way to Interstate 4.

Commissioner Buchanan stated that the Farmer's Market continues to do wonderfully. He noted that the City fund raiser earned \$10,000.00 during the annual Chili cook off and it was a wonderful event.

The meeting adjourned at 8:47 p.m.

APPROVED:

Mayor John Rees

ATTEST:

City Clerk Kathy Golden, CMC

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: City Manager Mike Bollhoefer

Date: February 17, 2012

Meeting Date: February 23, 2012

Subject: **Ordinance 12-09:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 11-26, THE CITY OF WINTER GARDEN FISCAL YEAR 2011-2012 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Issue: Ordinance 12-09 amends the current year budget to carry forward prior year appropriations for projects, machinery and equipment and other items budgeted but not purchased and projects budgeted but not completed by fiscal year ending FY 2011. This will ensure that there is adequate funding to purchase those items and complete those projects that were not completed by year-end.

Recommended action: Motion to approve Ordinance 12-09 with second reading and public hearing scheduled for March 8, 2012.

Attachments/References: Ordinance 12-09

ORDINANCE 12-09

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 11-26, THE CITY OF WINTER GARDEN FISCAL YEAR 2011-2012 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on September 21, 2011, the City Commission of the City of Winter Garden, Florida, adopted Ordinance 11-26 appropriating and allocating all revenue and funds of the City of Winter Garden, Florida for the tax year beginning October 1, 2011 and ending September 30, 2012;

WHEREAS, the City Commission has decided to amend the City of Winter Garden, Florida Budget for the tax year beginning October 1, 2011 and ending September 30, 2012 to provide for budget carryovers from the preceding budget year;

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

SECTION 1: That the sum of \$15,400,845 to be appropriated as follows:

REVENUES

General Fund	\$	-
Downtown Parking District Fund		-
Community Redevelopment Agency Fund		30,000
Local Option Gas Tax Fund		800,719
General Impact Fee Fund		292,339
Transportation Impact Fee-South of Turnpike Fund		791,637
CR 545 Special Benefit Impact Fee Fund		-
Transportation Impact Fee Fund		4,731,964
Utilities Operating Fund		1,164,856
Utilities Impact Fee Fund		4,987,453
Utilities Renewal & Replacement		2,421,189
Stormwater Fund		178,509
Solid Waste Fund		-
Trailer City Fund		<u>2,179</u>
		\$15,400,845

EXPENDITURES

General Fund	\$	-
Downtown Parking District Fund		-
Community Redevelopment Agency Fund		30,000
Local Option Gas Tax Fund		800,719
General Impact Fee Fund		292,339
Transportation Impact Fee-South of Turnpike Fund		791,637
CR 545 Special Benefit Impact Fee Fund		-
Transportation Impact Fee Fund		4,731,964
Utilities Operating Fund		1,164,856
Utilities Impact Fee Fund		4,987,453
Utilities Renewal & Replacement		2,421,189
Stormwater Fund		178,509
Solid Waste Fund		-
Trailer City Fund		<u>2,179</u>
		\$15,400,845

SECTION 2: Detail for the aforementioned totals is attached as Exhibit 1, which shall be incorporated in the Ordinance. Should any portion of this Ordinance be held invalid, then such portions as are not declared to be invalid shall remain in full force and effect.

SECTION 3: This Ordinance shall become effective upon its adoption at the second reading and public hearing.

READ FIRST TIME: February 23, 2012

READ SECOND TIME AND PUBLIC HEARING HELD: _____

APPROVED:

Mayor/Commissioner John Rees

ATTEST:

Kathy Golden, City Clerk

**City of Winter Garden
Carry Forward Budget
Ordinance 12-09**

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	Item Description
<u>General Fund</u>				
Total Revenues			-	
Executive:				
001-0213-512.61-00	01076	Land	176,451	<i>848 E. Plant Street</i>
001-0213-599.99-99		Carryforward Fund Balance	(472,806)	<i>To balance revenues/expenditures</i>
Economic Development:				
001-0215-552.34-01		Contractual Services	4,744	<i>Website Upgrades</i>
001-0215-552.48-01		Advertising	6,906	<i>Farmers' Mkt and 12 Days of Christmas</i>
Information Systems:				
001-0225-513.64-00	12019	Machinery and Equipment	32,300	<i>Downtown Audio Equipment</i>
Police:				
001-0530-521.64-00	10030	Machinery and Equipment	200,000	<i>Dispatch Consoles</i>
Streets:				
001-0741-541.63-00	06016	Improvements Other Than Buildings	1,092	<i>Tremaine St-Highland to Main</i>
001-0741-541.63-00	11039	Improvements Other Than Buildings	3,768	<i>Bicycle Racks-Downtown</i>
Parks and Recreation-Parks:				
001-0775-572.63-00	10005	Improvements Other Than Buildings	47,086	<i>Farmer's Market/Pavilion - Audio</i>
001-0872-572.63-00	09001	Improvements Other Than Buildings	459	<i>Lulu Creek Trail Design</i>
Total Expenditures			-	
<u>Downtown Parking District Fund</u>				
Total Revenues			-	
110-0741-541.63-00	10005	Improvements Other Than Buildings	2,661	<i>Farmer's Market/Pavilion - Audio</i>
110-0741-599.99-99		Carryforward Fund Balance	(2,661)	<i>To balance revenues/expenditures</i>
Total Expenditures			-	
<u>CRA Fund</u>				
120-0213-399.99-99		Use of Fund Balance	30,000	<i>To balance revenues/expenditures</i>
Total Revenues			30,000	
120-0213-552.63-00	10005	Improvements Other Than Buildings	30,000	<i>Farmer's Market/Pavilion - Audio</i>
Total Expenditures			30,000	

**City of Winter Garden
Carry Forward Budget
Ordinance 12-09**

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	Item Description
<u>Local Option Gas Tax Fund</u>				
160-0741-399.99-99		Use of Fund Balance	800,719	<i>To balance revenues/expenditures</i>
		Total Revenues	800,719	
160-0741-541.63-00	04008	Improvements Other Than Buildings	137,703	<i>Main St (Story to Vining)</i>
160-0741-541.63-00	05010	Improvements Other Than Buildings	135,884	<i>S. Main St (to Tremaine)</i>
160-0741-541.63-00	05049	Improvements Other Than Buildings	125,250	<i>Highland/Lkvw (Henderson>Newell)</i>
160-0741-541.63-00	05051	Improvements Other Than Buildings	15,184	<i>S Highland (Smith to R/R tracks)</i>
160-0741-541.63-00	06016	Improvements Other Than Buildings	108,466	<i>Tremaine (Highland to Main)</i>
160-0741-541.63-00	09037	Improvements Other Than Buildings	213,031	<i>Dillard St (Plant to Tilden)</i>
160-0741-541.63-00	10007	Improvements Other Than Buildings	15,004	<i>Dillard St (Tilden to Verna)</i>
160-0741-541.63-00	10008	Improvements Other Than Buildings	15,006	<i>Dillard St (Verna to Division)</i>
160-0741-541.63-00	11001	Improvements Other Than Buildings	18,673	<i>Midget Place (Surprise to Palm)</i>
160-0741-541.63-00	11002	Improvements Other Than Buildings	16,518	<i>S Woodland (Smith to Tremaine)</i>
		Total Expenditures	800,719	
<u>General Impact Fee Fund</u>				
170-0741-399.99-99		Use of Fund Balance	292,339	<i>To balance revenues/expenditures</i>
		Total Revenues	292,339	
170-0741-541.63-00	03042	Improvements Other Than Buildings	56,950	<i>Dillard St School Drive</i>
170-0741-541.63-00	04055	Improvements Other Than Buildings	249,205	<i>SR 50 Util Relocs-Street Lights/Undergrounding</i>
170-0741-599.99-99		Carryforward Fund Balance	(13,816)	<i>To balance revenues/expenditures</i>
		Total Expenditures	292,339	
<u>Transportation Impact Fee-South of Turnpike Fund</u>				
171-0741-399.99-99		Use of Fund Balance	791,637	<i>To balance revenues/expenditures</i>
		Total Revenues	791,637	
171-0741-541.63-00	08005	Improvements Other Than Buildings	878,950	<i>Marsh Road (CR 545 to Hickory Hammock)</i>
171-0741-581.00-00		Inter-Fund Transfer Out	-	<i>To fund S of Turnpike projects in Fund 174</i>
171-0741-599.99-99		Carryforward Fund Balance	(87,313)	<i>To balance revenues/expenditures</i>
		Total Expenditures	791,637	
<u>CR 545 Special Benefit Impact Fee Fund</u>				
		Total Revenues	-	
173-0741-541.61-00	06067	Land	294,986	<i>CR 545 S - Special Benefit</i>
173-0741-541.63-00	07018	Improvements Other Than Buildings	490,031	<i>CR 545 S - Special Benefit</i>
173-0741-599.99-99		Carryforward to Fund Balance	(785,017)	<i>To balance revenues/expenditures</i>
		Total Expenditures	-	

**City of Winter Garden
Carry Forward Budget
Ordinance 12-09**

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	Item Description
<u>Transportation Impact Fee Fund</u>				
174-0741-399.99-99		Use of Fund Balance	4,731,964	<i>To balance revenues/expenditures</i>
		Total Revenues	4,731,964	
174-0741-541.61-00	07016	Improvements Other Than Buildings	24,648	<i>Plant St ROW - 9th to 429</i>
174-0741-541.63-00	07017	Improvements Other Than Buildings	86,733	<i>Roper East Resurfacing</i>
174-0741-541.63-00	08006	Improvements Other Than Buildings	2,573,953	<i>Plant St - 9th to 429</i>
174-0741-541.63-00	09004	Improvements Other Than Buildings	1,428,630	<i>Sessions Road</i>
174-0741-541.63-00	09040	Improvements Other Than Buildings	79,859	<i>SR 50 Mast Arm Signals</i>
174-0741-541.63-00	09041	Improvements Other Than Buildings	1,207,639	<i>SR 50 Median Landscaping</i>
174-0741-541.63-00	10010	Improvements Other Than Buildings	131,627	<i>Plant St East-Segment 3</i>
174-0741-541.63-00	10022	Improvements Other Than Buildings	79,973	<i>SBW PyWindermere Rd Instrctn</i>
174-0741-599.99-99		Carryforward Fund Balance	(881,098)	<i>To balance revenues/expenditures</i>
		Total Expenditures	4,731,964	
<u>Utilities Operating Fund</u>				
410-2116-399.99-99		Use of Fund Balance	1,164,856	<i>To balance revenues/expenditures</i>
		Total Revenues	1,164,856	
410-2113-536.62-00	09034	Buildings	1,000	<i>8 N Highland Building Improv</i>
410-2113-536.91-01		Contingent Expense	150,000	<i>MaintStar System</i>
410-2113-581.91-00		Inter-Fund Transfers Out	2,421,189	<i>To Fund Renewal and Replacement Projects</i>
410-2113-599.99-99		Carryforward Fund Balance	(1,617,508)	<i>To balance revenues/expenditures</i>
410-2116-533.63-00	11004	Improvements Other Than Buildings	49,366	<i>Palmetto Elevated Tank Painting</i>
410-2116-533.63-00	11005	Improvements Other Than Buildings	49,000	<i>Fullers X Elevated Tank Painting</i>
410-2126-533.63-00	04008	Improvements Other Than Buildings	26,590	<i>Main St (Story to Vining)</i>
410-2126-533.63-00	11001	Improvements Other Than Buildings	4,554	<i>Midget Place (Surprise to Palm)</i>
410-2127-535.64-00		Machinery and Equipment	80,665	<i>Lift Station 23 Deodorizing Equipment</i>
		Total Expenditures	1,164,856	

