



CITY COMMISSION

AGENDA

REMOTE ELECTRONIC ATTENDANCE

**As per State of Florida – Office of the Governor
EXECUTIVE ORDER NUMBER 20-69**

(Visit link below for details to join this meeting or offer Public Comment)

<http://www.cwgd.com/Calendar.aspx?EID=134>

300 W. Plant Street
Winter Garden, Florida

REGULAR MEETING

May 14, 2020

6:30 p.m.

CALL TO ORDER

Determination of a Quorum

Opening Invocation and Pledge of Allegiance

1. APPROVAL OF MINUTES

Regular Meeting Minutes – April 23, 2020

Special Meeting Minutes – May 4, 2020

2. PRESENTATION

A. **Proclamation 20-01:** Proclaiming Apraxia Awareness Day – **Mayor Rees**

3. SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES

A. **Ordinance 20-16:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.82 ± ACRES LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE

B. **Ordinance 20-17:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 0.82 ± ACRES OF LAND LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET FROM ORANGE COUNTY LOW-MEDIUM DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

- C. **Ordinance 20-18:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.82 ± ACRES LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET; FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY R-2 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE – **Community Development Director Pash**

4. **REGULAR BUSINESS**

- A. Recommendation to approve Police Department purchase of gym and exercise equipment utilizing \$10,932 from Fiscal Year 2019-2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – JAG Countywide – State Solicitation, with public comment – **Police Chief Graham**

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

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

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

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

ADJOURN to **Regular Meeting** on Thursday, **May 28, 2020** at **6:30 p.m.** in City Hall Commission Chambers, 300 W. Plant Street, 1st floor

NOTICES:

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

Any opening invocation that is offered before the official start of the Commission meeting shall be the voluntary offering of a private person, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Commission or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Commission Chambers or exit the City Commission Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance. (Reference Resolutions 15-04 and 16-02)

	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 x2297.		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained at the meeting from the Information Technology Department (407) 656-4111 x5455.
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CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

April 23, 2020

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida via Remote Electronic Attendance as per State of Florida, Office of the Governor (Executive Order Number 20-69). An Opening Invocation and Pledge of Allegiance given.

Present: Mayor John Rees and Commissioners

Lisa L. Bennett – District 1

Bob Buchanan – District 2

Mark A. Maciel – District 3

Colin Sharman – District 4

Also Present: City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Angee Grimmage, Assistant City Manager of Administrative Services Frank Gilbert, Assistant City Manager of Public Services Jon Williams, Community Development Director Stephen Pash, Information Technology Director Chad Morrill, Fire Chief Matt McGrew and Police Chief Stephen Graham

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve regular meeting minutes of April 9, 2020 as submitted. Seconded by Commissioner Maciel and carried unanimously 5-0.

2. **REGULAR BUSINESS**

A. **RESOLUTION 20-01**: A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, (THE "CITY") PERMITTING PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAMS WITHIN THE CORPORATE LIMITS OF THE CITY OF WINTER GARDEN; APPROVING AGREEMENTS WITH THE FLORIDA GREEN FINANCE AUTHORITY, THE FLORIDA RESILIENCY AND ENERGY DISTRICT AND THE FLORIDA PACE FUNDING AGENCY AND THE GREEN CORRIDOR PACE DISTRICT; UTILIZING VOLUNTARY NON-AD VALOREM ASSESSMENTS TO FINANCE QUALIFYING IMPROVEMENTS ONLY ON COMMERCIAL PROPERTIES; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE SAID AGREEMENTS; AND PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, SCRIVENER'S ERRORS, LIMITATION OF CITY LIABILITY, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE

City Attorney Ardaman read Resolution 20-01 by title only. City Manager Bollhoefer stated that this program provides for the borrowing of funds to increase energy efficiency. He informed that this request is for providing the program to commercial properties and described repayment through a special assessment on the property and some of the energy efficient items included.

Mayor Rees inquired as to whether this is only for buildings, noting prior discussions on recharge stations. City Manager Bollhoefer noted that he believes it is just for buildings, but staff would look into the matter; noting an extensive amount of paperwork involved in this type of funding and that it may explain why it is generally used for larger projects.

Motion by Commissioner Buchanan to approve Resolution 20-01. Seconded by Commissioner Sharman and carried unanimously 5-0.

- B. Recommendation to approve distribution of \$11,083 awarded Edward Byrne Memorial Justice Assistance Grant (JAG) Local Solicitation funds to purchase entry tools for use by Police Department SWAT team, with public comment

Police Chief Graham stated that this is a 2019 grant for local solicitation of the Edward Byrne Memorial. He noted that the Police Department requests utilizing the funds in an amount of \$11,083 to purchase entry tools used by the Police SWAT team. He also noted that this request requires allowing the public to comment.

Commissioner Maciel inquired as to whether this grant is one the City applied for last year and received. Police Chief Graham responded with an explanation of the Federal funding backlog and slow disbursement of the funds; noting that this is a matter of catch up. Commissioner Maciel inquired as to whether this was the total amount. Police Chief Graham responded that it is this amount with a reduction of three percent (3%) for required crime reporting, making the actual amount received \$10,751.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting several minutes and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Maciel to approve distribution of \$11,083 awarded Edward Byrne Memorial Justice Assistance Grant (JAG) Local Solicitation funds to purchase entry tools for use by Police Department SWAT team. Seconded by Commissioner Bennett and carried unanimously 5-0.

- C. Recommendation to approve Binding Lot Agreement for 945, 951, and 933 Carter Road (Palm Coast Enterprise)

City Manager Bollhoefer stated Palm Coast Enterprise would like to expand their business. He displayed a map, described the location, and displayed a concept drawing of the proposed building; noting that it is almost identical to the existing building. The proposed use of the building is for collision work on high-end cars and is to be built adjacent to the existing building. Discussion ensued regarding names displayed on the buildings.

Motion by Commissioner Bennett to approve the Binding Lot Agreement for 945, 951, and 933 Carter Road (Palm Coast Enterprise). Seconded by Commissioner Buchanan and carried unanimously 5-0.

D. Selection of Mayor Pro-Tem

Mayor Rees opened the discussion for nominations. Commissioner Maciel nominated Commissioner Buchanan, who expressed honor in accepting.

Motion by Commissioner Maciel to appoint Commissioner Buchanan as Mayor Pro-Tem. Seconded by Commissioner Bennett and carried unanimously 5-0.

Mayor Rees commented that Commissioner Buchanan had done a good job in the past as Mayor Pro-Tem and expressed his appreciation.

3. **MATTERS FROM PUBLIC**

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting several minutes and receiving no public calls or comments, he closed the public hearing.

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

5. **MATTERS FROM CITY MANAGER**

A. Recommendation to approve Right-of-Way Maintenance Agreement for 707 West Plant Street (Garden West)

City Manager Bollhoefer described the project location, addressed maintenance requirements of the right-of-way and items within the community; noting this agreement as standard with most subdivisions. Commissioner Buchanan asked if everything had been addressed with Duke Energy. Mr. Bollhoefer indicated he was not aware if the right-of-way inside the subdivision had been addressed with Duke Energy, but said it would be a requirement in order to get the Certificate of Occupancy (COs).

Motion by Commissioner Buchanan to approve the Right-of-Way Maintenance Agreement for 707 West Plant Street (Garden West). Seconded by Commissioner Maciel and carried unanimously 5-0.

JAG Grant

City Manager Bollhoefer inquired of Police Chief Graham about the JAG Grant process. He asked if an amount is provided, then items found that qualify. Police Chief Graham responded that the information provided to our agency is of the exact amount it would receive. He explained that there are two types of grants, local solicitation and Countywide, which they split among agencies. City Manager Bollhoefer thanked Police Chief Graham and noted that he just sought clarification on the grant and its process.

