

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

December 14, 2023

City Hall Commission Chambers
506 W. Berckman Street
Fruitland Park, Florida 34731

6:00 p.m.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Jerry Rhomes, Connection Point Church

Pledge of Allegiance – Police Chief Erik Luce

2. ROLL CALL

**3. SPECIAL PRESENTATION – Wreaths Across America Proclamation
Saturday, December 16, 2023** (city clerk)

4. LOCAL PLANNING AGENCY (city clerk)

As soon as practical at 6:15 p.m., recess to the Local Planning Agency meeting.

5. COMMUNITY REDEVELOPMENT AGENCY (city clerk)

As soon as practical at 6:30 p.m., recess to the Community Redevelopment Agency meeting.

6. CONSENT AGENDA

Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s); and (3) Discuss each pulled item separately and vote.

(a) Approval of Minutes (city clerk)

November 9 regular and November 9, 2023 workshop meeting minutes.

(b) Resolution 2023-076 PRM Alternate Board Member J Klein (city attorney/city manager)

A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF FRUITLAND PARK, FLORIDA, APPOINTING
THE HUMAN RESOURCES DIRECTOR TO SERVE AS
THE ALTERNATE ON THE BOARD OF DIRECTORS OF
PUBLIC RISK MANAGEMENT OF FLORIDA; AND
PROVIDING FOR AN EFFECTIVE DATE.

7. REGULAR AGENDA

- (a) Resolution 2023-065 Records and Archive Management Plan Onsite Consulting Services - SML Inc.** (city attorney/city manager/city clerk)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING A ONE-YEAR RENEWAL OF THE PROFESSIONAL SERVICES AGREEMENT BETWEEN SML, INC. & CITY OF FRUITLAND PARK CONTRACT FOR RECORDS & ARCHIVE MANAGEMENT SERVICES; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from October 12 and 26, 2023.)

- (b) Resolution 2023-075 Petition to the Lake County Board of County Commissioners - LCSO Dispatch Services** (city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PETITIONING THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA TO DEVELOP AN APPROPRIATE MECHANISM TO FINANCE THE LAKE COUNTY SHERIFF'S DISPATCH SERVICES THAT DOES NOT VIOLATE SECTION 125.01(7), FLORIDA STATUTES, PROVIDING FOR AN EFFECTIVE DATE.

- (c) Resolution 2023-077 Comprehensive Plan Updates - LPG Urban & Regional Planners LLC** (city attorney/city manager)

- (d) Resolution 2023-078 Public Safety Complex Additional Services Proposal - Halff Inc.** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING HALFF'S ADDITIONAL SERVICES CONFIRMATION DATED OCTOBER 31, 2023 IN THE AMOUNT NOT TO EXCEED \$48,750.00 FOR ADDITIONAL SURVEYING AND CIVIL ENGINEERING SERVICES AS WELL AS TO REFLECT INCREASED COSTS SINCE 2020 FOR THE CITY OF FRUITLAND PARK PUBLIC SAFETY COMPLEX; PROVIDING FOR AN EFFECTIVE DATE.

- (e) **Resolution 2023-079 Five-Foot Sidewalk Installation City Hall Complex – Fountain Street and College Avenue ROWs and Civil Engineering and Surveying Services Design Proposal/Agreement – Halff Inc.** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PROPOSAL/AGREEMENT FOR CRA SIDEWALK DATED OCTOBER 31, 2023 IN AN AMOUNT NOT TO EXCEED \$17,800.00 BETWEEN BESH HALFF AND THE CITY OF FRUITLAND PARK FOR CIVIL ENGINEERING AND SURVEYING SERVICES RELATING TO SIDEWALK INSTALLATION ALONG FOUNTAIN STREET AND COLLEGE AVENUE; PROVIDING FOR AN EFFECTIVE DATE.