**City of Winter Garden
Carry Forward Budget
Ordinance 12-09**

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	Item Description
<u>Utilities Impact Fee Fund</u>				
411-2116-399.99-99		Use of Fund Balance-Water	2,581,902	<i>To balance revenues/expenditures</i>
411-2117-399.99-99		Use of Fund Balance-Sewer	2,405,551	<i>To balance revenues/expenditures</i>
Total Revenues			4,987,453	
411-2117-535.63-00	08006	Improvements Other Than Buildings	250,327	<i>Plant St-9th to 429-Segment 2</i>
411-2117-535.63-00	10010	Improvements Other Than Buildings	10,502	<i>Plant St East-Segment 3</i>
411-2117-535.63-00	11006	Improvements Other Than Buildings	45,000	<i>Crest Av WWTP Electric Upgrade</i>
411-2117-535.63-00	11007	Improvements Other Than Buildings	205,000	<i>WWTP Equalization Tank</i>
411-2126-533.63-00	04055	Improvements Other Than Buildings	24,600	<i>SR 50 Utilities Relocation</i>
411-2126-533.63-00	05010	Improvements Other Than Buildings	24,581	<i>S Main St (Smith to Tremaine)</i>
411-2126-533.63-00	05049	Improvements Other Than Buildings	25,900	<i>Highland/Lkvw (Henderson>Newell)</i>
411-2126-533.63-00	05051	Improvements Other Than Buildings	3,160	<i>S Highland (Smith to R/R tracks)</i>
411-2126-533.63-00	06016	Improvements Other Than Buildings	36,114	<i>Tremaine (Highland > Main)</i>
411-2126-533.63-00	08006	Improvements Other Than Buildings	486,469	<i>Plant St-9th to 429-Segment 2</i>
411-2126-533.63-00	08030	Improvements Other Than Buildings	14,976	<i>CR 535 Util Line Relocates</i>
411-2126-533.63-00	09004	Improvements Other Than Buildings	23,375	<i>Sessions Road</i>
411-2126-533.63-00	10007	Improvements Other Than Buildings	1,277	<i>Dillard St (Tilden to Verna)</i>
411-2126-533.63-00	10008	Improvements Other Than Buildings	2,432	<i>Dillard St (Verna to Division)</i>
411-2126-533.63-00	10010	Improvements Other Than Buildings	197,425	<i>Plant St East-Segment 3</i>
411-2126-533.63-00	10015	Improvements Other Than Buildings	1,487,964	<i>Southwest Reuse Expansion</i>
411-2126-533.63-00	10016	Improvements Other Than Buildings	62,064	<i>Roper Rd East-Water</i>
411-2126-533.63-00	10017	Improvements Other Than Buildings	53,772	<i>Roper Rd East-Reuse</i>
411-2126-533.63-00	11002	Improvements Other Than Buildings	4,065	<i>S Woodland (Smith to Tremaine)</i>
411-2126-533.63-00	11003	Improvements Other Than Buildings	4,700	<i>Crest Av/Lulu Creek Culvert</i>
411-2126-533.63-00	11008	Improvements Other Than Buildings	122,444	<i>Woodlark Well #2</i>
411-2126-533.63-00	11014	Improvements Other Than Buildings	1,729	<i>Bronson's Landing Reuse Main</i>
411-2126-533.63-00	11037	Improvements Other Than Buildings	4,855	<i>SR 50 Utilities Reloc W of Avalon</i>
411-2127-535.63-00	04055	Improvements Other Than Buildings	263,158	<i>SR 50 Utilities Relocation</i>
411-2127-535.63-00	05020	Improvements Other Than Buildings	1,540,145	<i>Trunkline C Phase 6</i>
411-2127-535.63-00	08030	Improvements Other Than Buildings	16,774	<i>CR 535 Util Line Relocates</i>
411-2127-535.63-00	09004	Improvements Other Than Buildings	25,331	<i>Sessions Road</i>
411-2127-535.63-00	10009	Improvements Other Than Buildings	17,960	<i>Vineland (SR50 to Palmetto)</i>
411-2127-535.63-00	11015	Improvements Other Than Buildings	26,500	<i>Hennis Rd Gravity Sewer</i>
411-2127-535.63-00	11037	Improvements Other Than Buildings	4,854	<i>SR 50 Utilities Reloc W of Avalon</i>
Total Expenditures			4,987,453	

**City of Winter Garden
Carry Forward Budget
Ordinance 12-09**

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	<u>Item Description</u>
<u>Utilities Renewal & Replacement Fund</u>				
412-2116-381.41-00		Inter-Fund Transfer In	2,421,189	<i>To balance revenues/expenditures</i>
		Total Revenues	2,421,189	
412-2126-533.63-00	04055	Improvements Other Than Buildings	1,040,934	<i>SR 50 Utilities Relocation</i>
412-2126-533.63-00	11037	Improvements Other Than Buildings	2,958	<i>SR 50 Utilities Reloc W of Avalon</i>
412-2127-535.63-00	04008	Improvements Other Than Buildings	31,975	<i>Main St (Story to Vining)</i>
412-2127-535.63-00	04055	Improvements Other Than Buildings	1,181,476	<i>SR 50 Utilities Relocation</i>
412-2127-535.63-00	05010	Improvements Other Than Buildings	31,696	<i>S Main St (Smith to Tremaine)</i>
412-2127-535.63-00	05049	Improvements Other Than Buildings	29,500	<i>Highland/Lkvw (Henderson>Newell)</i>
412-2127-535.63-00	05051	Improvements Other Than Buildings	5,537	<i>S Highland (Smith to R/R tracks)</i>
412-2127-535.63-00	06016	Improvements Other Than Buildings	18,447	<i>Tremaine (Hghlnd>Main)</i>
412-2127-535.63-00	09037	Improvements Other Than Buildings	36,789	<i>Dillard St (Plant to Tilden)</i>
412-2127-535.63-00	10007	Improvements Other Than Buildings	3,229	<i>Dillard St (Tilden to Verna)</i>
412-2127-535.63-00	10008	Improvements Other Than Buildings	2,078	<i>Dillard St (Verna to Division)</i>
412-2127-535.63-00	11001	Improvements Other Than Buildings	5,793	<i>Midget Place (Surprise to Palm)</i>
412-2127-535.63-00	11002	Improvements Other Than Buildings	4,827	<i>S Woodland (Smith to Tremaine)</i>
412-2127-535.63-00	11003	Improvements Other Than Buildings	13,450	<i>Crest Av/Lulu Creek Culvert</i>
412-2127-535.63-00	11037	Improvements Other Than Buildings	12,500	<i>SR 50 Utilities Reloc W of Avalon</i>
		Total Expenditures	2,421,189	
<u>Stormwater Fund</u>				
420-2618-399.99-99		Use of Fund Balance	178,509	<i>To balance revenues/expenditures</i>
		Total Revenues	178,509	
420-2618-538.63-00	04008	Improvements Other Than Buildings	31,225	<i>Main St (Story to Vining)</i>
420-2618-538.63-00	05010	Improvements Other Than Buildings	33,123	<i>S Main St (Smith to Tremaine)</i>
420-2618-538.63-00	05049	Improvements Other Than Buildings	30,250	<i>Highland/Lkvw (Henderson>Newell)</i>
420-2618-538.63-00	07023	Improvements Other Than Buildings	243,691	<i>CR 535 Drainage Improv</i>
420-2618-538.63-00	09013	Improvements Other Than Buildings	44,960	<i>Lake Cove Point Underdrain</i>
420-2618-538.63-00	09037	Improvements Other Than Buildings	91,060	<i>Dillard St (Plant to Tilden)</i>
420-2618-538.63-00	10007	Improvements Other Than Buildings	5,636	<i>Dillard St (Tilden to Verna)</i>
420-2618-538.63-00	10008	Improvements Other Than Buildings	5,635	<i>Dillard St (Verna to Division)</i>
420-2618-538.63-00	11001	Improvements Other Than Buildings	5,547	<i>Midget Place (Surprise to Palm)</i>
420-2618-538.63-00	11002	Improvements Other Than Buildings	4,295	<i>S Woodland (Smith to Tremaine)</i>
420-2618-538.63-00	11003	Improvements Other Than Buildings	25,652	<i>Crest Av/Lulu Creek Culvert</i>
420-2618-599.99-99		Transfer to Fund Balance	(342,565)	<i>To balance revenues/expenditures</i>
		Total Expenditures	178,509	
<u>Solid Waste Fund</u>				
		Total Revenues	-	
430-3134-534-64.00		Machinery and Equipment	220,046	<i>Rear Load Yard Trash Truck</i>
430-3134-534-64.00		Machinery and Equipment	215,770	<i>Fully Automated Garbage/Recycle Truck</i>
430-3134-599.99-99		Transfer to Fund Balance	(435,816)	<i>To balance revenues/expenditures</i>
		Total Expenditures	-	

City of Winter Garden
 Carry Forward Budget
 Ordinance 12-09

Exhibit 1

<u>Account Number</u>	<u>Project</u>	<u>Account Description</u>	<u>Amount</u>	Item Description
<u>Trailer City Fund</u>				
450-3657-399.99-99		Use of Fund Balance	2,179	<i>To balance revenues/expenditures</i>
		Total Revenues	2,179	
450-3657-539.63-00	11011	Improvements Other Than Buildings	2,179	<i>Trailer City Electrical Upgrades</i>
		Total Expenditures	2,179	
		Grand Total	15,400,845	

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Michael Bollhoefer, City Manager

Date: February 17, 2012

Meeting Date: February 23, 2012

Subject: Interim Budget Ordinance 12-14

Issue: Amending the budget for mid-year adjustments. The interim budget is used as part of the budget process to account for changes that have occurred since the original budget was passed and to adjust for corrections in estimates used in the original budget.

Recommended action: Motion to approve Ordinance 12-14, amending the fiscal year 2011-2012 budget for mid-year adjustments and schedule the second reading and public hearing for March 8, 2012.

ORDINANCE 12-14

**AN ORDINANCE OF THE CITY OF WINTER GARDEN,
FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL
YEAR 2011-2012 BUDGET; PROVIDING FOR SEVERABILITY
AND AN EFFECTIVE DATE.**

WHEREAS, on September 21, 2011, the City Commission of the City of Winter Garden, Florida, adopted Ordinance 11-26 appropriating and allocating all revenue and funds of the City of Winter Garden, Florida for the tax year beginning October 1, 2011 and ending September 30, 2012;

WHEREAS, the City Commission has decided to amend the City of Winter Garden, Florida Budget for the tax year beginning October 1, 2011 and ending September 30, 2012 to provide for interim adjustments;

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

SECTION 1: That the sum of \$(245,825) to be appropriated as follows:

REVENUES

General Fund	\$(101,196)
Downtown Parking District Fund	(70,000)
Local Option Gas Tax Fund	-
General Impact Fee Fund	(40,849)
Transportation Impact Fee-South of Turnpike Fund	-
Transportation Impact Fee-CR545 Special Benefit Area Fund	(735,446)
Transportation Impact Fee-General Fund	(289,259)
Utility Operating Fund	725,883
Utility Impact Fee Fund	126,964
Utility Renewal and Replacement Fund	140,000
Stormwater Fund	-
Solid Waste Fund	(2,922)
Trailer City Fund	1,000
	<hr/>
	\$(245,825)

EXPENDITURES

General Fund	\$(101,196)
Downtown Parking District Fund	(70,000)
Local Option Gas Tax Fund	-
General Impact Fee Fund	(40,849)
Transportation Impact Fee-South of Turnpike Fund	-
Transportation Impact Fee-CR545 Special Benefit Area Fund	(735,446)
Transportation Impact Fee-General Fund	(289,259)
Utility Operating Fund	725,883
Utility Impact Fee Fund	126,964
Utility Renewal and Replacement Fund	140,000
Stormwater Fund	-
Solid Waste Fund	(2,922)
Trailer City Fund	1,000
	<hr/>
	\$(245,825)

SECTION 2: Detail for the aforementioned totals is attached as Exhibit 1, which shall be incorporated in the Ordinance. Should any portion of this Ordinance be held invalid, then such portions as are not declared to be invalid shall remain in full force and effect.