Coronavirus Update

City Manager Bollhoefer noted that there have been no changes since the last Coronavirus update, but anticipates that the Governor will take some action next week.

Commissioner Sharman inquired as to the County's authority in this mandate. City Manager Bollhoefer responded that the County could change how they process certain items and possibly their procedures, but the Governor's Executive Order becomes the law of the State. City Attorney Ardaman confirmed that the Governor orders are the controlling orders.

6. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Buchanan thanked all people doing essential work throughout the City on the front lines. He recognized that they put their lives at risk and hope they all have protective items needed to stay safe.

Commissioner Buchanan inquired about the status of the parks, such as Tucker Ranch, whether they closed. City Manager Bollhoefer responded that the parks have not been closed and explained that the City does not have the capability of sanitizing those areas. There was discussion on some playground areas safeguarded with caution tape and some individuals chased away, but the City does not have any real way of enforcement. Mr. Bollhoefer noting that one of the Governor's orders provides for people being outside and exercising.

Commissioner Maciel thanked City Manager Bollhoefer; noting that he is not sure if everyone was aware of the food distributions in East Winter Garden. He expressed that this is an amazing thing that the City is doing and wanted his appreciation shared with staff. He noted the City is doing something it is not equipped to do, as we do not have social services. He noted getting great feedback from the neighborhood. City Manager Bollhoefer shared how staff from different departments took part in the effort, as well as volunteers from a local church. He shared that the reception from the community has been very good.

Commissioner Sharman echoed earlier comments, thanking City staff as well as Winter Garden citizens working in the grocery stores and those on the front lines. He empathized with those who are struggling financially during these tough times.

Mayor Rees also echoed empathy for those who are struggling and encouraged support of local restaurants and businesses when possible.

The meeting adjourned at 6:53 p.m.

ATTEST:

APPROVED:

City Clerk Angee Grimage, CMC

Mayor John Rees



CITY OF WINTER GARDEN

CITY COMMISSION SPECIAL MEETING MINUTES

May 4, 2020

A **SPECIAL MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 2:00 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida via Remote Electronic Attendance as per State of Florida, Office of the Governor (Executive Order Number 20-69). An Opening Invocation and Pledge of Allegiance given.

Present: Mayor John Rees and Commissioners

Lisa L. Bennett – District 1

Bob Buchanan – District 2

Mark A. Maciel – District 3

Colin Sharman – District 4

Also Present: City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Angee Grimmage, Assistant City Manager of Administrative Services Frank Gilbert, Assistant City Manager of Public Services Jon Williams, Finance Director Laura Zielonka, Information Technology Director Chad Morrill, Police Chief Stephen Graham and Parks & Recreation Director Laura Coar

1. SPECIAL MEETING MATTERS

- A. **Ordinance 20-24:** AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, CONFIRMING THE GOVERNOR'S DECLARED STATE OF EMERGENCY; ADOPTING THE GOVERNOR'S PLAN FOR PHASED REOPENING OF THE CITY AS SET FORTH IN EXECUTIVE ORDER NO. 20-112; ESTABLISHING RULES SUPPLEMENTARY TO EXECUTIVE ORDER NO. 20-112; AUTHORIZING THE CITY MANAGER TO ISSUE EMERGENCY ORDERS AND RULES PURSUANT TO §§ 252.38 AND 252.46, FLORIDA STATUTES; AND PROVIDING FOR NON-CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 20-24 by title only. City Manager Bollhoefer stated that the primary purpose of this Ordinance is to reaffirm the Governor's declaration of a state of emergency. He addressed changes to Section 4 (a) that initially stated occupancy included employees of the business, but after review of other emergency orders, discovered it does not. He noted a change to Section 5 authorizing the City Manager, in case there are any changes in between meetings, to implement the change without calling an emergency meeting each time there is a change. He noted that all changes subject to reaffirmation by the City Commission at their next meeting. Mr. Bollhoefer explained the reasons for including the language. He indicated that there is the issue of whether or not the Governor would deem Barber and Beauty Shops as an essential business; at this point, the Governor had not made a decision. In the event the Governor does open these businesses, the City would want to follow suit, especially if other Orange County areas are doing so.

City Manager Bollhoefer noted that the City would also require restaurants close at 10:30 p.m. during the week due to the curfew, noting an opportunity for everyone to

get home in time. He stated that the second reason is people would only eat up to a certain hour. In the spirit of the law, bars were not open with this item, only restaurants. He spoke of discussions with the merchants and the implementation of a 10:00 p.m. last call. Mayor Rees inquired and discussion ensued on employees having enough time to shut down and still get out and get home before curfews.

Mayor Rees addressed Section 4 (b) and social distancing for indoor dining and the restaurants responsibilities for regulating this requirement. Discussion ensued on spacing of tables, the numbers allowed in order to stay within regulation, and regulation differences between indoor and outdoor seating. Mr. Bollhoefer shared a map of areas in the City where angled parking would be set up to increase outdoor space for some of the restaurants. Areas would be fenced, accommodating restaurants offering curbside, takeout, and some outside dining. He noted use of items such as umbrellas for the tables and possible tents for more of an indoor-outdoor experience.

Commissioner Buchanan inquired of the timeframe for the start of stage two. Mr. Bollhoefer replied that the Governor has stated that when measuring these phases, it would be a matter of weeks, not months. He noted that it would depend on the percentages. There was discussion on occupancy and the potential for the numbers to change. Commissioner Buchanan noted that his reason for asking is that before expending funds on tents and other such items, the need for them could change in phase two. There was discussion on unemployment and the percentages of businesses who desire to reopen. Mr. Bollhoefer spoke of the reopening for shopping centers and fair treatment of all businesses wishing to reopen. He disclosed that there had been contact with the mall and they indicated that they were not ready to reopen. Mr. Bollhoefer explained that it is their decision.

City Manager Bollhoefer spoke of remaining cautious, introducing signage for social distancing, carefully easing from phase one and doing things correctly allowing the ability to move on to phase two. There was discussion that politics is playing a big role in the decisions of some other central Florida agencies. Discussed were effects on some Florida beaches reopening and lacking social distancing, which could potentially move all efforts backwards. Mayor Rees noted people are ready to get out and there was discussion on the increasing activity in the downtown. Mr. Bollhoefer reiterated that the City wants to do this carefully and safely; also utilizing ambassadors and staff to be sure we do it correctly as not to lose phase one. He stated that the City's ultimate goal is helping these businesses and keeping people healthy.

Commissioner Maciel inquired about the City's stance on masks. Mr. Bollhoefer noted that masks would be required of all restaurant workers. There was discussion about the restaurants using masks and even some desiring temperature checks of customers before allowing entry. Mr. Bollhoefer noted the efforts of the local business Sysco in

making equipment and supplies available for the restaurants; noting the possible availability of thermal thermometers by the end of the week.

Commissioner Sharman thinks that a spike in cases could be the only thing that would send us back to phase one. Mr. Bollhoefer distinguished the magnitude of the spike as the determining factor as some spike would be expected with people getting back out.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting several minutes and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Buchanan to ADOPT Emergency Ordinance 20-24. Seconded by Commissioner Sharman and carried unanimously 5-0.

B. Discussion on Coronavirus (COVID-19) and State of Florida - Office of the Governor DeSantis Executive Order Number 20-112

City Manager Bollhoefer stated that the City would begin to re-open a few of its programs based on the nature of the class and the ability to keep social distance. He noted that classes requiring closer contact would remain closed. He indicated that discussions on the splash pad, swimming pool, and summer camp would take place at the next City Commission regular meeting.

2. **MATTERS FROM PUBLIC**

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting several minutes and receiving no public calls or comments, he closed the public hearing.

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

4. **MATTERS FROM CITY MANAGER** – There were no items.

5. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Maciel thanked staff and the City Manager for all their efforts, noting that there is no playbook on this matter but it seems well covered.

Commissioner Buchanan noted that he echoes Commissioner Maciel's comments.

Commissioner Sharman shared his review of the State's website, for the entire 34787 zip code, found that there were 58 cases with no deaths. **Mayor Rees** noted the number of cases in Orange County and its population; calculating the percentage as .0009. **Commissioner Buchanan** noted that zip code 34787 reaches all the way to State Road 192.

Mayor Rees noted that he became aware, though an online service with First Baptist Church, that May 4, 2020 was International Firefighters' Day. He shared how the kids of the church recognized the Firefighters by taking items of appreciation to them at their Fire stations. He asked that, should we see our firefighters, tell them thank you.

The meeting adjourned at 2:22 p.m.

APPROVED:

Mayor John Rees

ATTEST:

City Clerk Angee Grimmage, CMC



Proclamation 20-01

Whereas, May 14 marks the annual Childhood Apraxia of Speech Day during which awareness will be raised throughout Winter Garden, Florida, about Childhood Apraxia of Speech, an extremely challenging speech disorder in children. Childhood Apraxia of Speech (CAS) causes children to have significant difficulty learning to speak and is among the most severe speech deficits in children; and

Whereas, the act of learning to speak comes effortlessly to most children, those with apraxia endure an incredible and lengthy struggle. Without appropriate speech therapy intervention, children with apraxia are placed at high risk for secondary impacts in reading, writing, spelling, and other school-related skills; and

Whereas, that such primary and secondary impacts diminish future independence and employment opportunities if not resolved or improved. Most children with apraxia of speech will learn to communicate with their very own voices only if they receive early intervention, appropriate, intensive, and frequent speech therapy; and

Whereas, it is imperative there be greater public awareness about childhood apraxia of speech in Winter Garden, Florida, among community members, physicians, education professionals, policy makers, and elected officials. Funders such as insurance providers, schools, and policy makers are encouraged to recognize the critical need to provide adequate speech therapy and other services so that the impact of this disorder is minimized and so that thousands of affected children can grow into productive, contributing adult citizens; and

Whereas, our highest respect goes to these children, as well as their families, for their effort, determination and resilience in the face of such obstacles.

Therefore, it is my great pleasure as the Mayor of the City of Winter Garden, to proclaim **May 14, 2020** is

Apraxia Awareness Day

and citizens of Winter Garden and surrounding areas are encouraged to work within their communities to increase awareness and understanding of Childhood Apraxia of Speech.

In witness whereof, I have hereunto set my hand and caused the City Seal to be affixed this 14th day of May, 2020.



John Rees
Mayor John Rees

Attest:
Angela J. Grimme
Angela Grimme, City Clerk



THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Steve Pash, Community Development Director

Via: City Manager Mike Bollhoefer

Date: April 29, 2020 **Meeting Date:** May 14, 2020

Subject: 356 E Lafayette St & 497 W J Peters Lane

Ordinance 20-16, 20-17, 20-18

PARCEL ID # 23-22-27-5720-00-133 & #23-22-27-5720-00-131

Issue: The applicant is requesting to annex the 0.82 +/- acre properties into the City as well as change the zoning and future land use designation.

Discussion: The applicant has requested annexation into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the properties as City Low Density Residential, and rezoning the properties to R-2 Residential District. Annexation will provide a more efficient delivery of services to the properties and further the goals and objectives of the City's Comprehensive Plan.

Recommended Action:

Staff recommends approval and adoption of Ordinance 20-16, 20-17, and 20-18.

Attachment(s)/References:

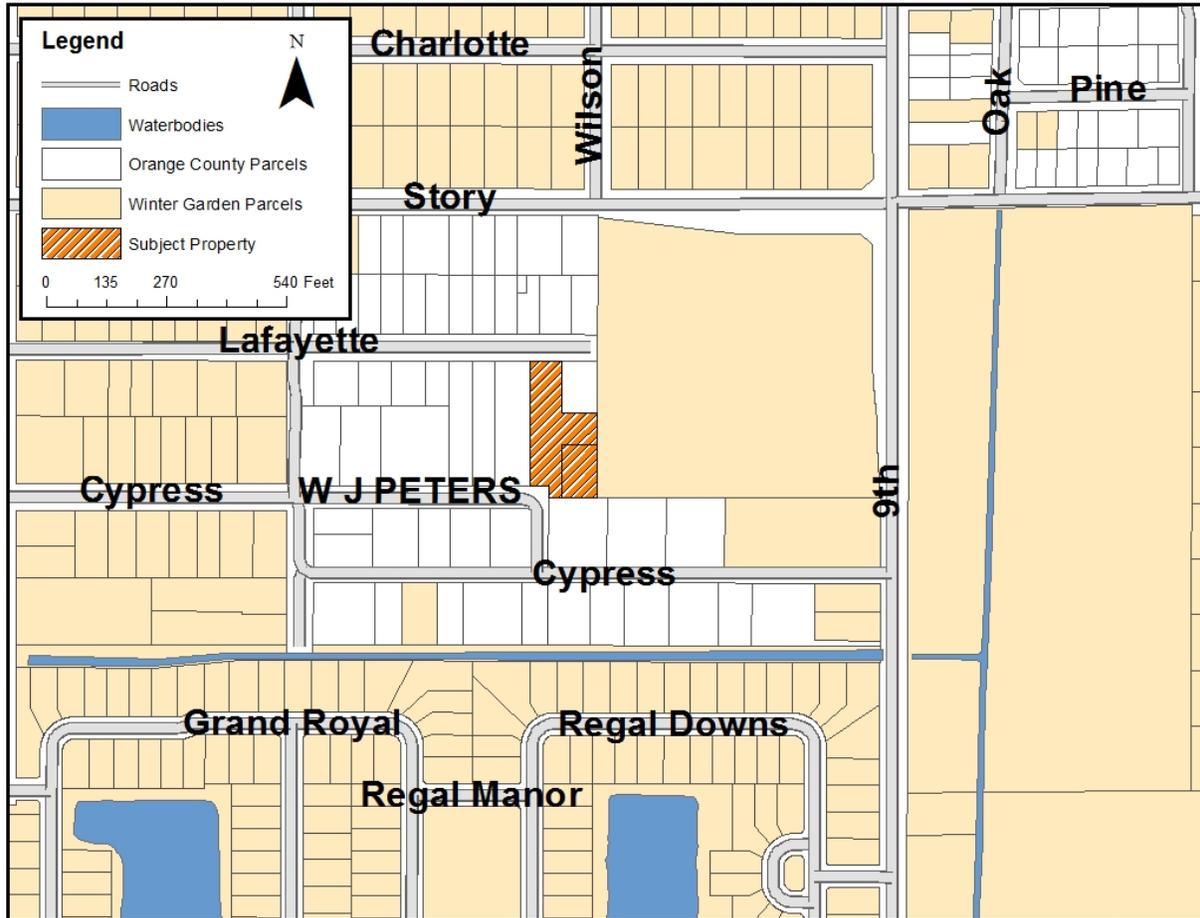
Location Map

Ordinance 20-16, 20-17, 20-18

Staff Report

LOCATION MAP

356 E Lafayette Street & 497 W J Peters Lane



ORDINANCE 20-16

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.82 ± ACRES LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the land, generally described as approximately 0.82 ± acres located at 356 E. Lafayette Street and 497 W J Peters Lane; north of E. Cypress Street, west of 9th Street, east of Summer Street, south of E. Lafayette Street, and legally described in Section 2 of this Ordinance, which land is reasonably compact and contiguous to the corporate limits of the City of Winter Garden, Florida (“City”), has, pursuant to the prerequisites and standards set forth in § 171.044, Fla. Stat., petitioned the City Commission for voluntary annexation;

WHEREAS, the petition for voluntary annexation referenced herein bears the signatures of all owners of the property or properties described in Section II of this Ordinance (*i.e.*, the property or properties to be annexed); and

WHEREAS, the City has determined that the property described in Section II of this Ordinance is located in an unincorporated area of the County and that annexation of such property will not result in the creation of an enclave.