- (f) **Resolution 2023-080 Patricia Avenue Water Main and Services Installation – EJCDC Standard Form of Agreement Amendment – D B Civil Construction LLC** (city attorney/city manager/public works director)

PUBLIC HEARING

- (g) **Public Hearing – Resolution 2023-059 Final Adopted Millage FY 2023-24** (city attorney/city manager/city treasurer)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A FINAL MILLAGE RATE OF 3.9134 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2023-2024; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on September 14 and the second reading was held on September 28, 2023.)

- (h) **Public Hearing - Resolution 2023-071 Live Local Act** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; PROVIDING NOTICE TO THE PUBLIC OF A PENDING ORDINANCE AND DIRECTING STAFF TO DEVELOP AND PROCESS FOR ADOPTION AN ORDINANCE TO PROVIDE FOR CERTIFICATION OF COMPLIANCE OF AFFORDABLE HOUSING PROJECTS AND OTHER POTENTIAL LAND DEVELOPMENT REGULATIONS ADDRESSING AFFORDABLE HOUSING, MIXED-USE AND MULTI-FAMILY PROJECTS TO ADDRESS THE

IMPACTS OF CHAPTER 2023-17, LAWS OF FLORIDA,
KNOWN AS THE LIVE LOCAL ACT.

**(i) First Reading and Public Hearing – Ordinance 2023-022
Wastewater System Asset Management and Fiscal Sustainability**

Plan (city attorney/city manager/public works director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING CHAPTER 104 OF THE CODE OF ORDINANCES AND ADOPTING THE CITY OF FRUITLAND PARK WASTEWATER SYSTEM ASSET MANAGEMENT AND FISCAL SUSTAINABILITY PLAN PREPARE BY FLORIDA RURAL WATER ASSOCIATION IN PARTNERSHIP WITH FDEP AND SRF; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 11, 2024.)

**(j) First Reading and Public Hearing – Ordinance 2023-023
Redistricting Maps** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, CHANGING THE BOUNDARIES OF THE FIVE CITY COMMISSION DISTRICTS BASED ON POPULATION DATA REVIEWED AND PROVIDED BY LPG URBAN & REGIONAL PLANNERS, INC. AND INCLUSION OF PROPERTY ANNEXED INTO THE CITY OF FRUITLAND PARK SINCE THE ADOPTION OF THE CURRENT DISTRICT BOUNDARIES; ADOPTING A NEW EXHIBIT “A” MAP; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 11, 2024.)

**(k) First Reading and Public Hearing – Ordinance 2023-020
Comprehensive Plan Amendment Building Heights Restriction**

(city attorney/city manager/community development)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK’S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35’ WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE

CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN;
AND PROVIDING FOR APPROVAL AND AN EFFECTIVE
DATE. (The second reading will be held on
January 11, 2024.)

(l) First Reading and Public Hearing – Ordinance 2023-019 Land Development Regulations Amendment – Building Heights Restriction (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE. (The second reading will be held on January 11, 2024.)

(m) First Reading and Quasi-Judicial Public Hearing - Ordinance 2023-015 Annexation – 16.67 ± Acres– East US Highway 441/27 and East of Register Road Griffin Preserve – Petitioner: Beryl N. Stokes III (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 16.67 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 441/27 AND EAST OF REGISTER ROAD; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 11, 2024.)

- (n) **First Reading and Public Hearing - Ordinance 2023-016 SSCPA 16.67 ± Acres- East US Highway 441/27 and East of Register Road Griffin Preserve – Petitioner: Beryl N. Stokes III** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY REGIONAL OFFICE TO CITY SINGLE-FAMILY MEDIUM DENSITY OF 16.67 +/- ACRES OF PROPERTY GENERALLY LOCATED EAST OF US HWY 441/27 AND EAST OF REGISTER ROAD; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

(The second reading will be held on January 11, 2024.)