SECTION 3: This Ordinance shall become effective upon its adoption at the second reading and public hearing.

READ FIRST TIME: February 23, 2012

READ SECOND TIME AND PUBLIC HEARING HELD: _____

APPROVED:

Mayor/Commissioner John Rees

ATTEST:

Kathy Golden, City Clerk

EXHIBIT #1
ORDINANCE 12-14

**City of Winter Garden
Interim Budget
FYE 2012**

**City of Winter Garden
Interim Budget
FYE 2012**

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**City of Winter Garden
Interim Budget
General Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
Executive					
001-0213-314.10-00	Utility Service Taxes/Electric	\$2,640,377	\$2,610,730	\$ (126,179)	\$2,484,551
001-0213-314.30-00	Utility Service Taxes/Water	411,017	365,886	26,404	392,290
001-0213-314.40-00	Utility Service Taxes/Gas	76,717	75,181	31,854	107,035
001-0213-314.80-00	Utility Service Taxes/Propane	30,440	33,124	14,808	47,932
001-0213-315.00-00	Communications Service Tax	1,309,236	1,229,036	110,931	1,339,967
001-0213-323.10-00	Franchise Fees/Electric	2,216,903	2,161,103	(79,174)	2,081,929
001-0213-323.40-00	Franchise Fees/Gas	63,498	68,558	37,191	105,749
<i>Items underbudgeted</i>					
001-0213-325-20-00	Special Assessments	-	-	18,089	18,089
<i>Westside Townhomes not budgeted</i>					
001-0213-335.12-00	Shared Revenues/Rev Sharing	845,367	887,962	(58,674)	829,288
001-0213-335.18-00	Local Govt 1/2 Cent Sales Tax	3,979,791	4,307,513	(97,827)	4,209,686
001-0213-341-30-01	Lien Search Fee	15,275	24,498	(12,725)	11,773
001-0213-341.90-02	OCPS Collection Allowance	44,799	64,253	(44,473)	19,780
<i>Items overbudgeted</i>					
Community Development-Planning					
001-0315-369.90-00	Other Miscellaneous Revenues	11,275	10,000	15,070	25,070
<i>Item underbudgeted</i>					
Community Development-Building					
001-0324-329.02-00	Plan Review Fees	17,290	25,750	(13,830)	11,920
<i>Item overbudgeted</i>					
001-0324-389.99-99	Use of Fund Balance	-	102,336	13,830	116,166
<i>To balance decrease in budgeted revenues/expenditures</i>					
Police					
001-0521-342.10-01	Special Detail	208,222	238,608	(15,803)	222,805
001-0521-351.50-01	Court Fines	99,642	106,945	(34,254)	72,691
<i>Items overbudgeted</i>					
Public Services-Cemetery					
001-0739-343.80-05	Cemetery Lots	101,235	80,000	28,933	108,933
<i>Item underbudgeted</i>					
Engineering					
001-1016-329.03-00	Engineer Inspection Fees	10,158	8,625	14,450	23,075
001-1016-329.04-00	Review Fees	12,575	17,224	33,899	51,123
<i>Items underbudgeted</i>					
Facilities					
001-3658-362.02-00	Tanner Hall Rental Revenue	103,350	85,000	36,284	121,284
<i>Items underbudgeted</i>					
Total Revenues				<u>\$ (101,196)</u>	

**City of Winter Garden
Interim Budget
General Fund**

<u>Account Number</u>	<u>Description</u> <i>Expenditures</i>	<u>2011</u> <u>Actual</u>	<u>2012</u> <u>Current</u> <u>Budget</u>	<u>Budget</u> <u>Adjustments</u>	<u>2012</u> <u>Proposed</u> <u>Amended</u> <u>Budget</u>
Legislative					
001-0111-511.82-00	Aids to Private Organizations <i>YMCA Scholarship Fund per agreement w/ City (reimburse impact fees)</i>	500	1,900	10,000	11,900
Executive					
001-0213-599.99-99	Carryforward Fund Balance <i>To balance decrease in revenues/increase in expenditures</i>	-	637,208	(593,082)	44,126
Utility Billing					
001-0223-513.64-00	Machinery and Equipment <i>3 Motorola XTS1500 Portable Radios</i>	-	-	4,192	4,192
Information Systems					
001-0225-513.34-01	Contractual Services <i>Conduit work for AV Downtown</i>	56,782	63,450	34,155	97,605
001-0225-513.52-01	Operating Supplies <i>(6) Zero Client Wyse Boxes</i>	67,634	78,775	2,395	81,170
001-0225-513.64-00	Capital Equipment <i>Laserfiche Avante Upgrade (Mobile app and workflow)</i>	76,716	51,650	39,600	91,250
	<i>Selectron IVR Server Upgrade</i>	26,100			
		13,500			
Community Development-Building Inspection					
001-0324-524.54-03	Educational Reimbursement <i>Conduit work for AV Downtown</i>	-	-	5,267	5,267
Police-Sworn					
001-0521-521.12-00	Regular Salaries and Wages <i>Item underbudgeted</i>	3,396,904	3,318,144	33,883	3,352,027
	<i>New School Resource Officer Position for new middle school</i>	26,877			
		7,006			
001-0521-521.14-00	Overtime <i>Item underbudgeted</i>	42,316	40,000	21,385	61,385
	<i>New School Resource Officer Position for new middle school</i>	20,880			
		505			
001-0521-521.21-00	Overtime <i>New School Resource Officer Position for new middle school</i>	262,641	257,967	575	258,542
001-0521-521.22-00	Retirement Contributions <i>Item underbudgeted</i>	863,856	419,576	33,663	453,239
	<i>New School Resource Officer Position for new middle school</i>	32,727			
		936			
001-0521-521.23-00	Life and Health Insurance <i>Item underbudgeted</i>	532,679	547,394	57,229	604,623
	<i>New School Resource Officer Position for new middle school</i>	55,836			
		1,393			
001-0521-521.24-00	Workers' Compensation <i>Item underbudgeted</i>	66,918	68,949	10,904	79,853
	<i>New School Resource Officer Position for new middle school</i>	10,755			
		149			
001-0521-521.52-01	Operating Supplies-Misc <i>New School Resource Officer-Gun, Taser, Ammo, etc.</i>	102,686	108,639	6,000	114,639
	<i>New School Resource Officer-Equipment for marked vehicle</i>	2,500			
		3,500			
001-0521-521.52-04	Uniforms and Accessories <i>Item underbudgeted</i>	19,465	29,120	19,683	48,803
	<i>New School Resource Officer Position for new middle school</i>	16,773			
		2,910			
001-0521-521.54-03	Educational Reimbursement	52,169	40,000	17,880	57,880

**City of Winter Garden
Interim Budget
General Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
<i>Item underbudgeted</i>					
001-0521-521.64-00	Capital Equipment	86,865	216,670	22,000	238,670
<i>Unmarked vehicle for transition of motorcycle position to detective</i>					
Police-Communications					
001-0530-521.23-00	Life and Health Insurance	63,432	69,022	7,869	76,891
001-0530-521.46-10	Repair/Maint-Buildings	1,399	1,140	2,415	3,555
<i>Items underbudgeted</i>					
Public Services Administration					
001-0701-539.44-00	Rentals and Leases	3,020	1,194	2,938	4,132
<i>Additional money for copy machines</i>					
Public Services-Cemetery					
001-0739-539.46-10	Repairs/Maint-Buildings	106	65,000	4,364	69,364
<i>Replace damaged siding on cemetery house and repaint</i>					
001-0741-541.14-00	Overtime	5,291	6,200	(5,000)	1,200
<i>Streets crews moved to Collection reducing overtime to this account</i>					
001-0741-541.34-08	Personnel Services	7,193	-	20,000	20,000
<i>Using Command Center labor to help with street work</i>					
001-0741-541.44-00	Rentals and leases	20,896	15,700	7,000	22,700
<i>Rental equipment needed while waiting on equipment to be repaired by fleet maintenance</i>					
001-0741-541.46-02	Repairs/Maint-Equipment	16,921	16,921	2,000	18,921
<i>Mowers are now being repaired at private repair shops</i>					
001-0741-541.46-03	Vehicle Repair/Maint.	17,614	17,500	10,000	27,500
<i>Replacement of out-of-date tires per fleet maintenance</i>					
001-0741-541.52-01	Operating Supplies-Misc	14,363	7,676	10,000	17,676
<i>Increase due to miscellaneous sidewalk repairs</i>					
001-0741-541.52-04	Uniforms and Accessories	4,087	1,388	1,900	3,288
<i>Uniform costs, through Cintas, increasing each year</i>					
Human Resources					
001-745-513.34-01	Contractual Services-Misc	2,241	3,500	37,000	40,500
<i>Bravo Wellness Program</i>					
Facilities/Bldg Maint.					
001-746-539.64-00	Machinery and Equipment	15,814	14,455	2,700	17,155
<i>Electric Vehicle Door Kit</i>					
Fleet Maintenance					
001-0747-539.34-01	Contractual Services-Misc	-	725	2,860	3,585
<i>Outsourced assistance was required in order to compile tangible data for the MaintStar Impementation</i>					
001-0747-539.64-00	Machinery and Equipment	-	-	3,029	3,029
<i>Primary Air Compressor had to be replaced due to premature mechanical failure</i>					

**City of Winter Garden
Interim Budget
General Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Parks & Landscaping					
001-0775-572.43-00	Utilities	131,093	130,000	18,000	148,000
<i>Utilities for the Pavilion and interactive fountain were not budgeted</i>					
001-0775-572.34-08	Personnel Services	46,982	-	3,000	3,000
001-0775-572.44-00	Rentals and Leases	905	2,200	3,000	5,200
<i>Shoot grades prior to proceeding w/ infield improvements, rental of turf roller, extra labor force staff to install</i>					
001-0775-572.52-01	Operating Supplies	103,313	129,100	7,000	136,100
<i>Sod, soil and irrigation supplies needed for sodding the interior of Little League infields (exchange for other field upgrades they have provided)</i>					
001-0775-572.63-00	Improvements Other Than Bldg	1,433,711	424,800	30,000	454,800
<i>Fountain Shade Covers</i>					
Recreation					
001-0872-572.64-00	Machinery and Equipment	-	4,100	3,000	7,100
<i>Agreement w/ Little League to purchase 1 new scoreboard (they purchased 3)</i>					
Total Expenditures				<u>\$ (101,196)</u>	

**City of Winter Garden
Interim Budget
Downtown Parking District Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
110-0000-325.10-00	Special assessments	\$ 49,257	\$ 105,827	\$ (70,000)	\$ 35,827
<i>Item overbudgeted</i>					
Total Revenues				\$ (70,000)	
Expenditures					
110-0741-545.63-00	Improvements Other Than Bldg	\$ -	\$ -	\$ 7,537	\$ 7,537
	<i>CenturyLink Boyd St Parking Lot Driveway PN 12025</i>	<i>2,537</i>			
	<i>CenturyLink parking Lot Light PN 12025</i>	<i>5,000</i>			
110-0741-599.99-99	Transfer to fund balance	-	105,937	(77,537)	28,400
<i>To balance increase in budgeted expenditures/decrease in budgeted revenues</i>					
Total Expenditures				\$ (70,000)	

**City of Winter Garden
Interim Budget
Local Option Gas Tax Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
160-0741-312.41-00	Local Option Gas Tax	\$ 1,015,123	\$ 1,037,109	\$ (21,758)	\$ 1,015,351
<i>Item underbudgeted</i>					
160-0741-399.99-99	Use of Fund Balance	-	897,382	<u>21,758</u>	919,140
<i>To balance increase in budgeted revenues</i>					
Total Revenues				<u><u>-</u></u>	
Expenditures					
Total Expenditures				<u><u>-</u></u>	