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

SECTION I: *Annexation.* That the City Commission through its Planning and Zoning Board has conducted an investigation to determine whether the described property meets the prerequisites and standards set forth in Chapter 171, Fla. Stat. and has held a public hearing and said petition and made certain findings.

SECTION II: *Description of Area Annexed.* That, after said public hearing and having found such petition meets said prerequisites and standards, the property legally defined in ATTACHMENT “A” and graphically shown in ATTACHMENT “B” shall be annexed into the City of Winter Garden, Florida.

SECTION III: *Effect of Annexation.* That the City of Winter Garden, Florida, shall have all of the power, authority, and jurisdiction over and within the land as described in Section 2 hereof, and the inhabitants thereof, and property therein, as it does and have

over its present corporate limits and laws, ordinances, and resolutions of said City shall apply and shall have equal force and effect as if all territory had been part of said City at the time of the passage of such laws, ordinances, and resolutions.

SECTION IV: *Apportionment of Debts and Taxes.* Pursuant to § 171.061, Fla. Stat., the area annexed to the City shall be subject to all taxes and debts of the City upon the effective date of annexation. However, the annexed area shall not be subject to municipal ad valorem taxation for the current year if the effective date of the annexation falls after the City levies such tax.

SECTION V: *Instructions to Clerk.* Within seven (7) days following the adoption of this Ordinance, the City Clerk or his/her designee is directed to file a copy of this ordinance, including ATTACHMENT "A" hereto, with the clerk of the circuit court and the chief administrative officer of Orange County as required by § 171.044(3), Fla. Stat.

SECTION VI: *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

SECTION VII: *Effective Date.* This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2020.

SECOND READING AND PUBLIC HEARING: _____, 2020.

ADOPTED this _____ day of _____, 2020, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

ANGELA GRIMMAGE, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

Parcel ID # 23-22-27-5720-00-133 (Parcel 1) & # 23-22-27-5720-00-131 (Parcel 2)

Parcel 1:

The South 120 feet of Lot 13, MOORE'S SUBDIVISION, according to the Plat thereof recorded in Plat Book R, Page 138, of the Public Records of Orange County, Florida. LESS the South 25 feet for Road Right of Way.

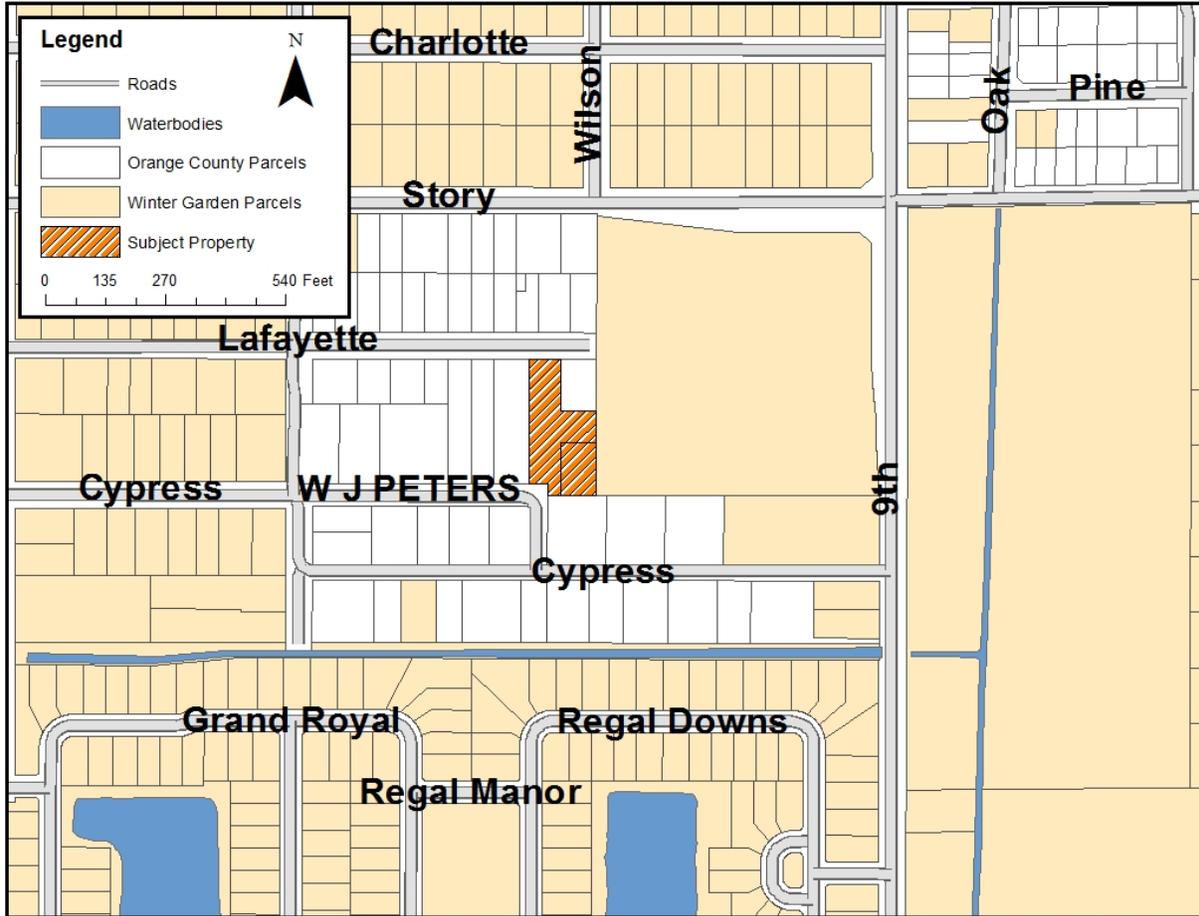
Parcel 2:

Lot 13, (less North 115 feet and less South 120 feet thereof) also all of Lot 14, and East 20 feet of Lot 15, of MOORE'S SUBDIVISION, according to the plat thereof as recorded in Plat Book R, Page 138, of the Public Records of Orange County, Florida. LESS the South 25 feet for Road Right of Way.

ATTACHMENT "B"

LOCATION MAP

356 Lafayette Street & 497 W J Peters Lane



ORDINANCE 20-17

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 0.82 ± ACRES OF LAND LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET FROM ORANGE COUNTY LOW-MEDIUM DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden;

WHEREAS, the owner of that certain real property generally described as 0.82 ± acres of land located at 356 E. Lafayette Street and 497 W J Peters Lane; north of E. Cypress Street, west of 9th Street, east of Summer Street, south of E. Lafayette Street, and legally described in ATTACHMENT "A" (the "Property") has petitioned the City to amend the Winter Garden Comprehensive Plan to change the Future Land Use classification from Orange County Low-Medium Density Residential to City Low Density Residential; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

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

SECTION I. *FLUM Amendment.* The City of Winter Garden hereby amends the Future Land Use Map of the City of Winter Garden Comprehensive Plan by designating the aforesaid Property to City Low Density Residential as set forth in ATTACHMENT "B".

SECTION II. *Effective Date.* Provided that the Property described herein is annexed into the City of Winter Garden pursuant to Ordinance 20-16, this Ordinance shall become effective 31 days after adoption, unless the Ordinance is timely challenged pursuant to §

163.3187(5), Fla. Stat., in which case, the Ordinance shall not be effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining that the adopted Ordinance is in compliance.

SECTION III. Severability. Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

FIRST READING AND PUBLIC HEARING: _____, 2020.