QUASI-JUDICIAL PUBLIC HEARING

- (o) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2023-017 Rezoning 16.67± Acres Lake County Agricultural and Light Manufacturing to PUD – East US Highway 441/27 and East of Register Road – Petitioner: Beryl N. Stokes III** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 16.67 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) AND LIGHT MANUFACTURING (LM) TO CITY OF FRUITLAND PARK PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED EAST OF US HWY. 441/27 AND EAST OF REGISTER ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND

SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 11, 2024.)

- (p) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2023-021 MDA 2nd Amendment - Mirror Lake Village PUD Phase II – Maximum Impervious Surface Ratio – Petitioner** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE MASTER DEVELOPMENT AGREEMENT CONDITIONS OF THE MIRROR LAKE VILLAGE PLANNED UNIT DEVELOPMENT (PUD) TO PROVIDE FOR A MAXIMUM IMPERVIOUS SURFACE RATIO; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SCRIVENER'S ERRORS; AND SETTING AN EFFECTIVE DATE. (The second reading will be held on January 11, 2024.)

- (q) **Quasi-Judicial Public Hearing - Resolution 2023-073 Variance Reinforced Concrete Pipe - South of Lake Ella Road and West of US 27/441 – Petitioner: Land Sanders Groves Land LLP** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE SUBDIVISION REGULATION REQUIREMENTS PERTAINING TO REINFORCED CONCRETE PIPE FOR USE UNDER ROADWAYS TO UTILIZE CORRUGATED POLYETHYLENE PIPE (HP), ON THE SUBJECT PROPERTY LOCATED SOUTH OF LAKE ELLA ROAD AND WEST OF US 27/441 AND OWNED BY LAKE SAUNDERS GROVES LAND, LLP, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

- (r) **Quasi-Judicial Public Hearing – Resolution 2023-074 Major Site Plan – Commercial Parcels – Petitioner: Evolve Fruitland Park LLC** (city attorney /city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW FOR CONSTRUCTION OF 222 MULTI-FAMILY DWELLING UNITS, ASSOCIATED PARKING, STORMWATER, RECREATIONAL AMENITIES AND TWO COMMERCIAL PARCELS; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO

ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

- 8. (a) City Manager**
 - i. Economic Development Status Update Report**
 - ii. Commercial Developments Permits Issued Status Update Report**
 - iii. City Manager Recruiting Firms' Proposals Status Update Report**
 - iv. Stormwater Retention Status Update Report**
 - v. Lake County America Rescue Plan Act Funds Status Update Report**
- (b) City Attorney**
 - i. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845 (Judge Baxley)**
 - ii. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628**
 - iii. Code of Ordinances – Codification**
 - iv. 0295 Builder, LLC v. City of Fruitland Park, et al, Lake County Case No. 2023-CA-2919**

9. UNFINISHED BUSINESS

10. PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the City Commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions

before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

11. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

(b) Commissioner Bell

(c) Commissioner Gunter, Jr.

(d) Vice Mayor DeGrave

12. MAYOR'S COMMENTS

13. ADJOURNMENT

DATES TO REMEMBER

- December 16, 2023, *11th Annual Wreaths Across America* Ceremony, Shiloh Cemetery, Fruitland Park, Florida 34731 at 10:00 a.m.;
- December 21, 2023, City Commission regular at 6:00 p.m. – Cancelled;
- December 25, 2023, City Hall Closed – Christmas Day;
- December 26, 2023, City Hall closed (public holiday);

- January 1, 2024, City Hall Closed – New Year's Day;
- January 11, 2024, City Commission regular at 6:00 p.m.
- January 15, 2024, City Hall Closed - Dr. Martin Luther King Jr. Day;
- January 19, 2024, *St John's River Water Management District Update*, Lake County League of Cities, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 noon, and
- January 25, 2024, City Commission regular at 6:00 p.m.;

For additional events, please visit [Calendar | City of Fruitland Park Florida](#).

Please note that in addition to the city commission meetings, more than one city commissioner may be present at the above-mentioned events.

Any person requiring special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and 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 does not provide verbatim records. (§286.0105, F.S.)

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.