**City of Winter Garden
Interim Budget
General Impact Fee Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
Police					
170-0521-324.11-00	Impact Fees-Residential	48,880	47,814	(10,374)	37,440
<i>Item overbudgeted</i>					
Fire					
170-0622-324.11-00	Impact Fees-Residential	63,920	62,526	(13,566)	48,960
<i>Item overbudgeted</i>					
Recreation					
170-0872-324.61-00	Impact Fees-Residential	126,148	113,533	<u>(16,909)</u>	96,624
<i>Item overbudgeted</i>					
Total Revenues				<u>\$ (40,849)</u>	
Expenditures					
Police					
170-0521-521.64-00	Machinery and Equipment	\$ -	\$ -	\$ 35,660	\$ 35,660
<i>New School Resource Officer-Marked Vehicle</i>		<i>32,010</i>			
<i>New School Resource Officer-Light Bar for Vehicle</i>		<i>1,350</i>			
<i>New School Resource Officer-Laptop Computer</i>		<i>2,300</i>			
170-0521-599.99-99	Carryforward Fund Balance	-	49,587	(46,034)	3,553
<i>To balance decrease in budgeted revenues</i>					
Fire					
170-0622-599.99-99	Carryforward Fund Balance	-	66,112	(13,566)	52,546
<i>To balance decrease in budgeted revenues</i>					
Recreation					
170-0872-599.99-99	Carryforward Fund Balance	-	1,553,785	<u>(16,909)</u>	1,536,876
<i>To balance decrease in budgeted revenues/increase in budgeted expenditures</i>					
Total Expenditures				<u>\$ (40,849)</u>	

**City of Winter Garden
Interim Budget
Transportation Impact Fees-South of Turnpike**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
<i>Revenues</i>					
Total Revenues				\$ -	
<i>Expenditures</i>					
171-0741-541.63-00	Capital Improvements	\$ 418,820	\$ -	\$ 39,746	\$ 39,746
	<i>Sessions School Rd PN 09004</i>	<i>39,746</i>			
171-0741-599.99-99	Carryforward Fund Balance	-	87,313	<u>(39,746)</u>	47,567
<i>To balance increase in expenditures</i>					
Total Expenditures				\$ -	

City of Winter Garden
Interim Budget
Transportation Impact Fees-CR545 Special Benefit Area

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
Streets					
173-0741-324-31-00	Impact Fees-Residential	605,119	722,412	(672,604)	49,808
173-0741-324-32-00	Impact Fees-Commercial	-	62,842	<u>(62,842)</u>	-
<i>Items underbudgeted</i>					
Total Revenues				<u>\$ (735,446)</u>	
Expenditures					
Streets					
173-0741-590.90-00	Transfer to Fund Balance	\$ -	\$ 9,639,808	<u>\$ (735,446)</u>	\$ 8,904,362
<i>To balance decrease in budgeted revenues</i>					
Total Expenditures				<u>\$ (735,446)</u>	

**City of Winter Garden
Interim Budget
Transportation Impact Fees-General**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
Administration					
174-0213-361.10-00	Interest	\$ 60,672	\$ 53,209	\$ (10,823)	\$ 42,386
<i>Item overbudgeted</i>					
Streets					
174-0741-324.31-00	Impact Fees-Residential	644,877	629,589	(147,432)	482,157
174-0741-324.32-00	Impact Fees-Commercial	177,127	198,300	<u>(125,004)</u>	73,296
<i>Items overbudgeted</i>					
Total Revenues				<u>\$ (283,259)</u>	
Expenditures					
174-0741-541.63-00	Improvements Other Than Bldg	\$ 2,595,001	\$ -	311,089	311,089
	<i>SBW Pkwy/SR 429 Ramp Modifications PN 12001</i>	<i>13,407</i>			
	<i>W Plant St & Avalon Rd Intersection Improve PN 12026</i>	<i>297,682</i>			
174-0741-599.99-99	Carryforward Fund Balance	-	881,098	<u>(594,348)</u>	286,750
<i>To balance decrease in revenues/increase in expenditures</i>					
Total Expenditures				<u>\$ (283,259)</u>	

**City of Winter Garden
Interim Budget
Utility Operating Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
410-2116-334.31-00	State Grants	\$ -	\$ -	\$ 200,000	\$ 200,000
<i>SJRWMD Grant For FlexNet Auto Meter Reading System</i>					
410-2116-343.30-00	Water Service	4,351,724	3,894,945	328,356	4,223,301
410-2116-343.50-00	Sewer Service	4,621,096	4,584,612	134,386	4,718,998
410-2116-361.10-00	Interest	147,344	138,240	21,293	159,533
<i>Items underbudgeted</i>					
410-2126-369.90-00	Other Miscellaneous Rev	24,842	-	<u>41,848</u>	41,848
<i>Reimbursement for Water Main Break</i>					
Total Revenues				<u>\$ 725,883</u>	
Expenditures					
Administration					
410-2113-536.31-01	Professional Svcs-Misc	\$ 12,386	\$ 50,800	\$ 57,500	\$ 108,300
<i>Water and Wastewater Cost of Service Study</i>					
410-2113-536.31-02	Legal Services	95,468	13,000	54,193	67,193
<i>Additional cost due to legal services for the City's CUP</i>					
410-2113-536.31-04	Engineering Services	26,278	6,000	15,381	21,381
<i>Additional cost due to engineering services for the City's CUP</i>					
410-2113-581.91-00	Intra-Fund Transfer Out	2,382,137	911,030	140,000	1,051,030
<i>To fund Renewal and Replacement Projects</i>					
410-2113-599.99-99	Carryforward Fund Balance	-	1,617,508	(177,112)	1,440,396
<i>To balance budgeted revenues/expenditures</i>					
Water					
410-2116-533.34-01	Contractual Services	42,047	40,549	6,163	46,712
<i>FDEP and EPA sampling requirements</i>					
410-2116-533.52-03	Gasoline and Oil	10,397	7,500	5,515	13,015
<i>Emergency generator fuel at Water Treatment Plants</i>					
410-2116-533.62-00	Buildings	-	-	5,695	5,695
<i>Replace HVAC equipment at Palmetto WTP</i>					
410-2116-533.64-00	Machinery and Equipment	-	40,600	5,590	46,190
<i>4 Motorola Portable XTS Radios</i>					
Wastewater					
410-2117-535.34-01	Contractual Services	101,892	315,000	15,000	330,000
<i>Added sampling cost due to reclaim water</i>					
410-2117-535.46-01	Repair/Maint Svcs-Misc	45,195	35,500	15,275	50,775
<i>Need to rebuild blower motor</i>					
410-2117-535.52-02	Chemicals	185,156	165,333	53,900	219,233
<i>Additional chemical costs and deodorizers for odor control</i>					
410-2117-535.52-04	Uniforms and Accessories	3,495	4,251	1,000	5,251
<i>Increase in cost of uniform service</i>					
410-2117-535.64-00	Machinery and Equipment	-	57,817	2,795	60,612
<i>2 Motorola Portable XTS1500 Radios</i>					

**City of Winter Garden
Interim Budget
Utility Operating Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Distribution					
410-2126-533.14-00	Overtime	9,365	7,545	1,500	9,045
<i>Emergency after hour calls for water problems</i>					
410-2126-533.44-00	Rentals and Leases	3,834	2,500	1,075	3,575
<i>Rentals for special projects and down equipment</i>					
410-2126-533.46-01	Repair/Maint-Misc	12	100	615	715
<i>Small repairs to misc objects or tools</i>					
410-2126-533.46-03	Vehicle Repair/Maint.	11,863	5,147	1,525	6,672
<i>Misc repairs and maintenance to vehicles</i>					
410-2126-533.46-07	Repair/Maint-Utility Lines	55,254	65,398	21,450	86,848
<i>Repairs to water main and street from contractor rupturing a 8" water main on Crest Ave. They were billed for damages</i>					
410-2126-533.52-03	Gasoline and Oil	22,232	65,398	1,500	66,898
<i>Fuel for day to day use in service trucks and equipment</i>					
410-2126-533.52-04	Uniforms and Accessories	4,332	4,578	1,200	5,778
<i>Employee uniforms from Cintas</i>					
410-2126-533.63-00	Improvements Other Than Bldg	-	30,750	440,000	470,750
<i>Upgrade Auto Radio Meter Reading System-FlexNet (Partially funded by a \$200,000 grant) PN 12022</i>					
410-2126-533.64-00	Machinery and Equipment	-	123,986	11,180	135,166
<i>8 Motorola Portable XTS1500 Radios</i>					
Collection					
410-2127-535.14-00	Overtime	15,040	8,296	12,601	20,897
<i>Overtime moved from streets and stormwater</i>					
410-2127-535.41-04	Internet Services	2,179	-	1,200	1,200
<i>Nextel internet charges not budgeted</i>					
410-2127-535.46-02	Repairs/Maint-Equipment	7,842	4,850	7,000	11,850
<i>Increase needed to send equipment out to a private repair shop</i>					
410-2127-535.52-02	Chemicals	1,261	4,800	6,450	11,250
<i>Purchase of Micro-Solve to decrease sewer odors</i>					
410-2127-535.52-04	Uniforms and Accessories	6,095	6,417	1,800	8,217
<i>Uniform costs, through Cintas, increasing each year</i>					
410-2127-535.64-00	Capital Equipment	-	89,000	12,577	101,577
<i>9 Motorola Portable XTS1500 1.5 Radios</i>					
Environmental Services					
410-2132-537.46-02	Repair/Maint-Equipment	727	500	2,275	2,775
<i>Repair and replacement parts for backflow devices</i>					
410-2132-537.48-01	Advertisement-Legal, Other	14,832	5,000	815	5,815
<i>FFL demonstration gardens (Jessie Brock & Pavillion</i>					
410-2132-537.52-01	Operating Supplies-Misc	337	152	225	377
<i>Tent for special events</i>					
Total Expenditures				<u>\$ 725,883</u>	

**City of Winter Garden
Interim Budget
Utility Impact Fee Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
Water					
411-2116-324.21-00	Impact Fees-Residential	\$ 240,326	\$ 241,032	\$ 80,846	\$ 321,878
<i>Items (overbudgeted) underbudgeted</i>					
411-2116-399.99-99	Use of Fund Balance-Water	-	1,205,677	46,118	1,251,795
<i>To balance budgeted revenues/expenditures</i>					
Wastewater					
411-2117-324.21-00	Impact Fees-Residential	244,391	276,113	(113,548)	162,565
411-2117-324.22-00	Impact Fees-Commercial	17,447	25,473	(25,473)	-
<i>Items (overbudgeted) underbudgeted</i>					
411-2117-399.99-99	Use of Fund Balance-Sewer	-	636,281	139,021	775,302
<i>To balance decrease in budgeted revenues</i>					
Total Revenues				<u>\$ 126,964</u>	
Expenditures					
Distribution					
411-2126-533.63-00	Improv Other Than Building	\$ -	\$ 1,566,363	<u>\$ 126,964</u>	\$ 1,693,327
<i>Daniels Rd/CR535 Reuse Water Main Reloc PN 12024</i>		<i>126,964</i>			
Total Expenditures				<u>\$ 126,964</u>	

City of Winter Garden
Interim Budget
Utility Renewal and Replacement Fund

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
412-2116-381.41-00	Interfund Transfer	2,382,137	\$ 911,030	<u>\$ 140,000</u>	\$ 1,051,030
<i>Transfer from Operating Fund</i>					
Total Revenues				<u>\$ 140,000</u>	
Expenditures					
Distribution					
412-2126-533.63-00	Improv Other Than Building		- \$ 200,000	<u>\$ 140,000</u>	\$ 340,000
<i>Water Dist. Upsizing to Heller Bros.</i>		<i>140,000</i>			
Total Expenditures				<u>\$ 140,000</u>	