SECOND READING AND PUBLIC HEARING: _____, 2020.

ADOPTED this _____ day of _____, 2020, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

ANGELA GRIMMAGE, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

Parcel ID # 23-22-27-5720-00-133 (Parcel 1) & # 23-22-27-5720-00-131 (Parcel 2)

Parcel 1:

The South 120 feet of Lot 13, MOORE'S SUBDIVISION, according to the Plat thereof recorded in Plat Book R, Page 138, of the Public Records of Orange County, Florida. LESS the South 25 feet for Road Right of Way.

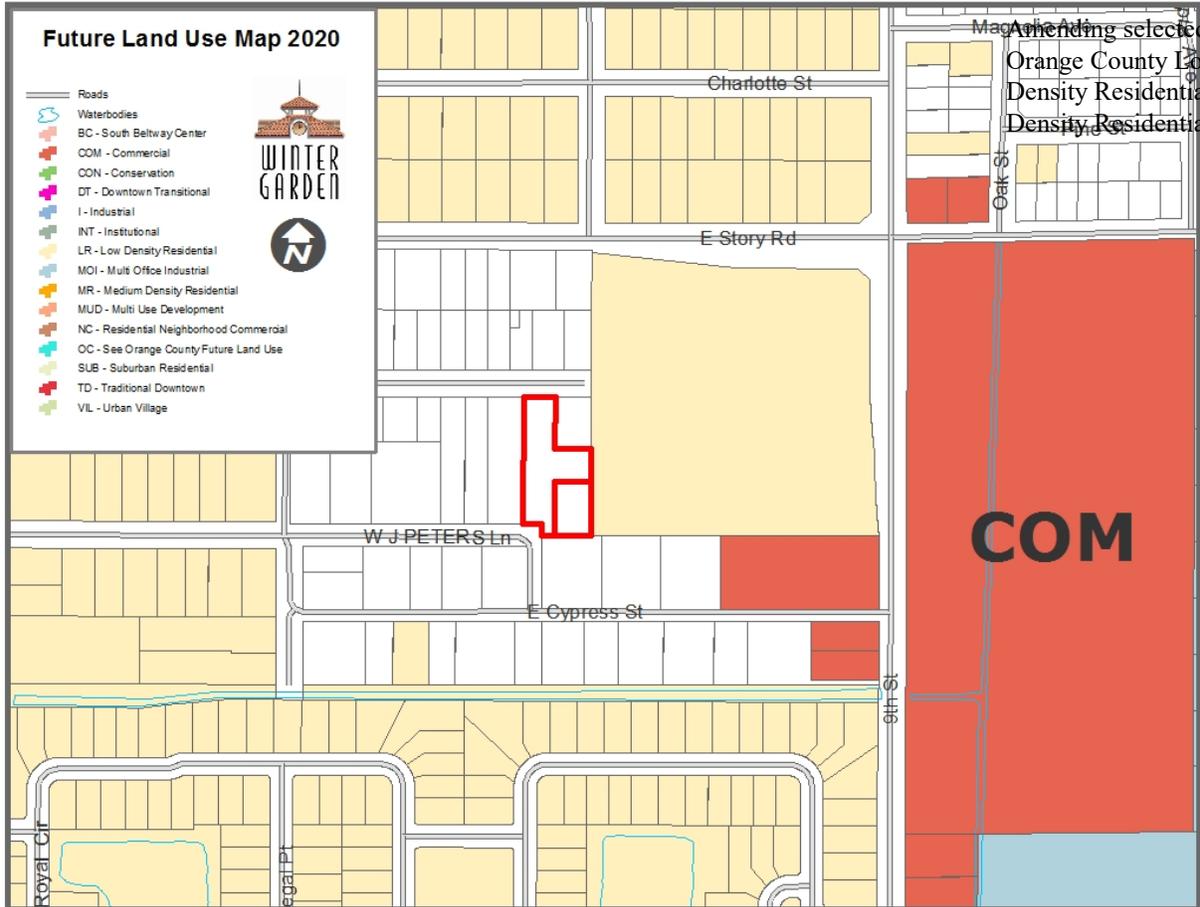
Parcel 2:

Lot 13, (less North 115 feet and less South 120 feet thereof) also all of Lot 14, and East 20 feet of Lot 15, of MOORE'S SUBDIVISION, according to the plat thereof as recorded in Plat Book R, Page 138, of the Public Records of Orange County, Florida. LESS the South 25 feet for Road Right of Way.

ATTACHMENT "B"

FUTURE LAND USE MAP

356 Lafayette Street & 497 W J Peters Lane



Amending selected area from Orange County Low-Medium Density Residential to City Low Density Residential.

ORDINANCE 20-18

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.82 ± ACRES LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET; FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY R-2 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as approximately 0.82 ± acres located at 356 E. Lafayette Street and 497 W J Peters Lane; north of E. Cypress Street, west of 9th Street, east of Summer Street, south of E. Lafayette Street, and legally described in Section I of this ordinance has petitioned the City to rezone said property from Orange County R-2 Residential District to the City's R-2 Residential District zoning classification, therefore; and

WHEREAS, after public notice and due consideration of public comment, the City Commission of the City of Winter Garden hereby finds and declares the rezoning approved by this Ordinance is consistent with the City of Winter Garden Comprehensive Plan; and

WHEREAS, further, the City Commission finds that based on competent, substantial evidence in the record, the rezoning approved by this Ordinance meets all applicable criteria for rezoning the Property to R-2 Residential District contained within the City of Winter Garden Comprehensive Plan and the Code of Ordinances.

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

SECTION I: *Rezoning.* The above "Whereas" clauses constitute findings by the City Commission. After due notice and public hearing, the zoning classification of real property legally described on ATTACHMENT "A," is hereby rezoned from Orange County R-2 Residential District to City R-2 Residential District in the City of Winter Garden, Florida.

SECTION II: *Zoning Map.* The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION III: *Non-Severability.* Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION IV: *Effective Date.* This Ordinance shall become effective

simultaneously upon the effective date of Ordinance 20-17 which is an amendment to the Future Land Use Map of the City of Winter Garden Comprehensive Plan that allows the property described herein to be zoned as provided in this Ordinance.

FIRST READING AND PUBLIC HEARING: _____, 2020.

SECOND READING AND PUBLIC HEARING: _____, 2020.

ADOPTED this _____ day of _____, 2020, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

ANGLEA GRIMMAGE, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

Parcel ID # 23-22-27-5720-00-133 (Parcel 1) & # 23-22-27-5720-00-131 (Parcel 2)

Parcel 1:

The South 120 feet of Lot 13, MOORE'S SUBDIVISION, according to the Plat thereof recorded in Plat Book R, Page 138, of the Public Records of Orange County, Florida. LESS the South 25 feet for Road Right of Way.

Parcel 2:

Lot 13, (less North 115 feet and less South 120 feet thereof) also all of Lot 14, and East 20 feet of Lot 15, of MOORE'S SUBDIVISION, according to the plat thereof as recorded in Plat Book R, Page 138, of the Public Records of Orange County, Florida. LESS the South 25 feet for Road Right of Way.