City of Winter Garden
Interim Budget
Stormwater Fund

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
Total Revenues				\$ -	
Expenditures					
420-2618-538.31-01	Professional Services-Misc <i>Windward Cay underdrains</i>	\$ 1,450	\$ 889	\$ 4,440	\$ 5,329
420-2618-538.34-12	Tipping Fees <i>Tipping fees increased due to running two sweepers</i>	17,067	16,563	2,900	19,463
420-2618-538.46-03	Repairs/Maint-Vehicles <i>Increase needed to send vehicles out to a private shop for repair</i>	36,333	12,862	20,435	33,297
420-2618-599.99-99	Transfer to Fund Balance <i>To balance increase in budgeted expenditures</i>	-	342,565	<u>(27,775)</u>	314,790
Total Expenditures				\$ -	

**City of Winter Garden
Interim Budget
Solid Waste Fund**

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
430-3134-343.41-01	Residential Service Charges	\$ 2,728,944	\$ 2,621,342	\$ 108,648	\$ 2,729,990
430-3134-343.41-02	Commercial Service Charges	1,370,279	1,426,165	<u>(111,570)</u>	1,314,595
<i>Items (over)/underbudgeted</i>					
Total Revenues				<u>\$ (2,922)</u>	
Expenditures					
430-3134-534.14-00	Overtime	\$ 46,693	\$ 53,500	\$ 3,269	\$ 56,769
<i>Increase needed for additional yard waste driver on Wednesdays and for delivering new garbage and recycling carts. Pressure washing streets.</i>					
430-3134-534.31-01	Professional Svcs-Misc	4,148	51,011	48,500	99,511
<i>Solid Waste Rate Study</i>					
430-3134-534.34-08	Personnel Services	172,122	150,000	51,381	201,381
<i>Labor Pool needed to assist with solid waste collection activities</i>					
430-3134-534.52-03	Gasoline and Oil	221,745	180,000	33,552	213,552
<i>Added an additional truck to recycling route and increase in fuel cost</i>					
430-3134-534.52-04	Uniforms and Accessories	14,064	16,000	2,618	18,618
<i>Increases due to Cintas Uniform Service</i>					
430-3134-534.64-00	Machinery and Equipment	-	126,489	13,975	140,464
<i>10 Motorola Portable XTS1500 Radios</i>					
430-3134-599.99-99	Transfer to Fund Balance	-	802,391	<u>(156,217)</u>	646,174
<i>To balance decrease in budgeted revenues/increase in budgeted expenditures</i>					
Total Expenditures				<u>\$ (2,922)</u>	

City of Winter Garden
Interim Budget
Trailer City Fund

<u>Account Number</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Current Budget</u>	<u>Budget Adjustments</u>	<u>2012 Proposed Amended Budget</u>
Revenues					
450-3657-399.99-99	Use of Fund Balance	\$ -	\$ 2,815	<u>\$ 1,000</u>	\$ 3,815
<i>To balance increase in budgeted expenditures</i>					
Total Revenues				<u>\$ 1,000</u>	
Expenditures					
450-3657-539.49-05	Licenses/Taxes/Certifications	\$ 33,091	\$ 29,439	<u>\$ 1,000</u>	\$ 30,439
<i>Taxes came in to be more than budgeted for</i>					
Total Expenditures				<u>\$ 1,000</u>	

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: *Jay Conn, Director, Parks and Recreation Department*

Via: City Manager Mike Bollhoefer

Date: Feb. 13, 2012

Meeting Date: Feb. 23, 2012

Subject: *Recommendation to close Plant St. between 7-8:30am on April 28, 2012 to accommodate the "Run in the Garden" 5K road race.*

Issue:

The owner of the Tri-n-Run running shop in Winter Garden, Mr. Jerry Pegram, has requested to again hold the "Run in the Garden" 5K road race on Saturday April 28, 2012 at 7:30am. His previous races required only temporary road closure to accommodate runners but the current race route is modified slightly so that it would be necessary to close Plant St. between 7 and 8:30am. Mr. Pegram is requesting permission to do this.

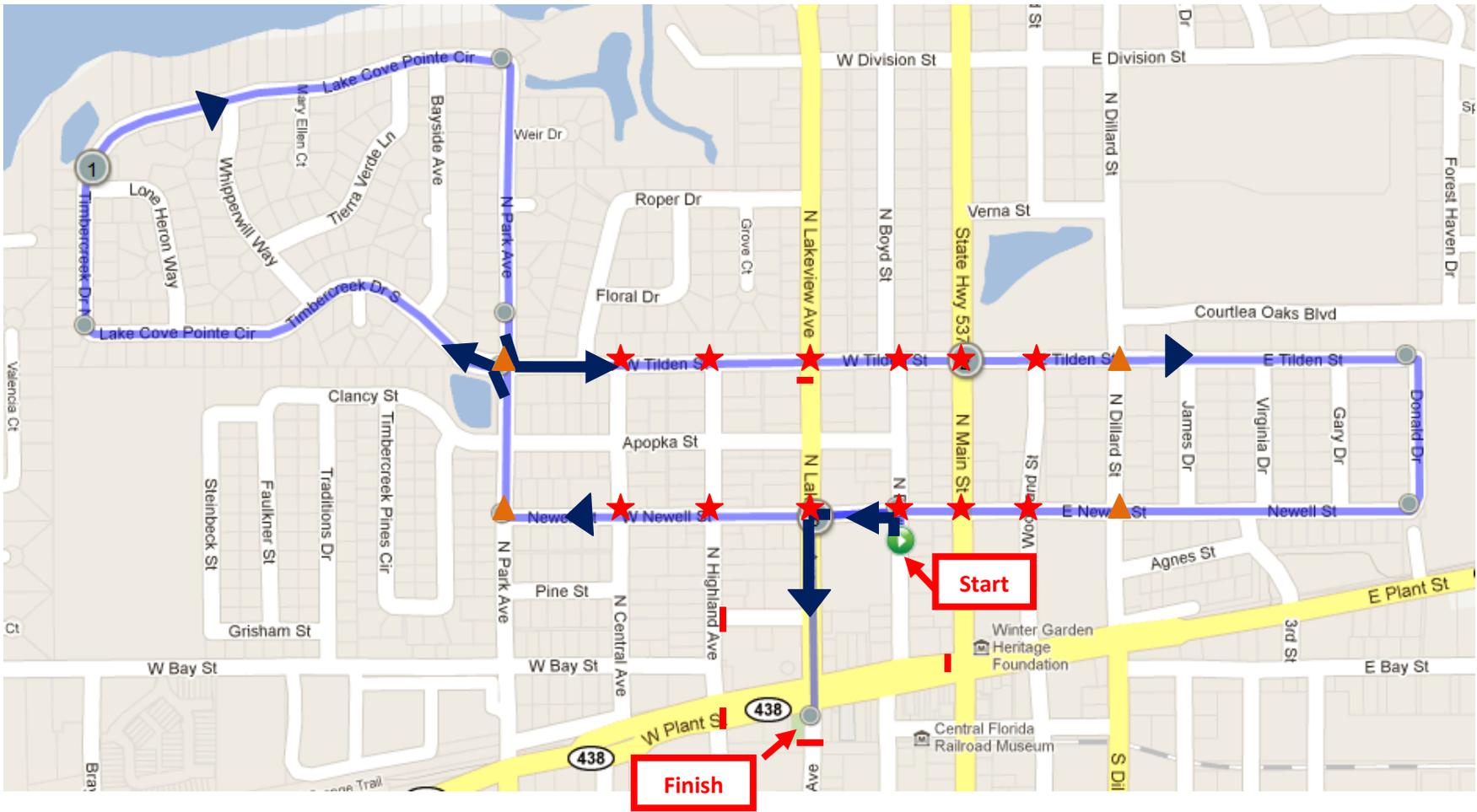
He has gained the approval of the Historic Downtown Merchants Guild to hold this race and has agreed to reimburse the city for staff costs incurred during this event. His races are now getting between 500-600 participants and the crowd is beneficial for the farmers market as well as well as the restaurants that are serving breakfast at this time in the morning.

Recommended action:

Move to approve the closure of Plant St. to accommodate the Run in the Garden 5k road race between 7-8:30am on April 28, 2012.

Attachments/References:

Event Application
Race Map



- ▲ - Police officer
- ★ - Volunteer to monitor/temporarily hold vehicular traffic



CITY OF WINTER GARDEN
PARKS & RECREATION DEPARTMENT
31 NORTH DILLARD STREET
WINTER GARDEN, FL 34787
PHONE: (407) 656-4155
WWW.WINTERGARDEN-FL.GOV

WINTER GARDEN • A charming little city with a juicy past.

CITY OF WINTER GARDEN SPECIAL EVENT APPLICATION

SPECIAL EVENTS ON CITY PROPERTY WHERE 500 OR MORE PEOPLE ARE REASONABLY ANTICIPATED TO BE IN ATTENDANCE OR WHERE THERE ARE REQUESTS FOR STREET CLOSURE WILL REQUIRE PRIOR APPROVAL BY THE CITY COMMISSION, AT LEAST FOUR WEEKS PRIOR TO THE SCHEDULED EVENT. THE APPLICANT MUST COMPLETE ALL OF THE FOLLOWING INFORMATION.

ORGANIZATION/GROUP: Tri N Run of West Orange NON PROFIT CORP INDIV.

NAME OF EVENT: 6th Annual Run in the Garden 5K Run/Walk

CONTACT/REPRESENTATIVE: Jerry Pegrum PHONE # 407-905-4786

ALT. PHONE: 407-435-5536 EMAIL: jerry@trnrun.com

EVENT LOCATION: Downtown W.G. PROPOSED DATES: April 28, 2012

HOURS: 6am - 9:30am ESTIMATED DAILY ATTENDANCE: 600

PLEASE CHECK ALL OF THE FOLLOWING THAT APPLY:

TYPE OF EVENT	EVENT DETAILS	EQUIPMENT AT EVENT
<input type="checkbox"/> FESTIVAL	<input type="checkbox"/> ADMISSION CHARGE/TICKET SALES	<input checked="" type="checkbox"/> AMPLIFIED SPEAKING/MUSIC
<input type="checkbox"/> EXHIBIT(S)	<input type="checkbox"/> ALCOHOL SERVED	HOURS OF: <u>7am - 9:30am</u>
<input type="checkbox"/> CARNIVAL/CIRCUS/FAIR	<input type="checkbox"/> ALCOHOL SALES	<input type="checkbox"/> PORTABLE RESTROOMS
<input type="checkbox"/> GENERAL MEETING	<input type="checkbox"/> FIREWORKS/PYROTECHNICS	<input checked="" type="checkbox"/> SPORTS EQUIPMENT
<input type="checkbox"/> PARADE	<input type="checkbox"/> FOOD VENDORS: # OF _____	<input type="checkbox"/> STAGE/PROPS/PRODUCTION
<input type="checkbox"/> BLOCK PARTY OR PICNIC	<input type="checkbox"/> MERCHANDISE VENDORS: # OF _____	<input checked="" type="checkbox"/> TABLES: # OF & SIZE _____
<input checked="" type="checkbox"/> SPORTING EVENT/COMPETITION	<input checked="" type="checkbox"/> OPEN TO PUBLIC	<input checked="" type="checkbox"/> TEMPORARY EVENT SIGNAGE
<input type="checkbox"/> WEDDING/RECEPTION	<input checked="" type="checkbox"/> STREET/SIDEWALK CLOSURE:	<input type="checkbox"/> DUMPSTERS/RECEPTACLES
<input type="checkbox"/> REVIVAL	HOURS OF: <u>7am - 9am</u>	<input checked="" type="checkbox"/> INMATEL DEVICES
<input type="checkbox"/> OTHER: (EXPLAIN) _____	<input type="checkbox"/> CITY WATER USED	<input type="checkbox"/> COOLING EQUIP. USED.
_____	<input checked="" type="checkbox"/> EVENT HELD PREVIOUSLY	<input type="checkbox"/> GAS OPEN FLAME _____
_____	<input checked="" type="checkbox"/> CITY ELECTRIC USED	OTHER: _____



CITY OF WINTER GARDEN
PARKS & RECREATION DEPARTMENT
310 NORTH DILLARD STREET
WINTER GARDEN, FL 34787
PHONE: (407) 656-4155
WWW.WINTERGARDEN-FL.GOV

PLEASE PROVIDE A GENERAL DESCRIPTION OF THE EVENT THAT INCLUDES ALL FEATURES BEING PROPOSED TO TAKE PLACE. ELABORATE ON ANY OF THE ABOVE CHECKED ITEMS IF NECESSARY: (USE BACK IF NECESSARY)

Same as our Fall event. Race will finish by splash pad. Temporary street closure needed and will coordinate with Jay Conn and police department. Police assistance needed on course as well. Event continues to grow. Thanks for your support!

THE FOLLOWING SHOULD ACCOMPANY YOUR APPLICATION: (APPROVAL PROCESS WILL NOT BEGIN UNTIL THESE ARE SUBMITTED)

- COPY OF 501C-3 FORM SIGNIFYING NON-PROFIT STATUS (IF APPLICABLE)
- SITE PLAN INDICATING ALL AFFECTED AREAS, STREETS PROPOSING TO BE CLOSED, TEMPORARY POWER SOURCES TO BE INSTALLED, PORTABLE RESTROOM LOCATIONS, VENDOR PLACEMENT, PARADE ROUTE OR ANY OTHER SIGNIFICANT FEATURES
- COPY OF APPLICANT'S INSURANCE CERTIFICATE NAMING THE CITY OF WINTER GARDEN AS ADDITIONALLY INSURED. (SEE NEXT PAGE FOR INDIVIDUALS AND GROUPS WITHOUT INSURANCE)
- IF ATTENDANCE IS REASONABLY ANTICIPATED TO BE GREATER THAN 100 PEOPLE YOU SHOULD ALSO INCLUDE A PLAN FOR:
- SANITATION - RESTROOMS, PORT-O-LET PLACEMENT, POTABLE WATER, TRASH RECEPTACLES & COLLECTION PLAN, ETC.
- PARKING AND TRAFFIC - REROUTING TRAFFIC AROUND BLOCKED STREETS, PARKING FOR EVENT PARTICIPANTS, ETC.
- MEDICAL CARE - FIRST AID STATIONS, EMS SERVICES, AMBULANCE ON SITE, ETC.
- SECURITY - OFF-DUTY OFFICERS SCHEDULED, SECURITY SERVICE UTILIZED, # OF EVENT STAFF IN ATTENDANCE, ETC.

FOR OFFICE USE ONLY	
REC: _____	SCHEDULED FOR MEETING OF: _____
PD: _____	
FIRE: _____	
PW: _____	OTHER: _____

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Ed Williams, Community Development Director

Via: Mike Bollhoefer, City Manager

Date: February 20, 2012

Meeting Date: February 23, 2012

Subject: Request for relocation of existing pain management clinic

Issue:

A pain management clinic (Pain Care First) has been operating at 1201 Winter Garden Vineland Road Suite 4B since June 1, 2006 and requests to relocate the business to 13650 West Colonial Drive Suite 100.

Ordinance 12-10 amended the Pain Management Temporary Moratorium (Ordinance 11-10) to allow relocation of existing pain management clinics upon approval by City Commission.

Pain Care First requests approval to relocate the existing business and has provided the following support documents as required by Ordinance 12-10:

- Application signed and sworn by the applicant and medical director including:
 - Name and post office address of applicant and medical director
 - Statement that no controlled substance will be dispensed
 - Registration number from State Department of Health
 - Professional License and DEA Number for Medical Director
 - List of persons associated with the management or operation of the pain management clinic
 - Floor plan of pain management clinic
 - Sworn statement to the following: the pain management clinic shall be operated by a medical director, shall not limit the form of payment to cash only, shall maintain at the clinic the diagnostic equipment to diagnose and treat patients complaining of chronic pain, and that the dispensing of controlled substances for the treatment of chronic non-malignant pain must be done in compliance with all applicable State and Federal Laws and Regulations.

Recommended action:

Staff recommends approval of the request from Pain Care First to relocate the pain management clinic from the present location at 1201 Winter Garden Vineland Road Suite 4B to the proposed location at 13650 West Colonial Drive Suite 100.



**Community Development
Planning & Zoning**

LUR 12-043
FEB 15 2012
Received By: *Williams*

COMMUNITY DEVELOPMENT DEPARTMENT
300 WEST PLANT STREET
WINTER GARDEN, FLORIDA 34787

P: 407.656.4111
F: 407.654.1258
WWW.WINTERGARDEN-FL.GOV

LAND USE REVIEW APPLICATION

THIS REVIEW IS USED IN CONJUNCTION WITH THE LOCAL BUSINESS TAX APPLICATION PRIOR TO RECEIVING YOUR LOCAL BUSINESS TAX, THIS FORM MUST BE COMPLETED BY THE APPLICANT AND APPROVED BY THE PLANNING AND ZONING DEPARTMENT. PLEASE PROVIDE THE COMPLETED FORM WITH YOUR LOCAL BUSINESS TAX APPLICATION. **(AN INCOMPLETE FORM WILL CAUSE A DELAY IN PROCESSING.)**

APPLICANT / BUSINESS INFORMATION:

NAME OF APPLICANT: C R (Buddy) Long
 ADDRESS: 5036 Dr. Phillips Blvd, Suite 337
 CITY: Orlando STATE: FL ZIP: 32819
 TELEPHONE: 321-251-4462 FACSIMILE: 888-469-1872 EMAIL: buddy.long@floridapaincare.com
 NAME OF BUSINESS: Pain Care Management of Orlando, LLC dba Pain Care First
 BUSINESS ADDRESS (IF DIFFERENT FROM ABOVE): 1201 Winter Garden Vineland Rd, Suite 4B
 CITY: Winter Garden STATE: FL ZIP: 34787

PROPOSED LOCATION / PROPERTY OWNER INFORMATION:

PROPOSED ADDRESS: 13650 West Colonial Drive, Suite 100
 CITY: Winter Garden STATE: FL ZIP: 34787
 PROPERTY OWNER NAME: Grant Street Corporation
 ADDRESS: 3041 Tindall Acres Rd.
 CITY: Kissimmee STATE: FL ZIP: 34744
 TELEPHONE: 334-441-0037 FACSIMILE: _____ EMAIL: _____

BUSINESS OPERATION INFORMATION:

SQUARE FOOTAGE OF OCCUPIED SPACE (UNIT): 1,367
 HOW MANY PARKING SPACES ARE PROVIDED? 10
 HOW MANY CUSTOMERS DO YOU ANTICIPATE VISITING YOUR LOCATION EACH DAY? 20
 WILL YOU BE SELLING/DISPLAYING/STORING ANY GOODS OR MERCHANDISE OUTSIDE? Yes No
 HOW MANY EMPLOYEES WILL YOU HAVE? 3 WHERE WILL THEY PARK THEIR VEHICLE? General Parking Lot
 IS YOUR BUSINESS A RESTAURANT? Yes No If Yes, Provide Number of Seats? _____
 DO YOU USE A TRAILER FOR YOUR BUSINESS? Yes No If Yes, Where Do You Store It? _____
 TYPE OF BUSINESS: Health Care Clinic - Pain Management Clinic
 BUSINESS DESCRIPTION (IN DETAIL EXPLAIN BUSINESS OPERATION): Medical care for patients suffering from chronic, intractable pain

SIGNATURE OF APPLICANT:

I, C R (Buddy) Long, OWN, RENT/LEASE (CIRCLE ONE), THE PROPERTY LISTED ABOVE AND WILL BE USING THIS LOCATION IN THE OPERATION OF THE ABOVE LISTED BUSINESS. I CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IF ANY INFORMATION IS FOUND TO BE FALSE OR MISREPRESENTED, SUCH FACT MAY BE JUST CAUSE FOR IMMEDIATE REVOCATION OF ANY TAX RECEIPT ISSUED TO ME.

[Signature]
 APPLICANT'S SIGNATURE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 13 DAY OF Feb, 2012 BY [Signature] C R (Buddy) Long
 WHO DID NOT TAKE AN OATH.

PERSONALLY KNOWN OR;
 PRODUCED IDENTIFICATION / TYPE OF ID PRODUCED _____



BILLIEJO CRUZ
 MY COMMISSION # DD 89 Notary Seal
 EXPIRES: May 20, 2013
 Bonded Thru Budget Notary Services

[Signature]
 SIGNATURE OF NOTARY



LAND USE REVIEW APPROVAL – PART 1

APPLICANT NAME: PAIN CARE MANAGEMENT OF ORLANDO, LLC DBA PAIN CARE FIRST (BUDDY LONG) YES NO SCMD PERMIT REQUIRED
 PROPOSED ADDRESS: 13650 WEST COLONIAL DRIVE, BUILDING B-1 SUITE 100 YES NO DFDP PERMIT REQUIRED
WEST OAKS COMMERCE PARK COMMERCIAL CONDOMINIUMS YES NO ABT LICENSE REQUIRED
 REVIEW No.: LUR12-043 **PART 2 COMPLETION REQUIRED** YES NO

PLANNING & ZONING

SITE / BUILDING REVIEW

YES NO REQUIRE SITE PLAN REVISION
 YES NO SUBJECT TO DOWNTOWN OVERLAY REQUIREMENTS
 YES NO SUBJECT TO WSR50 OVERLAY REQUIREMENTS

PARKING / PARKING IMPACT FEES

CURRENT PARKING 10 PARKING SPACES
 REQUIRED PARKING 3 PARKING SPACES PER 1,000 SQFT
 YES NO SUFFICIENT PARKING
 YES NO SUBJECT TO PARKING IMPACT FEES OR TRUE-UP
N/A PRIOR PARKING IMPACT FEES PAID
N/A PROPOSED USE PARKING IMPACT FEE AMOUNT
N/A **PARKING IMPACT/TRUE-UP FEE AMOUNT DUE**

ROAD IMPACT FEES

YEAR BUILT 2007
 YES NO SUBJECT TO ROAD IMPACT FEES OR TRUE-UP
\$7,406.75 PRIOR ROAD IMPACT FEES PAID
\$19,188.155 PROPOSED USE ROAD IMPACT FEE AMOUNT
\$11,781.40 **ROAD IMPACT/TRUE-UP FEE AMOUNT DUE**

WATER / WASTE WATER IMPACT FEES

YES NO SUBJECT TO WWW IMPACT FEES OR TRUE-UP
\$594.14 PRIOR WWW IMPACT FEES PAID
N/A PROPOSED USE WWW IMPACT FEE AMOUNT
N/A **WWW IMPACT/TRUE-UP FEE AMOUNT DUE**

COMMENTS:

CHANGES OF THE WATER METER SIZE FOR THE PROPOSED BUSINESS MAY REQUIRE WATER/WASTE WATER IMPACT/TRUE-UP FEE AMOUNT.

CONDITIONS OF APPROVAL:

THE PROPOSED USE OF A HEALTH CARE CLINIC – PAIN MANAGEMENT CLINIC REQUIRES AN IMPACT/TRUE-UP FEE AMOUNT OF \$11,781.40 FROM A REGULAR OFFICE USE TO A MEDICAL OFFICE TYPE OF USE.