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

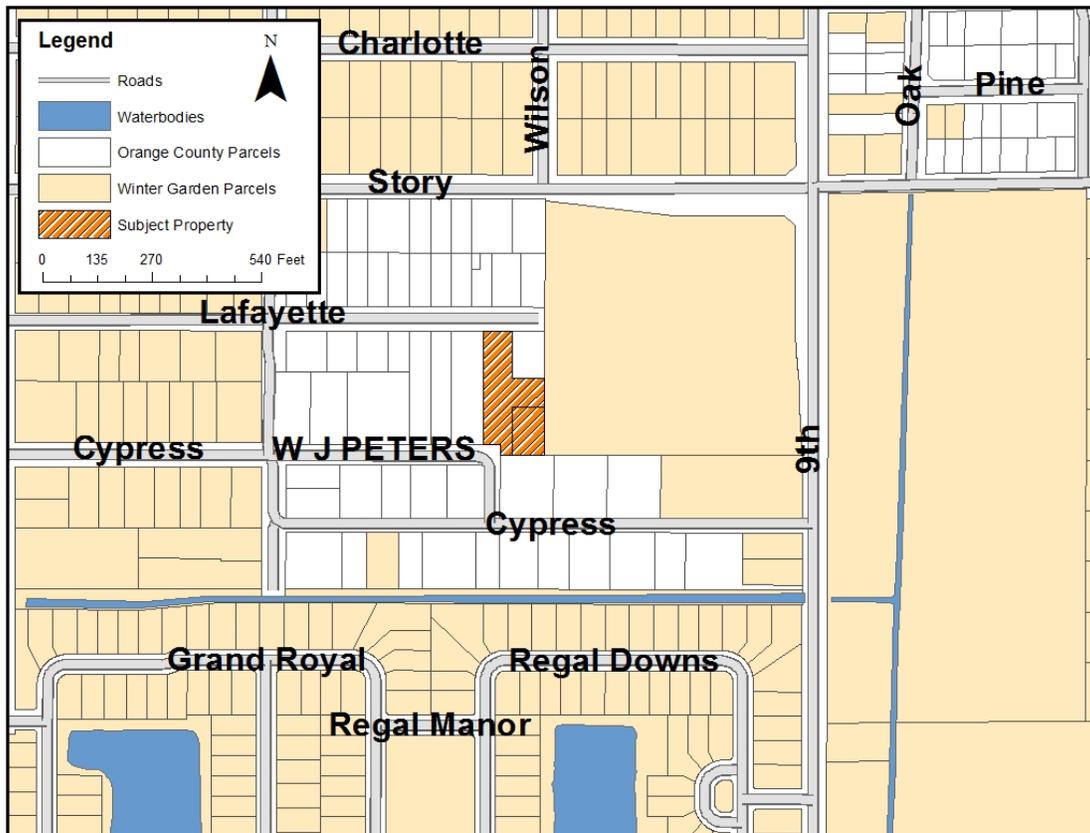
TO: PLANNING AND ZONING BOARD
PREPARED BY: Soraya Karimi, Planner I
DATE: March 2nd, 2020
SUBJECT: ANNEXATION – FLU—ZONING
356 E Lafayette Street & 497 W J Peters Lane (0.82 +/- ACRES)
PARCEL ID # 23-22-27-5720-00-133 & # 23-22-27-5720-00-131

APPLICANT: Orange County Public Schools – Facilities Planning

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property, located at 356 E Lafayette Street & 497 W J Peters Lane, is approximately 0.82 ± acres. The map below depicts the proximity of the subject property to the City of Winter Garden municipal limits:



The applicant has requested annexation into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as City Low Density Residential, and assigned zoning designation of R-2.

In accordance with the City's Comprehensive Plan, Properties designated with the Low Density Residential land use category are required to be developed at a gross residential density no greater than 6 dwelling units per acre and will be identified on the Future Land Use Map only in areas that are either similar in nature (i.e. have the same type of density of existing neighborhoods) or where environmental factors require low residential densities. Factors in determining this land use category included proximity to natural resources and urban services, availability of public facilities, and the characteristics of nearby existing and future neighborhoods. Churches and schools may be allowed via a Special Exception Permit. The zoning classifications that are consistent with the Low Density Residential classification are PUD, R-1A, R-1B, R-1, R-4, and R-5.

The City endorses infill of its jurisdictional limits through voluntary annexation of enclaves. The elimination of enclaves through voluntary annexation furthers the goals, objectives, and policies of the City's Comprehensive Plan.

EXISTING USE

The property located at 356 E Lafayette Street & 497 W J Peters Lane is currently vacant property belonging to the School Board of Orange County, Florida, zoned County R-2 and designated LMDR Orange County Low-Medium Density Residential on the Future Land Use Map. The gross land area is 0.82 +/- acres.

ADJACENT LAND USE AND ZONING

The property to the west of the subject property is owned by the School Board of Orange County Florida, zoned R-2 and within the City's municipal limits. The properties to the north of the subject property are single family residences and a municipal building, zoned R-2 and in unincorporated County. The properties to the south and east of the subject property are unincorporated County single family residential, zoned R-2.

PROPOSED USE

The applicants are requesting to annex 0.82 ± acres of the subject property into the City. OCPS intends to use the property as open space or drainage.