ZONING / USE VERIFICATION

PRIOR USES / BUSINESS TAX WEIGHT LOSS CLINIC PROPOSED USE PAIN MANAGEMENT CLINIC
 YES NO PERMITTED USE
SPECIAL EXCEPTION PERMIT
 YES NO A) MAY APPLY
 YES NO B) APPLIED
 CURRENT ZONING C - 2 DATE OF APPROVAL _____
 FUTURE LAND USE COM

CODE ENFORCEMENT

YES NO N/A OUTSTANDING CODE VIOLATIONS
 AMOUNT DUE _____
 TYPE/DESCRIPTION: _____
2/15/2012 CORRINA WILLIAMS
 DATE AUTHORIZING SIGNATURE

FINANCE

YES NO N/A OUTSTANDING FEES OWED TO CITY
 AMOUNT DUE _____
 TYPE/DESCRIPTION: _____
2/15/2012 CORRINA WILLIAMS
 DATE AUTHORIZING SIGNATURE

PLANNING & ZONING APPROVAL/DENIAL

APPROVED
 APPROVED WITH CONDITIONS
 DENIED

DATE _____ AUTHORIZING SIGNATURE _____

APPROVAL OF THIS LAND USE REVIEW DOES NOT AUTOMATICALLY GRANT APPROVAL FOR ANY CITY BUSINESS TAX RECEIPT APPLICATION OR PROVIDE EXEMPTION FROM ANY BUILDING CODE, FIRE CODE OR LAND DEVELOPMENT CODE REQUIREMENTS.

LAND USE REVIEW APPROVAL – PART 2

INSTRUCTIONS: CITY STAFF IS TO COMPLETE THIS PAGE AS VERIFICATION THAT ALL PLANNING DEPARTMENT AND OTHER DEPARTMENT INFORMATION HAS BEEN COMPLETED/SATISFIED.

APPLICANT NAME: PAIN CARE MANAGEMENT OF ORLANDO, LLC DBA PAIN CARE FIRST (BUDDY LONG)
 PROPOSED ADDRESS: 13650 WEST COLONIAL DRIVE, BUILDING B-1 SUITE 100
WEST OAKS COMMERCE PARK COMMERCIAL CONDOMINIUMS
 REVIEW NO.: LUR12-043

DEPARTMENT / DIVISION VERIFICATIONS-APPROVALS

BUILDING

- BUILDING REVIEW YES NO N/A
- GREASE TRAP-RESTAURANTS YES NO N/A

CONDITIONS OF APPROVAL:

The proposed use of this building is allowed by the City building codes.

Any improvements or addition of partition walls, electric circuits, plumbing, air conditioning or similar work will require a complete set of plans submitted by a licensed contractor to obtain a permit from the Building Department.

- APPROVED
- APPROVED WITH CONDITIONS
- DENIED

2/16/12

2/16/12

DATE

AUTHORIZING SIGNATURE

FIRE DEPARTMENT

- FIRE REVIEW YES NO N/A

CONDITIONS OF APPROVAL:

- APPROVED
- APPROVED WITH CONDITIONS
- DENIED

DATE

AUTHORIZING SIGNATURE

ANY IMPROVEMENTS OR ADDITIONS OF PARTITION WALLS, ELECTRIC CIRCUITS, PLUMBING, AIR CONDITIONING OR SIMILAR WORK WILL REQUIRE A PERMIT FROM THE BUILDING DIVISION. A COMPLETE SET OF ARCHITECTURAL PLANS FOR INTERIOR AND/OR EXTERIOR ALTERATIONS FOR THE PROPOSED USE MUST BE SUBMITTED TO THE BUILDING DIVISION PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION OR CONSTRUCTION.

YOUR NEXT STEP...

SUBMISSION OF THE CITY BUSINESS TAX RECEIPT APPLICATION AND ANY OTHER REQUIRED PERMITS OR LICENSES, PER YOUR APPLICATION APPROVAL.

ANY TYPE OF TEMPORARY OR PERMANENT SIGN SHALL BE DESIGNED IN COMPLIANCE WITH CHAPTER 102 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES. FOR PROPERTIES WITHIN THE WEST STATE ROAD 50 COMMERCIAL CORRIDOR SEE CHAPTER 118, ARTICLE IX. FOR PROPERTIES LOCATED WITHIN THE HISTORIC DOWNTOWN DISTRICT SEE CHAPTER 98 ARTICLE VII.



1201 WINTER GARDEN VINELAND RD
SUITE 4B
WINTER GARDEN, FL 34787-4380
Office: (407) 905-0012
Fax: (407) 905-4988

February 15, 2012

City of Winter Garden
300 West Plant Street
Winter Garden, FL 34787

Re: Application to Relocate Pain Care Management of Orlando, LLC

Dear Sirs:

Pain Care Management of Orlando, LLC dba Pain Care First is a pain management clinic treating patients suffering from intractable pain. The clinic is located at 1201 Winter Garden Vineland Rd, Suite 4B and has been treating patients at this location since June 1, 2006. The practice was purchased January 29, 2009, and although not pleased with the location, we were required to extend the lease for 3 years. The current lease expires May 31, 2012 and we want to relocate the clinic to a more appropriate, patient-friendly site located at 13650 West Colonial Dr, Suite 100.

Pursuant to the City of Winter Garden Ordinance 12-10, the enclosed application provides the City Commission the required information to consider our request for the relocation of Pain Care First.

Thank you in advance for your thoughtful consideration.

Sincerely,



C. R. (Buddy) Long
Managing Member

PAIN CARE FIRST OF ORLANDO, LLC
dba PAIN CARE FIRST
APPLICATION FOR RELOCATION

APPLICANT:

C. R. (Buddy) Long
2454 Baesel View Dr.
Orlando, FL 32825-7916

MEDICAL DIRECTOR:

Axel W. Anderson III, MD
622 Penn Place
Winter Park, FL 32789
Medical License: ME 104078
DEA Registration: FA1352917

CONTROLLED SUBSTANCES DISPENSED:

None Dispensed

REGISTRATIONS:

Florida Department of Health – Pain Management Clinic: PMC 386 (attached)
Agency for Health Care Administration (AHCA): HCC8854 (attached)

LIST OF OWNERS / EMPLOYEES / PHYSICIANS:

Axel W. Anderson III, M.D.
Medical Director
622 Penn Place
Winter Park, FL 32789
(407) 435-3186
DOB: 09/29/1929
Criminal Convictions: None
FL Driver License: A536-019-29-349-0 (attached)
No Financial Interest in a Pharmacy

Billie Jo Cruz
Medical Office Manager
2071 Piedmont Park Blvd
Apopka, FL 32703
(407) 358-8071
DOB: 01/23/1971
Criminal Convictions: None
FL Driver License: C620-060-71-523-0 (attached)
No Financial Interest in a Pharmacy

PAIN CARE FIRST OF ORLANDO, LLC
dba PAIN CARE FIRST
APPLICATION FOR RELOCATION

David D. Folkerth, D.O.
Owner/Member
2326 Gnarled Oak
Lutz, FL 33549
(813) 949-8689
DOB: 08/09/1939
Criminal Convictions: None
FL Driver License: F426-164-39-289-0 (attached)
No Financial Interest in a Pharmacy

Anna B. Long
Owner/Member
2454 Baesel View Dr
Orlando, FL 32835-7916
(407) 491-3509
DOB: 02/20/1949
Criminal Convictions: None
FL Driver License: L520-042-49-560-0 (attached)
No Financial Interest in a Pharmacy

Connie R. (Buddy) Long
Owner/Managing Member
2454 Baesel View Dr
Orlando, FL 32835-7916
(407) 587-5218
DOB: 06/02/1952
Criminal Convictions: None
FL Driver License: L520-116-52-202-0 (attached)
No Financial Interest in a Pharmacy

FLOOR PLAN:

Proposed Site - West Oaks Commerce Park, 13650 West Colonial Dr, Suite 100 (attached)

LAND USE REVIEW APPLICATION:

Application for West Oaks Commerce Park, 13650 West Colonial Dr, Suite 100 (attached)

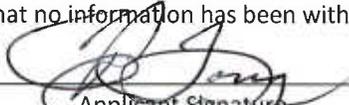
PAIN CARE FIRST OF ORLANDO, LLC
dba PAIN CARE FIRST
APPLICATION FOR RELOCATION

SWORN STATEMENT AND AGREEMENT:

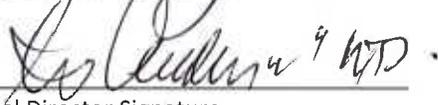
Pursuant to the City of Winter Garden Ordinance 12-10, I agree that:

- a) The pain management clinic shall be operated by the medical director;
- b) The pain management clinic shall not limit the form of payment for services or prescriptions to cash only;
- c) The pain management clinic shall maintain at the clinic the diagnostic equipment to diagnose and treat patients complaining of chronic pain as provided for by the appropriate standard of care; and
- d) The dispensing of controlled substances for treatment of chronic non-malignant pain must be done in compliance with all applicable state and federal laws and regulations.

Having been duly sworn, I certify that the foregoing statements and attachments are all true and correct in all aspects and that no information has been withheld that may affect the review of this application or granting approval of the relocation.


Applicant Signature

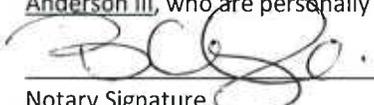
Managing Member
Title/Position


Medical Director Signature

Medical Director
Title/Position

Notary Certification:

Sworn to (or affirmed) and subscribed before me this 15th day of February, 2012, by C. R. (Buddy) Long and Axel W. Anderson III, who are personally known to me and did take an oath.


Notary Signature

Printed Notary Information:

Name: Billiejo Cruz

Address: _____

City/State/Zip: _____

Telephone: (____) _____



BILLIEJO CRUZ
MY COMMISSION # DD 891111
EXPIRES: May 20, 2013
Bonded Thru Budget Notary Services

AC# 4202976

STATE OF FLORIDA
DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE

COPY

DATE	LICENSE NO.	CONTROL NO.
12/23/2010	ME 104078	336675

The **MEDICAL DOCTOR**
named below has met all requirements of
the laws and rules of the state of Florida.

Expiration Date: **JANUARY 31, 2013**
AXEL WILLIAM ANDERSON, III
1201 WINTER GARDEN VINELAND RD
#4B
WINTER GARDEN, FL 34787

QUALIFICATION(S):
DISPENSING PRACTITIONER



Charlie Crist
GOVERNOR



Ana M. Viamonte Ros, M.D., M.P.H.
STATE SURGEON GENERAL

DISPLAY IF REQUIRED BY LAW

copy

ANDERSON, AXEL W MD
1201 WINTER GARDEN VINELAND RD
SUITE 4B
WINTER GARDEN, FL 34787-0000-000



DEA REGISTRATION NUMBER	THIS REGISTRATION EXPIRES	FEE PAID
FA1352917	06-30-2012	FEE PAID
SCHEDULES	BUSINESS ACTIVITY	ISSUE DATE
2,2N, 3,3N,4,5,	PRACTITIONER	04-24-2009
ANDERSON, AXEL W MD 1201 WINTER GARDEN VINELAND RD SUITE 4B WINTER GARDEN, FL 34787-0000		

CONTROLLED SUBSTANCE REGISTRATION CERTIFICATE
UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
WASHINGTON D.C. 20537

Sections 304 and 1008 (21 USC 824 and 958) of the Controlled Substances Act of 1970, as amended, provide that the Attorney General may revoke or suspend a registration to manufacture, distribute, dispense, import or export a controlled substance.

THIS CERTIFICATE IS NOT TRANSFERABLE ON CHANGE OF OWNERSHIP, CONTROL, LOCATION, OR BUSINESS ACTIVITY, AND IT IS NOT VALID AFTER THE EXPIRATION DATE.