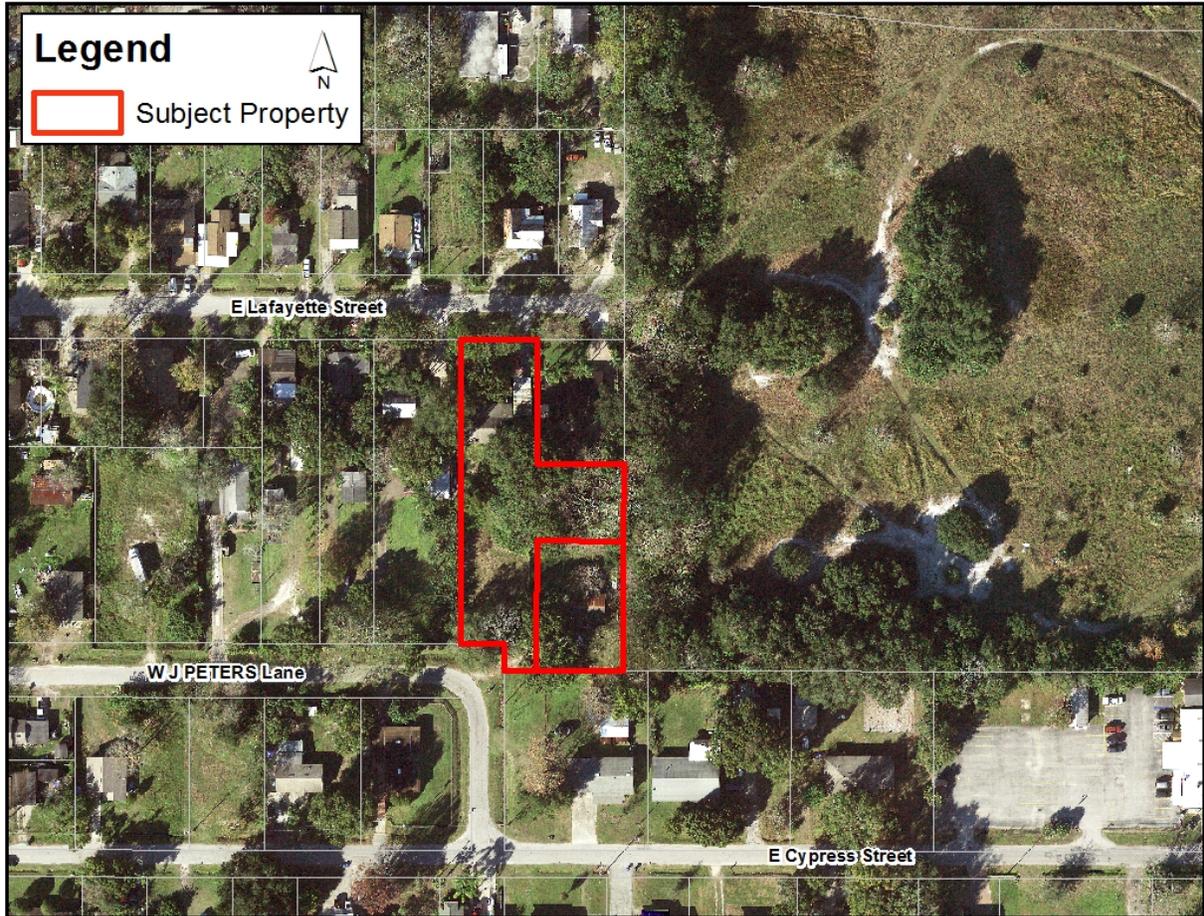
PUBLIC FACILITY ANALYSIS

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

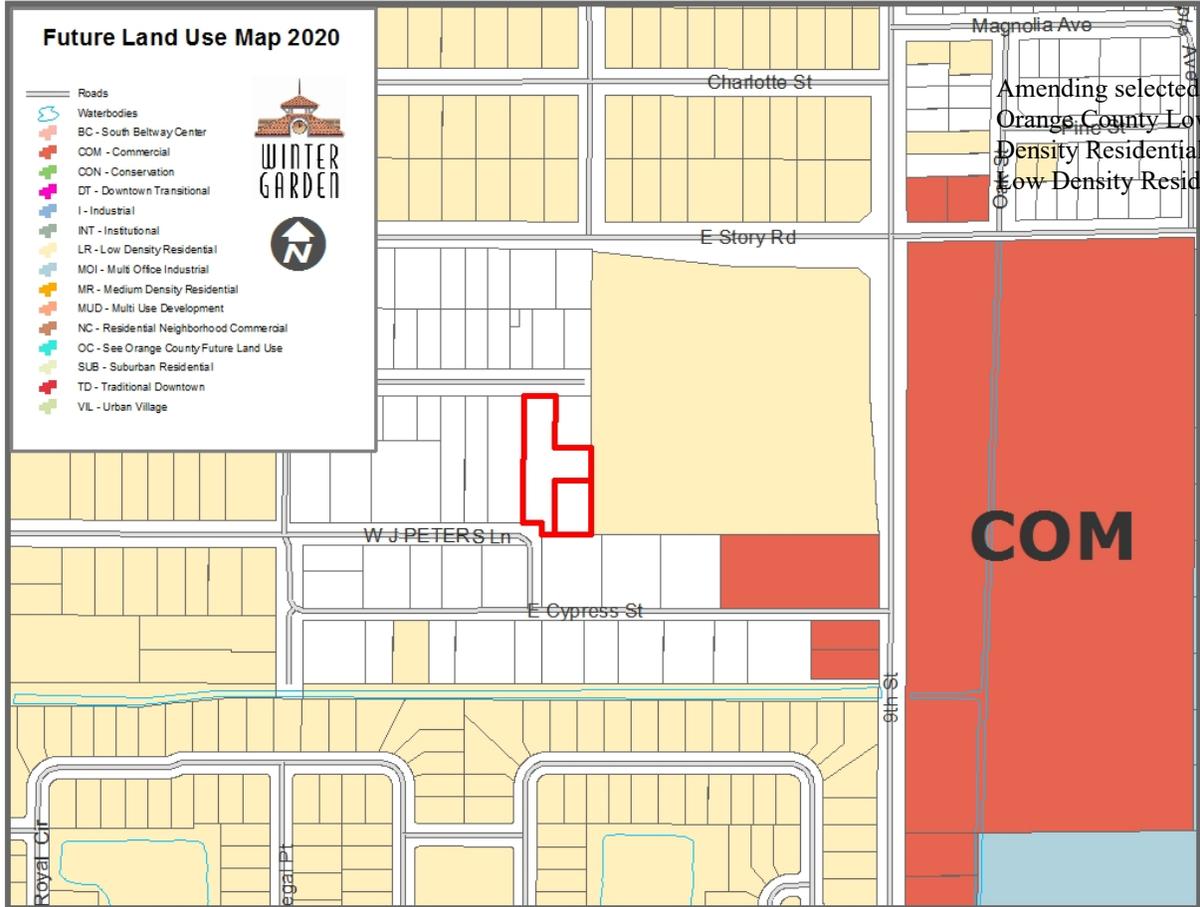
SUMMARY

Annexation will provide a more efficient delivery of services to the properties and further the goals and objectives of the City of Winter Garden’s Comprehensive Plan.
City Staff recommends approval of Ordinances 20-16, 20-17, and 20-18.

AERIAL PHOTO
356 E Lafayette Street & 497 W J Peters Lane



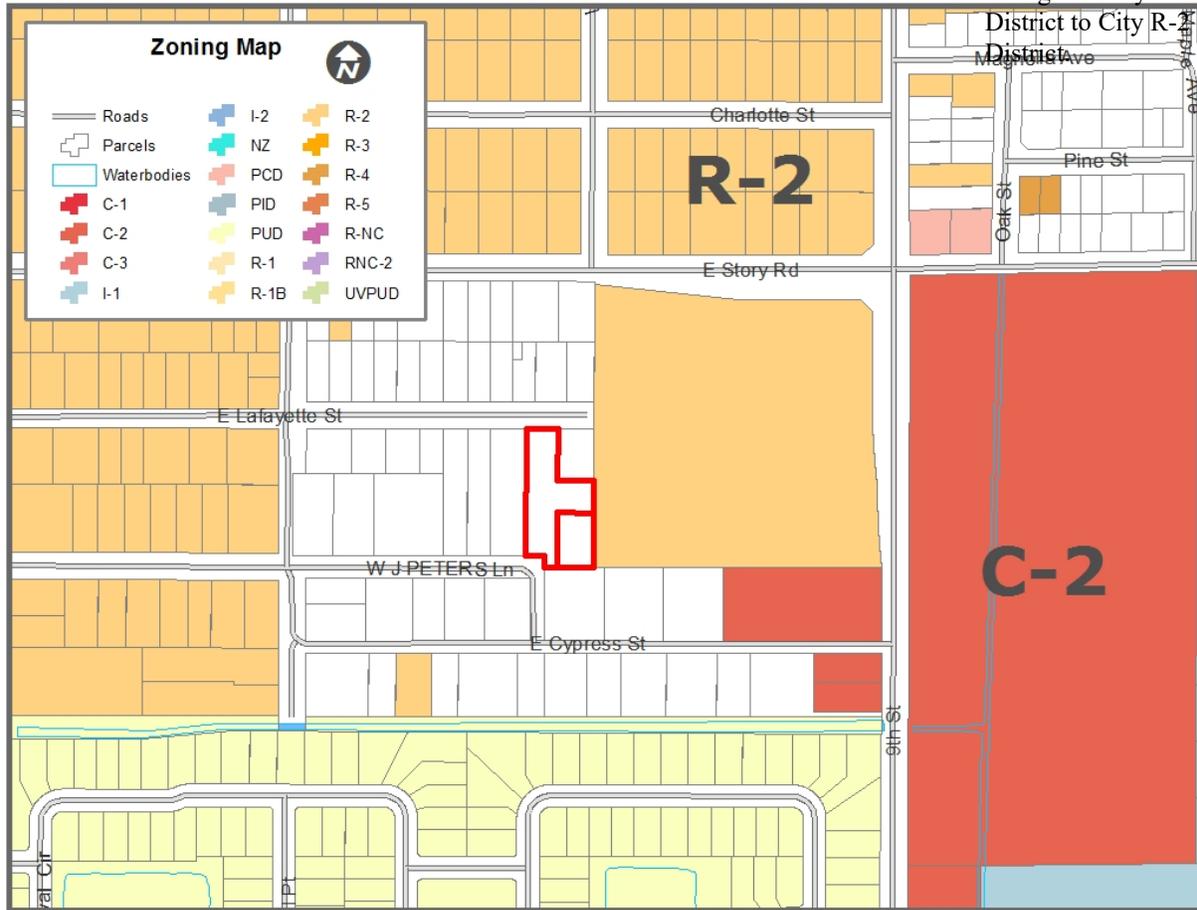
Future Land Use Map
356 E Lafayette Street & 497 W J Peters Lane



Amending selected area from Orange County Low-Medium Density Residential to City Low Density Residential.

Zoning Map
15151 E. Oakland Avenue

Amending selected area from
 Orange County R-2 Residential
 District to City R-2 Residential



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Steve Graham, Police Chief

Via: City Manager Mike Bollhoefer

Date: May 7, 2020

Meeting Date: May 14, 2020

Subject: The Federal Fiscal Year 2019-2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – JAG Countywide – State Solicitation has earmarked \$320,718 for Orange County. Of those funds, \$10,932 is specifically earmarked for the Winter Garden Police Department and it is requested that these grant funds be utilized to purchase additional gym and exercise equipment.

Issue: Officer fitness is important and as we encourage our employees to maintain fitness levels we would like to provide additional supplemental equipment to improve the gym facility and capabilities. As a requirement of the grant program, Orange County must show that 51% of the municipalities, representing at least 51% of the population of Orange County, agree with the distribution of the awarded amount of \$320,718. We also have to allow for public comment.

Recommended action: To approve the police department to purchase gym and exercise equipment with the \$10,932 from the Fiscal Year 2019-2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – JAG Countywide – State Solicitation.

Attachments/References:

1. Grant announcement documents
2. Letter to be signed by Mayor Rees

Steve Graham

From: Michele.Jones@ocfl.net
Sent: Monday, April 06, 2020 1:10 PM
To: lhouston@belleislepolice.org; jjenkins@eatonvillepolice.com; jfreeburg@edgewood-fl.gov; dmanuel@maitlandpd.org; jpeek@oaklandpd.com; dogden@town.windermere.fl.us; Steve Graham; mdeal@cityofwinterpark.org; mmckinley@apopka.net; cbrown@ocoee.org
Cc: jtreadwell@town.windermere.fl.us; jberish@ocoee.org; jwoertman@apopka.net; szane@edgewood-fl.gov; kgilbert@cityofwinterpark.org; Scott Allen; lgrindle@maitlandpd.org; Tammy.Miller2@ocfl.net; jennifer.keefe@orlando.gov
Subject: FY19-20 Edward Byrne Memorial Justice Assistance Grant Countywide
Attachments: FY2020 JAGC Matrix TM.xlsx

Good afternoon,

For fiscal year 2019-2020, Orange County has been awarded \$320,718 from the JAGC Edward Byrne Memorial Justice Assistance Grant Countywide Program (JAGC). The Orange County Sheriff's Office and the Orlando Police Department receive the majority of the JAGC grant funds, however both the Sheriff of Orange County and Chief of the Orlando Police Department reallocates some of their funds to the smaller law enforcement municipalities to reach the maximum of \$10,000 for their project needs. Please see the attached allocations.

In order to meet the 51% requirement pertaining to State of Florida Rule 11D-9, F.A.C., the grants office needs to start the strategic planning efforts of JAGC. This begins with a request for the title of your project that will be included in the required 51% letter. Upon receiving your project title, I will send an email to your agency representative requesting confirmation that all project titles are correct and a follow up email with all project titles. You can then prepare your official letter. Keep in mind to choose a broad project title. As some of us have learned, if you choose a project title such as "Vests" and for some reason that changes, you will not be able to use the funds for a different item.

Please forward your project title to me no later than April 13th. If you have any questions or need additional information, please contact me at (407) 254-7154.

Michele Jones
Grants Coordinator
Orange County Sheriff's Office
Office - 407-254-7154
Michele.jones@odfl.net

PLEASE NOTE: Florida has a very broad public records law (F. S. 119). All e-mails to and from County Officials are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time.

FY20 Edward Byrne Memorial Justice Assistance Grant Countywide (JAGC)

Grant Allocations

Award \$320,718

Orange County Pop. **1,386,080**

	US Census 2019 est. 1,386,080	Percentage of Total Population	Allocation based on Population	Adjustments	Recommended Allocation - Minimum \$10,000	Notes
Apopka	52,404	3.7807%	\$ 12,125	\$ -	\$ 12,125.00	
Bay Lake	15	0.0011%	\$ 3	\$ (3.00)	\$ -	
Belle Isle	7,365	0.5314%	\$ 1,704	\$ 8,296.00	\$ 10,000.00	
Eatonville	2,348	0.1694%	\$ 543	\$ 9,457.00	\$ 10,000.00	
Edgewood	2,717	0.1960%	\$ 629	\$ 9,371.00	\$ 10,000.00	
Lake Buena Vista	24	0.0017%	\$ 6	\$ (6.00)	\$ -	
Maitland	21,096	1.5220%	\$ 4,881	\$ 5,119.00	\$ 10,000.00	
Oakland	3,365	0.2428%	\$ 779	\$ 9,221.00	\$ 10,000.00	
Ocoee	47,580	3.4327%	\$ 11,009	\$ -	\$ 11,009.00	
Orlando	291,800	21.0522%	\$ 67,518	\$ (13,442.50) *	\$ 54,076.00	(\$13,442.50 OPD's contribution to the shortage)
Windermere	2,972	0.2144%	\$ 688	\$ 9,312.00	\$ 10,000.00	
Winter Garden	47,245	3.4085%	\$ 10,932	\$ -	\$ 10,932.00	
Winter Park	30,239	2.1816%	\$ 6,997	\$ 3,003.00	\$ 10,000.00	
Unincorporated	876,910	63.2655%	\$ 202,904	\$ (40,327.50) **	\$ 162,576.00	(\$40,327.50 SO's contribution to the shortage)
Totals	1,386,080	100.00%	\$ 320,718.00	\$ -	\$ 320,718.00	

*This is 25% of the \$53,770 shortage

**This is 75% of the \$53,770 shortage



April 28, 2020

City of Winter Garden

P: 407.656.4111

300 West Plant Street

Winter Garden, FL

34787

wintergarden-fl.gov

Ms. Rona Kay Cradit
 Bureau Chief
 Office of Criminal Justice Grants
 Florida Department of Law Enforcement
 2331 Phillips Road
 Tallahassee, Florida 32302

Dear Ms. Cradit:

In compliance with State of Florida Rule 11D-9, F.A.C., **Orange County Board of Commissioners** approves the distribution of \$320,718 of Federal Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Grant Program regular funds for the following projects within Orange County:

<u>Subgrantee/Implementing</u>	<u>Title of Project</u>	<u>Dollar Amount</u> <u>Federal</u>
Apopka Police Department	Operations Enhancements	\$ 12,125.00
Belle Isle Police Department	Traffic Safety Enhancements	\$ 10,000.00
Eatonville Police Department	Patrol Enhancement Project	\$ 10,000.00
Edgewood Police Department	Traffic Safety and Awareness Improvement Project	\$ 10,000.00
Maitland Police Department	Maitland Police Department Tactical Weapons Acquisition	\$ 10,000.00
Oakland Police Department	2020 Patrol Operations Project	\$ 10,000.00
Ocoee Police Department	Decontamination Project	\$ 11,009.00
Orange County Sheriff's Office	OCSO Crime Center Enhancement Project	\$ 38,000.00
Orange County Sheriff's Office	Community Observation Cameras	\$ 24,000.00
Orange County Sheriff's Office	Aviation Navigation and Display System Project	\$ 54,461.00
Orange County Sheriff's Office	SWAT Night Vision Monoculars	\$ 46,115.00
Orlando Police Department	OPD Crime Center Enhancement Project	\$ 54,076.00
Windermere Police Department	Defensive Tactics and Traffic Enforcement Equipment	\$ 10,000.00
Winter Garden Police Department	Police Officer Fitness Program	\$ 10,932.00
Winter Park Police Department	Fingerprint Readers	\$ 10,000.00

Sincerely,

The Honorable John Rees
 Mayor