CONTROLLED SUBSTANCE REGISTRATION CERTIFICATE
UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
WASHINGTON D.C. 20537

DEA REGISTRATION NUMBER	THIS REGISTRATION EXPIRES	FEE PAID
FA1352917	06-30-2012	FEE PAID
SCHEDULES	BUSINESS ACTIVITY	ISSUE DATE
2,2N, 3,3N,4,5,	PRACTITIONER	04-24-2009
ANDERSON, AXEL W MD 1201 WINTER GARDEN VINELAND RD SUITE 4B WINTER GARDEN, FL 34787-0000		

Sections 304 and 1008 (21 USC 824 and 958) of the Controlled Substances Act of 1970, as amended, provide that the Attorney General may revoke or suspend a registration to manufacture, distribute, dispense, import or export a controlled substance.

THIS CERTIFICATE IS NOT TRANSFERABLE ON CHANGE OF OWNERSHIP, CONTROL, LOCATION, OR BUSINESS ACTIVITY, AND IT IS NOT VALID AFTER THE EXPIRATION DATE.

Axel W. Anderson III, M.D.

Dr. Axel W. Anderson III has dedicated his career to the treatment of cancer.

At Orlando Regional Medical Center, Dr. Anderson served as:

Chief of Internal Medicine

Chief of Hematology

Chief of Staff

Chairman of the Oncology Committee

Dr. Anderson formed a medical practice specializing in hematology-oncology. He was a member of the Board of Directors for the MD Anderson Cancer Center in Orlando.

Dr. Anderson served as an assistant clinical professor in the Department of Medicine at the University of Florida. He also served on the Advisory Board for Hospice of Central Florida.

Dr. Anderson's extensive experience in the treatment of cancer patients makes him uniquely qualified to care for the chronic pain of our patients.

We are fortunate to have a doctor of his caliber and compassion.



Located 1 block south of Colonial / Highway 50 on
Winter Garden Vineland Road / SR 535



PAIN CARE FIRST

1201 Winter Garden Vineland Rd, Suite 4B
Winter Garden, FL 34787

Phone: 407-905-0012

Fax: 407-905-4988



PAIN CARE FIRST



Experience ❖ *Dedication*
Compassion

(407) 905-0012

Services Provided



One in six Americans suffer from chronic pain, according to Alternative Medicine Integration of Florida LLC and the American Pain Foundation.

Physicians refer their chronic pain patients to Pain Care First for pain management because they know their patients will be treated with dignity and compassion.

Patients remain with their primary care physician, chiropractor, acupuncturist or other health care provider while we focus on their chronic pain.

Our patients refer their loved ones who suffer from chronic pain to Pain Care First because they are able to regain hope and find extended relief.

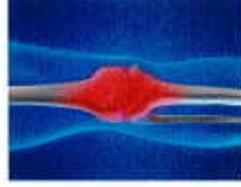
Treating Patients With:

- Spinal Pain ❖ Neck and Back Pain ❖ Failed Surgery
- Patients Who Refuse Surgery ❖ Fibromyalgia ❖ End of Life
- Neuropathic Pain ❖ Anxiety Due To Chronic Pain
- Hip, Knee, Joint or Other Bone Replacements
- Amputation ❖ Pain from Surgical Hardware

Treatment Includes:

An individualized treatment plan of medications or other therapies specifically tailored for each patient which is:

- ❖ Affordable With or Without Insurance
- ❖ Highly Effective
- ❖ Continually Monitored
- ❖ With Minimal Side Effects



Initial Consultation:

- ❖ Perform Physical Examination
- ❖ Review Patient's History
- ~ MRI's, X-rays, Lab Reports
- ~ Surgeries & Invasive Procedures
- ~ Previous Pain Management Treatment
- ~ Medication History

- ❖ Create Individualized Treatment Plan
- ~ Educate Patient in Proper Pain Management
- ~ Prescribe Trial Medication Regimen
- ~ Refer Patient, if Required, for:
 - Physical Therapy
 - Invasive Procedures
 - Psychological Evaluation
 - Diagnostic Testing

Follow-Up Consultations Every 28 Days:

- ❖ Evaluate Patient's Progress
- ❖ Continue Pain Management Education
- ❖ Adjust Medication Regimen As Needed
- ❖ Maintain Current Diagnostic Reports

PAIN CARE FIRST

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AC# 3787350

STATE OF FLORIDA
DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE

DATE	REGISTRATION NO.	CONTROL NO.
02/05/2010	PMC 386	386

AC# 3787350

STATE OF FLORIDA
DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE

DATE	REGISTRATION NO.	CONTROL NO.
02/05/2010	PMC 386	386

THE PAIN MANAGEMENT CLINIC
NAMED BELOW HAS REGISTERED WITH
THE DEPARTMENT OF HEALTH.
Expiration Date: DOES NOT EXPIRE

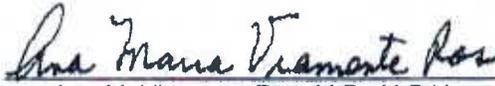
PAIN CARE MANAGEMENT OF ORLANDO, LLC
PAIN MANAGEMENT CLINIC DIR.:
AXEL WILLIAM ANDERSON, III

THE PAIN MANAGEMENT CLINIC
NAMED BELOW HAS REGISTERED WITH
THE DEPARTMENT OF HEALTH.
Expiration Date: **DOES NOT EXPIRE**
PAIN CARE MANAGEMENT OF ORLANDO, LLC
PAIN MANAGEMENT CLINIC DIR.:
AXEL WILLIAM ANDERSON, III
1201 WINTER GARDEN VINELAND RD
SUITE #4B
WINTER GARDEN, FL 34787

THIS CLINIC IS REGISTERED PURSUANT TO 458.309(4) OR 459.005(3), FLORIDA STATUTES



Charlie Crist
GOVERNOR



Ana M. Viamonte Ros, M.D., M.P.H.
STATE SURGEON GENERAL

DISPLAY IF REQUIRED BY LAW

EXPIRATION DATE: **DOES NOT EXPIRE**

YOUR REGISTRATION NUMBER IS **PMC 386**. ANY CHANGES TO THIS REGISTRATION MUST BE SUBMITTED IN WRITING TO THE DEPARTMENT OF HEALTH.

THE FACILITY MUST DISPLAY THE REGISTRATION CERTIFICATE IN A CONSPICUOUS LOCATION WITHIN THE FACILITY READILY VISIBLE TO ALL PATIENTS.

REGISTRANT SIGNATURE

DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE
LICENSURE SERVICES
4052 BALD CYPRESS WAY, BIN #C-10
TALLAHASSEE, FLORIDA 32399-3260

CERTIFICATE #: 19650

LICENSE #: HCC8854

State of Florida
AGENCY FOR HEALTH CARE ADMINISTRATION
DIVISION OF HEALTH QUALITY ASSURANCE
**HEALTH CARE CLINIC
STANDARD**

This is to confirm that PAIN CARE MANAGEMENT OF ORLANDO LLC has complied with the rules and regulations adopted by the State of Florida, Agency for Health Care Administration, authorized in Chapter 400, Part X, Florida Statutes, and as the licensee is authorized to operate the following:

PAIN CARE FIRST
1201 WINTER GARDEN VINELAND RD STE 4B
WINTER GARDEN, FL 34787

File # 9241

EFFECTIVE DATE: 09/02/2010

LICENSE EXPIRATION DATE: 09/01/2012

Elizabeth Judek

Interim Secretary, Agency for Health Care Administration

Florida *The Sunshine State*
DRIVER LICENSE CLASS E
A536-019-29-349-0



AXEL WILLIAM ANDERSON III
622 PENN PLACE
WINTER PARK, FL 32789-2400
DOB **09-29-1929** SEX: M HGT: 6-00
ISSUED: 07-23-2007
EXPIRES: 09-29-2013
REST-A
ENDORSE
DUPLICATE: 01-14-2008



ORGAN DONOR
G010801140070 SAFE DRIVER
Operation of a motor vehicle constitutes consent to any sobriety test required by law.

Florida *The Sunshine State*
DRIVER LICENSE CLASS E
C620-060-71-523-0

BILLIEJO CRUZ
2071 PIEDMONT PARK BLVD
APOPKA, FL 32703-7661
DOB: 01-23-1971 SEX: F HGT: 5-03
ISSUED: 12-26-2007
EXPIRES: 01-23-2014
REST:
ENDORSE:
DUPLICATE: 08-25-2008

B. Cruz

G700808250102 SAFE DRIVER
Operation of a motor vehicle constitutes consent to any sobriety test required by law.

Florida *Sunshine State*
DRIVER LICENSE CLASS E
F426-164-39-289-0

DAVID DALE
FOLKERTH
2325 CHARLED OAK AVE
LUTZ, FL 33549-5904
DOB: 09-09-1958 SEX: M
ISSUED: 12-31-2008 HT: 5-11
EXPIRES: 09-09-2018
SEX: M
EYES: BRN



Operation of a motor vehicle constitutes consent to any sobriety test required by law

Florida *The Sunshine State*
DRIVER LICENSE CLASS E
L520-042-49-560-0

ANNA BETH LONG
2464 BAESEL VIEW DR
ORLANDO, FL 32838-7916
DOB: 02-20-1949 SEX: F HGT: 5-05
ISSUED: 03-03-2007
EXPIRES: 02-20-2013
REST: AG
ENDORSE:

AB Long

X82070030469 SAFE DRIVER
Operator of a motor vehicle constitutes consent to any sobriety test required by law.

Florida *The Sunshine State*
DRIVER LICENSE CLASS E
L520-116-52-202-0



CORINNE RAY LONG
2484 BAESEL VIEW DR
ORLANDO, FL 32835-7916
DOB: 06-02-1952 SEX: M HGT: 5-03
ISSUED: 03-03-2007
EXPIRES: 06-02-2014
RESTRICTIONS: NONE



X520703030470 SAFE DRIVER
Operation of a motor vehicle constitutes consent to any suitability test required by law.

EXISTING DRIVEWAY

ELECTRIC SERVICE & METER BANK

LANDSCAPE



EXISTING STOREFRONT GLASS

125a PANEL EXISTING

NEW OPENING # 42" AFF. WITH PASS THROUGH TEMP. GLASS PANELS

WAITING 17'-8"

Remodeled Reception 14'-8" x 18'-10"

Remodeled Lobby 17'-8" x 15'-2"

TYP. NON-BRG. WALLS TO BE REMOVED

NEW LOW WALL AT 42" AB. FIN. FLOOR W. FINISHED COUNTER

CLEAR FLOOR SPACE

TYP. NEW WALL

TYP. EXISTING STOREFRONT UNIT

TYP. EXISTING STEEL COLUMN

TYP. EXISTING 8" CMU WALL

EXAM

Existing Office 13'-0" x 9'-10" "TO REMAIN UNDISTURBED"

EXAM

Existing Office 14'-8" x 10'-0" "TO REMAIN UNDISTURBED"

Existing Hall

PHYSICIAN

Existing Office 13'-0" x 9'-0" "TO REMAIN UNDISTURBED"

"TO REMAIN UNDISTURBED"

EXISTING COVERED WALK

CLEAR FLOOR SPACE

TYP. NEW WALL

EXISTING PLUMBING WALL

EXISTING HALL

Existing Office 13'-0" x 9'-0" "TO REMAIN UNDISTURBED"

EXISTING LANDICAP CANTAIN
FIRE ISHER

EXISTING 3068

EXISTING TOILET RM.

NEW PRIVATE TOILET RM.

Remodeled Lounge 17'-8" x 6'-8"

NEW 3068

REUSE EXISTING CABINETS & SINK

NOTE: DO NOT PENETRATE FIRE WALL. ALL PLUMBING TO BE IN CHASE WALLS

UNIT "2" EXISTING SHELL

EXISTING ONE HOUR FIRE WALL

34'-0"

42'-6"

Accept this drawing as the Build-out Design

EXISTING DRIVEWAY

EXISTING WALL

EXISTING WALL

EXISTING WALL

EXISTING LANDICAP CANTAIN
FIRE ISHER

EXISTING DRIVEWAY

EXISTING WALL